



Defence Awarding  
Organisation



# Conflicts of Interest Policy

Ver 9.0 Apr 26

*Recognising Quality and Competence:*

*Supporting Defence with accreditation and specialist bespoke qualification opportunities*

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## Amendments

| Version Number | Amendment  | Date Published |
|----------------|--|----------------|
| 8.0            | Published  | 01 Aug 24      |
| 9.0            | Replacement paragraph 24 added and DAO email address updated | 01 Apr 26      |
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## Introduction

1. This document sets out the Defence Awarding Organisation (DAO) Conflict of Interest policy and procedure and is aimed at its DAO Awarding Centres, DAO Learners and all interested parties who encounter a direct or indirect service from the DAO. The document outlines both the DAO:
  - a. broad approach to identifying and monitoring all actual / potential Conflicts of Interest that may affect DAO, both now and in the foreseeable future<sup>1</sup>; and
  - b. the possible Conflicts of Interest that have been identified to date, including the arrangements in place to prevent these from occurring.

## Scope

2. This policy covers DAO Awarding Centres and Learners. It is written in accordance with the Regulatory Requirements and may be provided to the Regulators upon request. This submission serves to demonstrate the DAO's ability to comply with their requirements in relation to Conflicts of Interest, thereby mitigating the risk of such conflicts resulting in an 'Adverse Effects' (as defined by the Regulators)<sup>2</sup>.

## Awarding Centre's Responsibility

3. Awarding Centres should take all responsible steps to ensure that Awarding Centre staff involved in the management, assessment and quality assurance of DAO qualifications, and DAO Learners, are fully informed of this policy. In addition, Awarding Centres must have a robust Conflict of Interest handling procedure in place to effectively manage any conflicts arising from from DAO Learners regarding the services provided by Awarding Centres.

## Review Arrangements

4. The DAO will review the policy and its associated procedures annually as part of the DAO self-evaluation arrangements<sup>3</sup>, and revise it as and when necessary in response to customer, DAO Learner or Regulatory feedback (e.g. to align with any process established by the Regulator(s)) and any trends that may emerge in the subject.
5. Feedback about the policy can be submitted using the contact methods provided at the end of this policy.

## Definition of a Conflict of Interest

6. For the purposes of this policy, DAO have adopted the definition used by the Regulatory Authority in relation to Conflict of Interests<sup>4</sup>. In essence, a Conflict of Interest exists in relation to DAO where:

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<sup>1</sup> This meets the requirement for [Ofqual GCoR Condition: A4.1](#)

<sup>2</sup> This meets the requirement for [Ofqual GCoR Condition: A4.3](#)

<sup>3</sup> This meets the requirement for [Ofqual GCoR Condition: A4.7](#)

<sup>4</sup> This meets the requirement for [Ofqual GCoR Condition: A4.1](#)

- a. its interests in any activity undertaken by it, on its behalf, or by a member of its Organisation have the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with its Conditions of Recognition
  - b. a person who is connected to the development, delivery or award of DAO qualifications has interests in any other activity which have the potential to lead that person to act contrary to their interests in that development, delivery or award and impacts on DAO compliance with the requirements of the Regulator's Conditions of Recognition
  - c. an informed and reasonable observer would conclude that either of these situations was the case.
7. Conflicts of interest can arise in a variety of contexts. The Conditions cover Conflicts of Interest that affect, or could affect, an Awarding Organisation's ability to develop, deliver and award regulated qualifications in a way that complies with the General Conditions of Recognition (GCoR).
8. For clarity, the three parts (above) of this definition are interrelated:
- a. The first covers Conflicts of Interest that relate to the DAO. That is, situations where activities carried out by the DAO (on our behalf or by a related company) might impair the DAOs ability to make objective, unbiased decisions about how best to develop, deliver or award our qualifications.
  - b. Whereas similarly, the second covers Conflicts of Interest that relate to the individuals used (full time staff, contractors, suppliers, advisors, Centre Staff etc) in any part of the development, delivery or award of DAO qualifications. That is, situations where a particular individual's interests might impair their ability to make the objective, unbiased decisions that are necessary to ensure DAO develop, deliver and award qualifications in line with Ofqual's General Conditions of Recognition.
  - c. The last point simply extends the definition to both areas to include situations where an observer would perceive that DAO or and/or an individual has such a competing interest.

### **Conflict of Interest Principles**

9. The Regulators' requirements do not impose a general prohibition on not having or operating when Conflicts of Interest exist. Rather, they require the DAO to identify, monitor and manage those Conflicts of Interest with a view to preventing any 'Adverse Effect' that might arise from them, and to minimise any Adverse Effect should one occur .
10. Therefore, in implementing the DAOs approach to identifying and managing actual/potential Conflicts of Interest, all DAO and Awarding Centre staff are required to abide by the following principles. They must:

- a. commit to identifying and managing all actual/potential Conflicts of Interest that may affect and in doing so raise possible Conflicts of Interest with the Centre Head of the DAO Compliance Manager if in doubt.
  - b. must be proactive in the identification and management of Conflicts of Interest that may affect DAO effectiveness, level of Regulatory compliance and/or reputation.
  - c. must be open about the nature of any potential / actual Conflicts of Interest and not try to conceal or present them in a better light.
11. Managing Conflicts of Interest is about preventing issues from occurring that may impact on DAO operational effectiveness and/or regulatory compliance. They should also:
- a. strive to identify and deal with Conflicts of Interest sooner rather than later
  - b. ensure controls to manage any potential Conflicts of Interest must be proportionate to the risks associated with the identified conflict(s).
12. The key principle to abide by and implement is – **if in doubt, log all possible Conflicts of Interest. Outline the steps taken/will take to mitigate it from occurring and if it cannot be avoided, reduce the risk of it becoming an Adverse Effect.**

### Recording Conflicts of Interest (AO)

13. Department Leads are expected to identify and record any actual/potential Conflicts of Interest that could impact the DAO and which are not already identified in Annex A at the end of this policy.
14. In addition, Leads are required to manage and monitor any identified Conflicts of Interest that relate to their area of operations. Should the status of any identified conflict or the associated controls change, then the manager for that Department should update, as required, the Conflict of Interest Register on the DAO Qualification Management System (QMS). This includes Fee Earners and Third Party Contractors.
15. Overall, DAO compliance with regard to identifying and managing any Conflicts of Interest will be reviewed regularly by the DAO Compliance Manager and details of all possible and actual Conflicts of Interest, along with the associated controls and overall risk rating for impact/likelihood for each conflict of interest are contained within the Conflicts of Interest Log in the Governance Module of the DAO QMS. This Log contains details of each Live / Current and Closed Conflict of Interest – along with a full audit trail and history of each record<sup>5</sup>.

### Recording Conflicts of Interest (Awarding Centre)

16. Awarding Centre Heads are to identify and record any actual/potential Conflicts of Interest that could impact the DAO and which are not already identified in Annex A at the end of this policy.
17. The Awarding Centre is to hold and maintain its own Conflict of Interest Register, recording all conflicts as they arise. The centre should adapt the table at Annex A to provide their own guidance at Centre Level.

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<sup>5</sup> This meets the requirement for [Ofqual GCoR Condition: A4.2](#)

18. The Conflict of Interest Register should be made available for the External Quality Assurer on each annual visit. Should a conflict be recorded, the Awarding Centre is to inform the DAO Compliance Manager so that it can be recorded centrally, and the details conveyed to the Regulator if required.

### Managing Conflicts of Interest and/or Breaches to the Policy

19. Should the DAO or Awarding Centre Staff believe there has been a breach of this policy or unforeseen Conflicts of Interest emerge, the DAO Compliance Manager must be informed, and an investigation carried out immediately along with a review of the associated procedures.
20. Should an External Party (including Fee Earners and named Contractors) feel there has been an actual Conflict of Interest involving DAO then they should raise the matter with DAO Compliance Manager, who will begin an investigation.
21. The relevant lead on an investigation into the incident will ensure that the person(s) assigned to the investigation does not have any personal involvement/interest in the allegation.
22. Details of the incident, investigation and updated controls will be recorded in the relevant record in the Conflicts of Interest Log. Upon updating the record in the DAO QMS (or adding a new record) - the system will send an email alert to all listed in the conflict to inform them of the change.
23. If the breach is also classified as an 'Adverse Effect' then the DAO Compliance Manager, must promptly inform the DAO Governance Chain in accordance with the DAO Procedure for dealing with Adverse Effects (see Governance Manual for further details). In doing so, they will inform of the reasonable steps that the DAO have taken or intend to take to prevent, correct or mitigate the Adverse Effect<sup>6</sup>. Including details of any reviews the DAO are or will carry out. The Ofqual definition of an Adverse Effect is:

**Adverse Effect** – An act, omission, event, incident, or circumstance has an Adverse Effect if it –

- a. gives rise to prejudice to Learners or potential Learners, or
- b. adversely affects –
  - i. the ability of the Awarding Organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition,
  - ii. the standards of qualifications which the Awarding Organisation makes available or proposes to make available, or
  - iii. public confidence in qualifications.

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<sup>6</sup> This meets the requirement for [Ofqual GCoR Condition: A4.4](#)

## Reporting on Arrangements

24. Updates on DAO Conflicts of Interest will be presented by the Compliance Manager to the DAO Management Team at least quarterly, through the DAO Assurance Meeting (DAM). All Conflicts of Interest within DAO and its Awarding Centres, that pose a high risk of an adverse effect will be reported to the Governance lead at the earliest opportunity.
25. The meetings will have access to and will review; the Conflicts of Interest Log in the Governance Section of the DAO QMS.

## Centre Support

26. Policies for handling Enquiries, Appeals, Malpractice and Maladministration are available on the DAO website and the DAO Qualification Management System (QMS)
27. The DAO will work with Awarding Centres to deliver a customer-focused and professional service to DAO Learners. DAO policies are reviewed annually. Any queries about the contents of the policy, please contact the DAO Compliance Team via:

## DAO website

<https://www.gov.uk/government/groups/defence-awarding-organisation>

## Post

Defence Awarding Organisation (DAO)  
Defence Academy Headquarters  
Room 15, Slim Building  
Shrivenham  
Swindon  
SN6 8LA

## By email

[DEFAC-ManageDAO@modgovuk.onmicrosoft.com](mailto:DEFAC-ManageDAO@modgovuk.onmicrosoft.com)

| Potential Conflict of Interest   | Mitigation in place so Conflicts of Interest have no Adverse Effect (as defined by Ofqual)  | Responsibility for monitoring this process | Escalate to (if an incident occurs)   | Groups who receive updates on the Conflict  |
|--|---|--|---------------------------------------|---|
| <p><b>Members of the Board and /or Senior Leadership Team (SLT)</b> may unduly influence decisions so as to ensure a personal or commercial material benefit (eg in relation to interests they may have which are external to our organisation).</p> | <p><b>SLT &amp; Board members</b> – are required to declare any potential conflicts of interest at their interview and appointment stage and, if circumstances change once they begin to work for us. In addition, DAO will undertake an annual check with each Senior/Board member to proactively check and identify potential and/or actual Conflicts of Interest that may have emerged in the interim period (eg ask them to re-sign the declaration statement).</p> <p><b>All DAO staff</b> and members in attendance at DAO meetings will be required to declare any private interest which they have in an item to be discussed, at the beginning of a meeting and certainly before any discussion of the item. This ‘declaration of possible Conflicts of Interest’ will be a standard item on all meeting agendas.</p> <p>In doing so that member will abstain from any vote/decision that may pose a conflict of interest – especially where they may directly or indirectly receive a material benefit from the decision and/or has a conflict in loyalties (eg their overriding duty is to act in the best interests of the other party). They may be permitted to engage in the discussion if the other members do not object and/or the potential conflict has already been declared.</p> <p>Agenda items that are confidential and would cause a Conflict of Interest if raised in the presence of all members of the meeting (eg SLT) are to be restricted appropriately. All decisions under a Conflict of Interest will be recorded and reported in the minutes of the meeting with details of:</p> <ul style="list-style-type: none"> <li>▪ the nature and extent of the conflict;</li> <li>▪ an outline of the discussion;</li> <li>▪ the actions taken to manage the conflict.</li> </ul> | <p><b>DAO Compliance Manager</b></p>       | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b><br/><b>DAO Qualifications Team</b></p> <p><u>If required:</u><br/><b>DAO Chair of Governance</b><br/><b>Ofqual</b></p> |

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|   | Access to documentation that is deemed confidential and/or may lead to a possible Conflict of Interest are restricted in their circulation before and after the meetings.  |                               |                                |   |
| <b>Investigations</b> into possible Conflicts of Interest into direct/indirect members of DAO are carried out by someone who may have a vested interest in the outcome. | <p>DAO will ensure that all complaints are reviewed by <b>DAO Compliance Manager</b> and they are responsible for assigning a member of DAO staff to lead on and/or be involved in the investigation.</p> <p>At all times they will ensure that the personnel assigned to the investigation will have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter – ensuring complete independence.</p>  | <b>DAO Compliance Manager</b> | <b>DAO Responsible Officer</b> | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b><br/><b>DAO Qualifications Team</b></p> <p><u>If required:</u><br/><b>DAO Chair of Governance</b><br/><b>Ofqual</b></p> |
| <b>DAO Staff</b> may have a Conflict of Interest that impacts on their ability to carry out their role appropriately, consistently and with integrity.                  | <p><b>All DAO staff</b> are committed to carrying out their role to the best of their ability and are aware of the need to identify and manage any potential Conflicts of Interest.</p> <p><b>DAO Staff, Board members, Fee Earners and Contractors</b> must declare any possible conflicts they have upon starting work with the DAO and provide an update should their circumstances change by completing and submitting a new Declaration of Interest form to <b>DAO Compliance Manager</b> (<i>Fee Earners will submit to Line Manager as part of contracting</i>). The <b>DAO Compliance Manager</b> is responsible for maintaining Third Parties. In support of this, the DAO will undertake an annual review to proactively check and identify potential and/or actual Conflicts of Interest that may have emerged in the interim period (eg ask them to re-sign the Declaration Statement at their appraisal meeting).</p> <p>In addition, to ensure that DAO actively reduce the risk of Conflicts of Interest arising amongst staff and the activities they undertake, all staff are expected to</p> | <b>DAO Compliance Manager</b> | <b>DAO Responsible Officer</b> | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b><br/><b>DAO Qualifications Team</b></p> <p><u>If required:</u><br/><b>DAO Chair of Governance</b><br/><b>Ofqual</b></p> |

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|   | <p>comply with the spirit of the Nolan Principles of public life<sup>7</sup>. Namely:</p> <ol style="list-style-type: none"> <li>1. <b>Selflessness</b> - have a general duty to act in the best interests of the DAO.</li> <li>2. <b>Integrity</b> – individuals should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their role.</li> <li>3. <b>Objectivity</b> - in carrying out their role, individuals should ensure that decisions are made solely on merit.</li> <li>4. <b>Accountability</b> – individuals are accountable for their decisions and actions.</li> <li>5. <b>Openness</b> – individuals should be as open as possible about their decisions and actions that they take. They should, where appropriate, give reasons for their decisions and restrict information only when the wider interest or procedure clearly demands.</li> <li>6. <b>Honesty</b> – individuals have a duty to declare any interests relating to their role and to take steps to resolve any conflicts that may arise.</li> <li>7. <b>Leadership</b> – individuals should have a good working relationship with colleagues and provide appropriate leadership and professionalism when carrying out their own role.</li> </ol> |                                      |                                       |  |
| <p><b>Quality Assurance Staff (eg Compliance Team, Awarding Centre Staff, Fee Earning EQAs</b> and those involved in CASS activities) involved in the design of assessments – including managers and those overseeing such staff - fail to highlight issues with the delivery and/or marking of the assessments when they carry</p> | <p><b>All DAO Staff</b> are committed to carrying out their role to the best of their ability and are aware of the need to identify and manage any potential Conflicts of Interest.</p> <p>The work of all QA staff (including Fee Earning EQAs) are subject to review by the <b>DAO Compliance Manager</b>, to ensure that they have carried out their role effectively and consistently, and have had no involvement in the design of qualification or assessment.that they are reviewingIn particular, the</p>   | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :<br/> <b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required:</u><br/> <b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |

<sup>7</sup> [The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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| <p>out their quality assurance role (eg they may be less likely to identify adverse issues with the assessments they were involved in the design and development of the assessment model/arrangements).</p>  | <p><b>DAO Compliance Manager</b> will consider, as part of DAO standardisation and review arrangements, the nature of the findings/reports/activities of such individuals to ensure they have acted consistently and appropriately.</p>  |                                      |                                       |  |
| <p><b>All Staff</b> involved in the design of content knowingly or unknowingly disclose confidential information about the assessments to unauthorised individuals or organisations or at external events or through resources/materials (eg training events).</p> | <p><b>All DAO Staff</b> are committed to carrying out their role to the best of their ability and are aware of the need to identify and manage any potential Conflicts of Interest. Their work is subject to review by their Line Manager to ensure that they have carried out their role effectively and consistently in accordance with agreed expectations.</p> <p><b>Third Parties / Fee Earners</b> sign appropriate confidentiality and/or non-disclosure agreements as part of their contract or as part of a separate document.</p> <p>The contract/service agreement/role specification for staff/third parties involved in the development of confidential assessments:</p> <ul style="list-style-type: none"> <li>• have confidentiality clauses/expectations that aim to ensure that such confidentiality is maintained, and which will be in force after they leave us</li> <li>• stipulates that they must not and do not provide or endorse any prohibited training, (or seek approval/endorsement from DAO staff or those connected to the Awarding Organisation.</li> </ul> <p>As part of their recruitment process and ongoing employment, Fee Earners must declare if they work or have worked at any DAO Awarding Centre(s) in any capacity. They must also disclose if these centres offer any DAO products containing content they contributed to designing, even if it is just a subset of the assessment (e.g., a number of exam questions or assessment criteria that may form a bank of questions or Qualification Units). In such cases, the DAO Compliance Manager will be informed to ensure this</p> | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :<br/> <b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required</u>:<br/> <b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |

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|  | <p>information is reflected in the Awarding Centre(s) intelligence profile within the DAO QMS (visible to DAO Staff only). This information will be used to inform future sampling, monitoring arrangements, and risk profiling of the Awarding Centre(s).</p> <p>If an issue arises suggesting a Conflict of Interest or breach of confidentiality (including the loss or theft of confidential assessment materials), and there are reasonable grounds for suspicion or allegation, the DAO Compliance Manager will be informed. The Compliance Manager will rigorously and effectively investigate the breach, ensuring the investigation is conducted by someone with appropriate competence and no personal interest in the outcome. The investigation will aim to determine whether a breach of confidentiality or Conflict of Interest has occurred and identify the necessary actions to be taken.</p> <p>In addition, and where appropriate, <b>Third Parties, Fee Earners, DAO Staff or Awarding Centre Staff</b> involved in the design of assessments/qualifications:</p> <ul style="list-style-type: none"> <li>• Have a contract/service agreement/role specification that clearly set out their obligations in terms of declaring Conflicts of Interest in relation to other activities they undertake.</li> <li>• Have a contract/service agreement/role specification that requires them to promptly notify the DAO of all instances in which they have been, or are currently involved in, the preparation of a resource designed to support the preparation of actual/potential Learners for the assessment of our qualification(s) – especially if they had/have access to confidential assessment materials/information (this does not apply to the preparation of teaching resources or materials that is used for Learners they teach – although they are still bound by the confidentiality clauses of the contract/agreement in relation to confidential information they may have had access too). This requirement will also be applicable to when they leave the employment of our organisation.</li> </ul> |  |  |  |
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|  | <ul style="list-style-type: none"> <li>• Will have the assessments/qualifications they set/assess monitored by DAO if they are, or have been, involved in the preparation of a resource designed to support the preparation of actual/potential Learners for the assessment of our qualification(s) to ensure the fitness for purpose of the assessment has not been compromised by the ‘resource’ – especially if they have/had access to confidential assessment materials/information (this does not apply to the preparation of teaching resources or materials that s/he uses for learners they teach – although they are still bound by the confidentiality clauses of the contract/agreement).</li> <li>• Be monitored to ensure that access to confidential information that they may have in relation to a qualification does not compromise the confidentiality of assessment materials for the qualification when they design/develop resources designed to support the preparation of actual/potential Learners for the assessment of DAO qualification(s)</li> </ul> |                                      |                                       |  |
| <p><b>Quality Assurance Staff</b> (eg <b>Compliance Team, Awarding Centre Staff, Fee Earning EQAs</b> and those involved in CASS activities) allocated to conduct Quality Assurance (eg those involved in CASS activities) to Awarding Centres that may have a Conflict of Interest such as:</p> <ul style="list-style-type: none"> <li>• has worked for the Awarding Centre,</li> <li>• has worked for a competitor Awarding Centre,</li> <li>• has a family member working at the Awarding Centre</li> <li>• has a financial stake or shares in the Awarding Centre</li> </ul> | <p>DAO will record the details of any actual/potential Conflicts of Interest in the staff member’s profile record in the DAO QMS Conflict of interest Log and this will be checked when Awarding Centres are allocated by the <b>DAO Compliance Manager</b>, to ensure they are not allocated to a Awarding Centre at which they have had or have a personal interest as they will ensure the Conflict of Interest is logged on their profile in DAO QMS Conflict of interest Log (visible to DAO staff only).</p> <p>Where this cannot be avoided, <b>DAO Compliance Manager</b> will scrutinise the work of the <b>Quality Assurance Staff / EQAs</b> to ensure no conflicts have occurred.</p>   | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b><br/><b>DAO Qualifications Team</b></p> <p><u>If required</u>:</p> <p><b>DAO Chair of Governance</b><br/><b>Ofqual</b></p> |

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| <ul style="list-style-type: none"> <li>is a governor at the Awarding Centre.</li> </ul> | <p>DAO will issue guidance to Awarding Centres on how to manage and prevent Conflicts of Interest from occurring in assessment undertaken at the Awarding Centre and which will state that centres are not permitted to offer financial or other reward for any of its staff involved in the assessment of Learners in respect of the assessment outcomes of those learners (other than normal pay associated with the role of <b>Assessors</b>, etc) that may lead to doubts about the integrity of their decisions. Such a practice where it is found or suspected, may be treated as Malpractice and dealt with through our Malpractice and Maladministration Policy.</p> <p>Awarding Centres are asked to declare any possible / actual Conflicts of Interest as part of their recognition and/or approval applications and the details of which are added to the Awarding Centres profile (intelligence tab) to inform future activities.</p> <p>In addition, <b>EQAs</b> will check this aspect when reviewing assessment arrangements at Awarding Centres and will record details of any such checks/conflicts recorded in the Centre Engagement Report on the DAO QMS and which will automatically be added to the relevant Awarding Centres profile (intelligence tab) to inform future activities and/or manually added as and when required by staff if they become aware of such conflicts outside of a Centre Engagement Report.</p> <p>If such conflicts cannot be avoided (e.g. due to a lack of competent staff at the Awarding Centre) the <b>EQA</b>, will make arrangements for the relevant part of the assessment to be subject to scrutiny by another person and in doing so will seek approval for such arrangements with the <b>DAO Compliance Manager</b>.</p> | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :<br/> <b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required</u>:<br/> <b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |
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<sup>8</sup> This meets the requirement for [Ofqual GCoR Condition: A4.5](#)

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| <p>Ensuring that all <b>Third Parties</b> (eg <b>Fee Earning Product Developers, Consultants or Suppliers</b>) sign appropriate service agreements/contracts that include relevant clauses that govern confidentiality and ownership of information, and prevents them from trading on the name of DAO or offering services or advice to Learners or Awarding Centres based on information they obtained whilst working with DAO.</p> | <p>All <b>Third Parties</b> recruited for specific activities will be required to sign an appropriate service agreement/contract, along with a non-disclosure agreement (if not already covered by the service agreement/contract).</p> <p>They will be asked to declare any Conflicts of Interest in accordance with their duty of confidentiality and/or any other legal duty.</p> <p>Their work will be monitored by their Line manager and/or Compliance Manager to ensure they operate effectively and in accordance with the expectations for the role they have been recruited for and to ensure that if they have an external role outside of their activities, they do not take any actions that are contrary to interests of DAO in the development, delivery or award of our qualifications. In addition, at regular keep-in-touch meetings there will be a standard agenda item to declare any new potential/actual Conflicts of Interest that may have occurred in the interim period.</p> <p>The DAO approach to such staff is to adhere to the Guidance published by the Regulators on this matter and which is included in the A4 Condition in the DAO Conditions log in the Governance module of the DAO QMS.</p> | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :<br/> <b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required</u>:<br/> <b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |
| <p>Ensuring <b>All Staff</b> do not receive undue gifts or hospitality that may affect their judgment or be considered by others as impacting their judgment.</p>   | <p>Hospitality of any kind which might reasonably be seen to compromise personal judgment or integrity and be viewed as exerting influence to obtain preferential consideration should be refused.</p> <p><b>All Staff</b> must not allow themselves to be put in a position that might be deemed by others to have been influential in making a business decision as a consequence of accepting hospitality.</p> <p>Offers of one-off gifts should be <u>politely but firmly declined</u> and they should inform their Line Manager and/or the <b>DAO Compliance Manager</b>.</p>   | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :<br/> <b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required</u>:<br/> <b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |

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|   | <p>Gifts or low intrinsic value such as calendars, diaries, flowers or chocolates need not be regarded as subject to this rule. In cases of doubt, the Line manager and/or <b>DAO Compliance Manager</b> should be consulted.</p>   |                               |                                       |  |
| <p>DAO Staff (inclusive of <b>Awarding Centre Staff, Fee Earning EQAs and Developers</b>) may directly or indirectly be involved or interested in any other trade, business or occupation including the development, delivery and award of qualifications while working for DAO which may lead to the improper performance of duties for financial or other gain.</p> | <p>DAO Policy requires staff to register any direct or indirect office, trade, business or occupation as a Conflict of Interest.</p> <p>The <b>DAO Compliance Manager</b> maintains a record of where such an arrangement exists.</p> <p>Failure by staff to disclose an activity or commitment as required is considered a breach of contract which may result in the implementation of disciplinary procedures.</p> <p>Should an Adverse Effect occur as a consequence of staff holding any office or be interested in another trade, whether the interest has been declared or not, would be investigated accordingly to determine whether the related outcome has been impacted negatively and determine a remedial measure.</p> <p>DAO Staff are also required to declare if they, a family member or close contact are using a DAO qualification(s). The <b>DAO Compliance Manager</b> maintains a record of such cases and informs senior staff involved in the development, delivery and award of qualifications. Appropriate decisions are taken in relation to the staff member's involvement with and access to related areas of work.</p> <p>If it is identified retrospectively that an Adverse Effect or Conflict of Interest has arisen, a review will be undertaken to identify whether the related outcome has been impacted negatively.</p> | <b>DAO Compliance Manager</b> | <b>DAO Responsible Officer</b>        | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b></p> <p><b>DAO Qualifications Team</b></p> <p><u>If required</u>:</p> <p><b>DAO Chair of Governance Ofqual</b></p> |
| <p>A Conflict of Interest emerges in relation to the role of the <b>Responsible Officer</b> and their duties, decisions, behaviour or activities and other aspects of their work within DAO or their</p>  | <p>The DAO understands the importance of the role of the <b>Responsible Officer</b> and the need for the post-holder to always act with integrity. Therefore, the DAO is confident that robust measures are in place to ensure that a suitable person is appointed to this position, holds the position to</p>  | <b>DAO Compliance Manager</b> | <b>DAO Chair of Governance Ofqual</b> | <p><u>Required</u> :</p> <p><b>DAWG</b><br/><b>TSLD</b><br/><b>LCaD Head</b></p> <p><u>If required</u>:</p> <p><b>Ofqual</b></p>   |

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| <p>activities or circumstances outside of their work with DAO.</p>  | <p>undertake this role and to behave in an appropriate and professional manner.</p> <p>However, should any allegations about their work be made which indicate an actual or possible Conflict of Interest, the matter will be forwarded to the Chair of the Board to lead an investigation into the matter (with the head of LCaD where relevant).</p> <p>The investigation may lead to one or more of the following actions being taken depending on the incident:</p> <ul style="list-style-type: none"> <li>• No action being taken if the allegation was unfounded.</li> <li>• An informal warning to the <b>Responsible Officer</b> if the matter has not been proven but there was sufficient concern to lead to an investigation.</li> <li>• A formal warning to the <b>Responsible Officer</b> if a serious Conflict of Interest occurred which was considered an Adverse Effect but not a sackable offence.</li> <li>• A review of the Conflict of Interests in this policy and the inclusion of a new possible/actual conflict and/or revision of associated controls.</li> </ul> <p>If a significant and serious Conflict of Interest occurred which contravened DAO policies and/or led to a major Adverse Effect, it would be reported to the Regulators.</p> |                                      |                                       |  |
| <p><b>Investigations</b> into possible malpractice or any other type of incident -including a breach of confidentiality – are carried out by a <b>DAO Staff</b> member who may have a vested interest in the outcome.</p> | <p>DAO policy and guidance contained within the DAO QMS provides Awarding Centres guidance on how to report and investigate possible incidents at their Awarding Centre and to ensure the persons involved in investigating the matter are impartial and have no Conflicts of Interest with the matter being investigated.</p> <p>DAO ensure that all allegations are reviewed by the <b>DAO Compliance Manager</b> and they are responsible for assigning a relevant member of staff to lead on and/or be involved in the investigation.</p> <p>At all times the <b>DAO Compliance Manager</b> will ensure that the personnel assigned to the investigation will have the appropriate level of training and competence</p>  | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required</u>:</p> <p><b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |

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|   | and they have had no previous involvement or personal interest in the matter.  |                                      |                                       |  |
| <p><b>Appeal Reviews</b> and <b>Investigations</b> are carried out by <b>DAO Staff</b> who may have a vested interest in the decision being appealed.</p> | <p>The DAO ensures that all Appeals are reviewed by the <b>DAO Compliance Manager</b> and they are responsible for assigning a relevant member of staff to lead on and/or be involved in the investigation.</p> <p>At all times, the <b>DAO Compliance Manager</b> will ensure that the personnel assigned to the appeal review/investigation will have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.</p> | <p><b>DAO Compliance Manager</b></p> | <p><b>DAO Responsible Officer</b></p> | <p><u>Required</u> :</p> <p><b>DAO Compliance Team</b><br/> <b>DAO Qualifications Team</b></p> <p><u>If required</u>:</p> <p><b>DAO Chair of Governance</b><br/> <b>Ofqual</b></p> |

