



Rhagoriaeth i bawb - Excellence for all

Arolygiaeth Ei Mawrhydi dros Addysg
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate
for Education and Training in Wales

Managing conflicts of interest in relation to inspection work

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Annex 1 – Register of Interest form

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1. Introduction

Why manage conflicts of interest?

Identifying and resolving conflict of interest situations is crucial to good governance and maintaining trust in the integrity of Estyn inspections. For an inspector, having an 'apparent conflict of interest' can be as serious as having an actual conflict, because of the potential for doubt to arise about the inspector's integrity.

This policy sets out how Estyn will manage conflicts of interest and minimise the risk of the perception of partiality in relation to inspection work.

2. To whom does this policy apply?

This policy applies to all inspectors who undertake inspection work for Estyn, including:

- Her Majesty's Inspectors (HMI);
- Additional Inspectors seconded to Estyn;
- Peer Inspectors (PIs);
- System Leader Inspectors (SLIs); and
- Contracted Additional Inspectors (CAIs), including:
 - Team Inspectors;
 - Registered Inspectors; and
 - Lay Inspectors.

3. Rules which preclude deployment on inspection due to potential conflict of interest

	Inspectors will be precluded automatically from being deployed to an inspection of any provider where:	Applies to:
a)	the inspector, or a family member, is currently employed or has previously worked for the provider (including working in a consultancy/advisory role, e.g. under a contract for services) within the previous three years;	All inspectors
b)	the provider to be inspected is within the same local education authority as a provider identified in a) or e);	All inspectors
c)	the provider to be inspected is within the same education consortium as a provider identified in a) above;	SLIs, only
d)	the provider to be inspected is within the same Work Based Learning (WBL) consortium as a provider identified in a) or e);	All inspectors
e)	a family member currently has, or has within the previous three years, a social or professional involvement in the affairs of the provider, e.g. is or has been a pupil/student, governor, advisor or contractor; and	All inspectors
f)	the inspector or a family member has any other interest in or dealing with the provider which may indicate an actual or perceived conflict of interest.	All inspectors

Note: 'Family member' is defined as parent, spouse (including partner) and/or child.

4. Inspectors responsibility to declare potential conflict of interest

All Estyn inspectors are required to complete a Register of Interest Form (ROIF) prior to deployment on inspection (see Annex 1).

HMI and Additional Inspectors seconded to Estyn are be required to complete an ROIF upon employment/engagement by Estyn and are also be required to update the form at least annually.

Peer Inspectors (PIs) and System Leader Inspectors (SLIs) will be required to complete an ROIF following successful completion of Estyn's PI/SLI training programme and will also be required to provide an update to the form or confirmation of 'no change' prior to deployment to an inspection.

Contracted Additional Inspectors (CAIs) will be required to complete an ROIF when submitting tender bids for inspection contracts. As a condition of acceptance of contract award (when details of the date of an inspection and the provider name are supplied to the contractor) a CAI will be required to confirm that there is no actual or perceived conflict of interest.

When should inspectors declare a conflict of interest?

Inspectors can provide Estyn with an update of their preclusions and contact/personal details at any time.

When informed of their deployment to an inspection, inspectors should inform Estyn immediately if there is either an actual conflict of interest or the potential for a perceived conflict of interest. All inspectors must use their professional judgement to identify any potential conflict of interest that might not be covered by the above automatic preclusions. For example, an inspector might have left employment with a particular provider more than three years ago but might feel that a longer preclusion period would be more appropriate.

5. Responsibility of providers

When should a provider express concerns about a potential conflict of interest?

At the point of the inspection notification by Estyn, providers are asked to review the composition of the inspection team. It is the provider's responsibility to highlight any perceived or actual conflicts of interest as soon as possible and prior to the start of their inspection.

The above responsibility is included in the Inspection Guidance Handbook (under the section 'Expectations of Providers' in Part 1 of the guide).

6. Checks Estyn undertakes prior to deployment

Information provided by individual inspectors in ROIFs is stored on Estyn's inspection planning and deployment system (COBAS). The COBAS system has in-built functionality which automatically flags any known conflict of interest, matching the details of provider to be inspected with the preclusion rules listed in section 3 above, and prohibits the inappropriate allocation of an inspector to a particular inspection role.

An Estyn Inspection Co-ordinator (IC) will provide details of the programmed inspection team to a provider during the inspection notification call. Providers are required at this stage to inform Estyn of any concerns they might have regarding conflicts of interest – this may be done either verbally or through a declaration on the initial contact form (ICF) which is sent to them by the IC.

A record of concerns raised by providers and the action taken by Estyn will be maintained by Estyn within a 'Conflict of Interest (Inspections) Log'.

	Potential conflict	Name of organisation, including local education authority	End date, e.g. date left employment	Other relevant details, e.g. role
1.	Paid employment/association / commercial interest in educational institutions in the last 3 years			
2.	Unpaid employment/association / commercial interest in educational institutions in the last 3 years			
3.	Social or professional involvement of 'family member' in 'educational institutions or any companies' over the last 3 years, e.g. pupil/student, governor, advisor or contractor			
4.	Any other interests or information, which may indicate an actual or perceived conflict			
<p>Estyn staff are required to also complete boxes 5, 6, 7 and 8 to provide an additional declaration of other interests relevant to their role, e.g. other direct employment, consultancies and fee-paid work, commercial interests, fellowships, trusteeships, association memberships, and other public appointments.</p>				
5.	Current remunerated interests			
6.	Current unremunerated interests			
7.	Interests of family members			
8.	I have read the Seven Principles of Public Life and also Chapter 9 'What is proper conduct' (pages 39-40) of the Treasury's Regularity and Propriety Handbook.	YES / NO		
Name:		Signature:		
Date:				

'Family member' is defined as parent, spouse (including partner) and/or child.