



# North East Automotive Alliance Limited

NE LSIP Conflict of Interest Policy, 2022

# **CONFLICT OF INTEREST POLICY NORTH EAST LOCAL SKILLS IMPROVEMENT PLAN**

## **1. Policy statement**

It is the policy of North East Automotive Alliance Limited (NEAA) to maintain principles of openness, fairness and impartiality and to avoid actual, potential or perceived conflicts of interest in relation to the North East Local Skills Improvement Plan (NE LSIP).

## **2. Purpose**

The purpose of this policy is to:-

- provide guidance to individuals engaged by or on behalf of the NEAA who may find themselves in a situation that could give rise to a conflict of interest, whether actual, potential or perceived, when taking part in decision-making on behalf of the NEAA in relation to the NE LSIP; and
- ensure that any actual, potential or perceived conflicts of interest are recorded and appropriately addressed.

We will seek to ensure that all individuals working for or on behalf of the NEAA on NE LSIP comply with this policy and raise any potential issues.

## **3. Scope and applicability**

This policy applies to all individuals working for or on behalf of the NEAA in relation to the NE LSIP, whether permanent, fixed term or temporary, and wherever located, including consultants, associates, contractors, seconded staff, casual staff, agency staff, volunteers, agents, sponsors and any other person who performs services for or on behalf of the NEAA, including members of the Steering Board and ERB Groups and any organisations undertaking work on the NE LSIP, whether paid or unpaid (collectively referred to as Workers in this policy).

## **4. What is a conflict of interest?**

A conflict of interest is a situation where a person has two (or more) competing interests and serving one of those interests could damage or harm the other interest. The term "interest" has a broad meaning. Generally, an interest is something that benefits a person, or a duty that they have taken on.

It is not possible to define all situations or relationships which may create a conflict of interest, so each situation must be evaluated individually. However, some examples are provided below.

In the context of this policy, a conflict of interest is likely to arise in a situation where one of our Workers obtains any financial, economic or other personal benefit (directly

or indirectly) which might (or might be perceived to) compromise their impartiality and independence in relation to undertaking work on the NE LSIP.

A conflict of interest may also arise where one of our Workers is put in a situation that has (or might be perceived to have) an impact on their ability to apply judgement or act in their role in relation to the NE LSIP. Even if the Worker does not actually benefit, a conflict can still occur if it appears that a decision may have been influenced by their other interests. The perception of competing interests, impaired judgement or undue influence can also be a conflict of interest.

## **5. Managing conflicts of interest / the Register of Interests**

The terms of reference for both the NE LSIP Steering Board and the Employer Representative Bodies (ERB) Group recognise that there will be conflicts of interest during this project and specify how such conflicts are to be managed:-

*"We recognise that, by the very nature of the activity and the Group, there will be conflicts of interest. Although the Group does not have any direct financial decision-making responsibilities, it does have a significant influence on the NE LSIP report, project activities and recommendations.*

*It is therefore essential that any member who may have a financial or non-financial benefit from any discussions or decisions declares those at the outset (through a Conflict-of-Interest form) and again prior to any relevant discussion to enable potential conflicts to be recognised and managed appropriately."*

All Workers are required to complete a Register of Interests form (Appendix 1) on at least an annual basis and to update it immediately should anything change.

We will not necessarily exclude Workers who may have an actual, potential or perceived conflict of interest from a discussion, depending on the nature of and outcomes sought from that discussion. We will monitor each case to ensure that no one uses their position inappropriately and that any agreed actions do not give them an unfair advantage.

We will exclude Workers who may have an actual, potential or perceived conflict of interest from discussions and decisions in certain circumstances, for example in awarding contracts to undertake work as part of the NE LSIP and similarly in recruitment. At the start of each procurement or equivalent we will check that no one involved has a conflict of interest in relation to potential bidders.

The role of the NE LSIP does not include commissioning provision so there will be no conflict of interest in that respect.

As the Designated Employer Representative Body we will maintain a Conflict of Interest Register Summary (Appendix 2).

## **6. Responsibilities and declaring conflicts**

Actual conflicts of interest must be avoided and potential and perceived conflicts of interests must be carefully managed.

Workers must notify the NEAA CEO, Paul Butler ([pbutler@northeastautomotivealliance.com](mailto:pbutler@northeastautomotivealliance.com)) as soon as possible if it is believed or suspected that a conflict of interests exists, may exist, may be perceived to exist or may occur in the future. All Workers are aware that they are responsible for the success of this policy and should ensure they use it to disclose any suspected danger of or actual wrongdoing. All actual, potential or perceived conflicts of interest **must** be disclosed.

If any third party is aware of any activity by any Worker which might lead to, or suggest, a breach of this policy, they should raise their concerns with the NEAA CEO, Paul Butler ([pbutler@northeastautomotivealliance.com](mailto:pbutler@northeastautomotivealliance.com)).

As the Designated Employer Representative Body the NEAA must and will notify the Department for Education (DfE) of any perceived, potential and/or actual conflict of interest immediately we become aware of it, and immediately take all necessary steps to rectify the situation and notify the DfE of the action taken. As the Designated Employer Representative Body we must also comply with any additional measures that the DfE may require.

## **7. Sanctions**

Any employee who breaches this policy may face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual relationship in terms of the NE LSIP with non-employee Workers if they breach this policy. This includes non-contractual relationships in terms of work on the NE LSIP.

If, as Designated Employer Representative Body, we are unable to reasonably satisfy the DfE, in respect of a conflict of interest, the DfE may remove the designation.

## **8. Communication**

All Workers will be briefed on this policy, which will also be made available publicly via the NE LSIP area of our website [insert microsite domain].

## **9. Record Keeping**

As the Designated Employer Representative Body we will maintain this Conflict of Interest policy, the Register of Interests (Appendix 1) and the Conflict of Interest Register Summary (Appendix 2).

## **10. Monitoring and review**

The NEAA monitors the effectiveness and reviews the implementation of this policy at appropriate intervals, considering its suitability, adequacy and effectiveness. Any improvements identified are made as soon as possible. Internal control systems and procedures are also subject to regular review to provide assurance that they are

effective in countering any risks of issues arising from actual, potential and or perceived conflicts of interest.

Appendix 1: Annual Declaration of Interest

<b>STATEMENT OF INTERESTS OF NORTH EAST LOCAL SKILLS IMPROVEMENT PLAN STEERING BOARD MEMBER</b>			
<b>PERSONAL DETAILS</b>			
First Name(s)		Surname	
Private Address			
<b>OCCUPATION or PARTNERSHIP</b>			
Name of Employer or self-employment	Nature of business	Dates of office	Remunerated/ non-remunerated
<b>DIRECTORSHIPS</b>			
Company name	Nature of business	Dates of office	Remunerated/ non-remunerated

**BUSINESS INTERESTS OR SHAREHOLDINGS**

*Companies or organisations in which you, your spouse or a close relative have shares with a nominal value of over £25,000 or 1% of the total issued share capital*

Name of Business	Nature of Business	Holding/ interest

**OTHER INTERESTS**

*Consultancies, sponsorships, memberships and other interests not covered above*

Organisation	Nature of Business	Dates of office	Remunerated/ non-remunerated

**I certify that the information contained in this declaration is true and correct**

**Signed:**

**Date:**

*If there space is insufficient in any section, please continue on a separate sheet.*

*Additional sheets should be signed and annexed to this form*

Appendix 2: Conflict of Interest Register Summary

NE LSIP Conflict of Interest Register Summary					
ID	Date Received	Name of Person Declaring Conflict	Description of Conflict (add attachment if required)	Action Taken	Status