



Company Rules, Conflict of Interest Policy and Code of Conduct

Date established:	March 2009
Updated:	30/07/21
Reviewed:	Annually
Purpose:	This policy aims to set out the position of MITSkills regarding general rules of work and conflicts of interest and staff code of conduct.

Aims:

All staff at MITSkills have a responsibility to adhere to the general rules of work and to ensure that all conflicts of interest are reported:

- All staff at MITSkills have a responsibility to follow the General Rules and to be aware of the potential for a conflict of interest which may arise during the period of employment.
- Inherent in this policy is to protect the integrity of MITSkills as a business and of the qualifications awarded to our learners.
- The policy is also designed to protect our staff by providing guidance on handling possible conflicts of interest that may arise.

This Policy:

- Defines what is meant by conflict of interest and defines the general rules of the workplace.
- Describes the role of conflict of interest in the context of working with, or for, an awarding organisation.
- Sets out the responsibilities for managing conflict of interest at each level in the organisation.
- This policy outlines some but not all examples of gross misconduct which would render you liable to summary dismissal, (that is dismissal without notice).
- It is set out as follows General rules followed by specific policy on Conflict of Interest.

General Rules and conduct

- You must not endanger the health and safety of yourself, other employees, learners, visitors or members of the public whilst at work.
- Where you are issued with any protective and/or safety clothing, equipment etc Personal Protective Equipment (PPE) you must use it where appropriate, and as intended. Damaged PPE must be reported to your line manager or to the SMT where your line manager is not available.



- Accidents, no matter how slight, must be reported immediately to line manager, and recorded in the accident book and an incident form completed (See SharePoint). A copy of the incident must be inserted to the central register held by the administration team.
- You must comply with the company Health and Safety Policy including accident reporting
- **Follow requirements outlined in the Employee handbook.**

The company requires compliance with all our policies, but the following policies have elements related to conduct and behaviour expected of staff within those policies.

- Data Protection Policy (GDPR)
 - Driving to work Policy
 - Lone working Policy
 - The Internal Quality Assurance and Appeals Policy in relation to your role.
 - Safeguarding Policy – **(note this has a wide range of conduct required of all staff)**
 - Prevent and Anti Extremism Policy
 - Anti-Fraud Policy
 - Anti -Harassment and Anti -Bullying Policy
 - Equality and Diversity Policy
 - Whistle Blowing Policy
 - **Use of IT Equipment, Email, Internet Password and Electronic Signatures Policy**
- Where these have not been adhered, this may be considered as gross misconduct.
 - **Staff are expected to actively always promote a safe and inclusive environment this includes challenging behaviour of learners and staff that is not in line with the learner code or staff code of conduct and supporting policies.**
 - It is your responsibility to read the company policies and conform to them except where they contradict legislation or where this may impact your safety or rights. In the latter case you must inform your manager and/or HR manager to resolve the issue. Please see SharePoint.
 - You must observe all rules dealing with smoking and fire hazards. Smoking is not allowed anywhere on the premises. To prevent fires, chemicals and paints must be stored, and correctly handled, and waste appropriately disposed of. The workplace is to be kept tidy and clear of debris. If in doubt, ask your line manager. In the event of a fire or a fire alarm follow the company Health and Safety and Emergency Procedure available on SharePoint. The policy is not to fight fire, stay safe and get out.
 - You are expected to show, maintain and develop the skills or aptitudes required for the job, particularly where those skills were claimed at the time of you commencing the job. This will be reviewed from time to time, in line with the company formal review system and or quality assurance system. In the event of persistent failure to meet the requirements of the job or to comply with company policy, procedures, or policies. the company may take disciplinary action.
 - The company has a formal review system, as well as quality assurance audits, these look at the improvement and compliance with processes, and procedures. You must conform to procedures and processes of the company and cooperate with all audits, if you identify you are unable to comply with procedures policies or process you must report it to your manager in a timely fashion.



- You must act wholeheartedly in the interests of the Company at all times (and will be supported in Whistleblowing where you believe that you see a breach of legal obligations, conflict of interests company failure to adhere to policies, procedures, rules and standards by other staff and/or suppliers)
- You should acquaint yourself with all authorised notices displayed within your place of work.
- You must be prepared to undertake reasonable duties other than those for which you have been specifically employed.
- You must inform the Company if you contract a contagious illness.
- You are not permitted to remove any material or equipment from your place of work without prior permission.
- You must not use Company time, material or equipment for unauthorised work.
- You must always follow Company working or operating procedures.
- You must wear company provided uniform as provided, and identification whilst at work.

Conflict of Interest Policy

Scope

The policy applies to all staff and other individuals who interact or potentially interact with the work of an awarding organisations, partners, suppliers and subcontractors. This includes individuals involved with any aspects of the creation, marketing, sales, distribution, delivery, marking or any other activity connected to all awarding bodies, tests, assessments, supporting resources and services for MITSkills' learners.

The individuals falling within the scope of this policy relate to all MITSkills' Staff including Directors, employees, contractors, agency workers and any associated staff, including, assessment associates, verifiers, work-based trainers, and freelance staff.

Responsibility

- The ultimate responsibility for the conflict-of-interest policy, dissemination of the policy and management of potential and actual conflicts of interest rests with the Senior Management Team within MITSkills.
- Managers in each division are responsible for communicating the Conflict-of-Interest Policy to all relevant individuals within their areas of responsibility annually.
- All departments are required to review their procedures annually to ensure that they anticipate and manage potential or actual conflicts of interest.
- Departmental meetings are required to give appropriate attention to potential or actual conflicts interests as they arise.



- Any potential or actual conflict of interest must be documented. The Head of Department must either resolve the issue or, for issues that cannot be resolved at this level must report it immediately to a Director.
- All Staff have a responsibility for ensuring that they are familiar with the Conflict-of-Interest Policy and any guidelines. All Individuals are required to read and understand the Conflict-of-Interest Policy and updates.
- The most important feature of the policy is the requirement that an individual discloses any activity that might give rise to a potential conflict of interest. IF THERE IS ANY DOUBT WHETHER OR NOT IT REPRESENTS A CONFLICT-OF-INTEREST REPORT IT!

Definition of what constitutes a conflict of interest.

A conflict of interest is a situation in which an individual or organisation has competing interests or loyalties. In the case of an individual, the conflict of interest could compromise or appear to compromise their decisions if it is not properly managed.

Conflicts of interest can arise in a variety of circumstances; the following are examples but is not a comprehensive list:

- Where the training delivery function and the awarding function rest within one umbrella organisation. (Such as internal certification)
- When an individual has a position of authority in one organisation that conflicts with his or her interests in another organisation.
- When an individual has interests that conflict with his or her professional position,
- Where someone works for and carries out work on an awarding bodies behalf but may have personal interests – paid or unpaid - in another business which either uses the same awarding body products or services or produces similar products.
- Where an individual works for or carries out work for an awarding body, who has friends or relatives taking the same awarding bodies assessments and examinations.
- Where an individual working for MITSkills, their friends or relative receive monetary or non-monetary reward from subcontractors, suppliers, awarding bodies, agencies, or companies looking to contract MITSkills for services.
- The individual and line manager are equally responsible for ensuring that the issue is documented carefully, and HR should be informed.
- Any individual may wish to raise concerns relating to a conflict of interest directly with the HR Manager or any member of the SMT. This may be done in confidence, and they are entitled to receive a response towards their concerns. Individuals are protected under MITSkills' *Whistle Blowing Policy*.
- Any person considering paid or unpaid work directly with an awarding organisation should inform their manager if they think there is any potential for a conflict of interest. A staff member must not take on any such activities that could be deemed to compete or conflict with the activities of MITSkills.
- It is the individual's responsibility to complete any company required conflict of interest training.



The following are examples of gross misconduct offences which would render you liable to summary dismissal i.e. dismissal without notice.

- Fighting, physical assault or dangerous horseplay
- Failure to carry out a direct instruction from a member of Company supervision or manager during working hours
- The use of bad language or aggressive behaviour on Company premises, phone, social media, or other electronic medium, in front of customers, learners, awarding bodies, local government or government officials or their representatives
- Theft of Company property
- Wilful and/or deliberate damage to Company property
- Incapability through alcohol or being under the influence of illegal drugs.
- Loss of driving licence on conviction where driving is all or an essential part of your job.
- Endangering the health and safety of another person at your place of work.
- Passing on confidential information which is, or could be, damaging to the Company's business.
- Deliberately falsifying official Company records.
- Receiving bribes to affect the placing of business with a supplier of goods or services.
- Immoral conduct.
- Defrauding the Company by falsely claiming to be sick.
- Using Company computers to produce private documentation without prior written permission.
- Using the Company computers for accessing the internet for any matter not directly related to the Company's business, including the sending or receiving of private e-mails without prior permission in writing from HR.
- Failing to report a conflict of interest and being shown to have received a financial or non-financial reward related to the conflict of interest.



The Company Rules should be read in conjunction with your Employee Contract and the Employees Handbook. The Company Rules on SharePoint are the most recent and should be adhered to as an extension of staff contractual responsibility.

If you are unable to comply with the Company Rules as stated you should advise your Manager and HR, in a timely fashion. HR will determine the company position on non-compliance.

Date Reviewed	30072021
Reviewed	Annually
Version Status	Approved
Approved By:	 Company Director: Date 30/07/2021