

## Conflicts of Interests Policy: Exams and Assessments

### Review

Formal Review Cycle	3 yearly		
Latest Formal Review (date)	New policy	Next Formal Review Due (date)	May 2025
Policy Owner	Associate Principal for Teaching Learning and Quality		
Policy Author	Adam Davison (Information Governance and Policy Officer)		

### Approvals

Board of Corp Y/N	N	Committee		Date Board approved	
ELT Y/N	Y	ELT date approved	20 May 2022	Additional committee	

### Publication

Website Y/N		Intranet Y/N	Y	Student VLE Y/N		Other	
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### Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by
V0.1	May 2021	New document	Head of Centre	

# Conflicts of Interests Policy: Exams and Assessments

## 1. Policy Statement

- 1.1. This policy is a policy of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.
- 1.2. The College trusts our staff to engage with their responsibilities in a professional manner adhering to our corporate values of authenticity and respect.
- 1.3. The College acknowledges that individuals will recognise conflicts of interest and will want to ensure there are no perceptions of their receiving or giving inappropriate advantage and that they are personally beyond suspicion. We also recognise that in most cases, potential conflicts of interest are easily avoided or resolved with informal action.
- 1.4. The existence of a perceived, potential or actual conflict of interest does not necessarily imply any wrongdoing on anyone’s part. However, any private or personal interests which give rise to such a conflict must be recognised, disclosed in the appropriate manner and either eliminated or managed properly.

## 2. Scope

- 2.1. This policy applies to all staff and other individuals who interact or potentially interact with the work of the awarding organisation. This includes individuals involved with any aspects of the creation, marketing, sales, distribution, marking or any other activity connected with qualifications, tests and assessments, and supporting resources and services.
- 2.2. The individuals falling within the scope of this policy include all staff employed by the College on a full time, part time or casual basis.

## 3. Aims of the Policy/Underpinning Principles

- 3.1. The purpose of this policy is to safeguard student achievement and protect the integrity and reputation of the College. This policy is also designed to assist staff by providing guidance on handling potential conflicts of interest that may arise as a result of the College’s role in delivering courses.
- 3.2. The aims of the policy are to:
  - define what is meant by conflict of interest
  - provide the method for disclosing an actual or potential conflict of interest
  - describe the steps to take to manage a conflict of interest
  - describe the consequences should a member of staff be found to breach this policy
  - set out the responsibilities around conflicts of interest related to exams and assessments
  - contribute to the maintenance of awarding organisation accreditation
- 3.3. The College values diversity and inclusion and is committed to promoting equal opportunities and eliminating discrimination. Therefore, everyone will apply and administer this policy fairly and consistently to ensure that there is no discrimination on the grounds of age, disability, gender

reassignment, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

#### 4. Responsibilities

- 4.1. The Executive Leadership Team is responsible for the adoption, monitoring and reviewing of this Policy.
- 4.2. The Head of Centre for exams has the ultimate responsibility for the implementation of this Policy, dissemination of the Policy and management of potential and actual conflicts of interest.
- 4.3. SLT lead for Quality will support the Head of Centre for exams and Head of Examinations with adherence to the awarding organisation requirements and making judgements related to conflicts of interest.
- 4.4. The Leadership Excellence Group is responsible for conducting an annual review of potential conflicts within their area, identifying those needing to complete the [Conflict of Interest Notification Form](#).
- 4.5. The Head of Examinations is responsible for ensuring that all awarding organisation requirements are adhered to and will maintain appropriate records accordingly. The Head of Examinations is responsible for escalating reports of actual or potential conflicts of interest to an appropriate level within the business and, when necessary, to the Head of Centre.
- 4.6. QTLA Managers will support the curriculum team to ensure they adhered to the Conflicts of Interest Policy and meet the awarding organisation requirements related to conflict of interest. They will also act as the main contact for quality matters with awarding organisations.
- 4.7. Lead IQAs are responsible for communicating the Conflicts of Interest Policy to all relevant individuals within their areas of responsibility annually at the start of the academic year and all new staff during induction and supporting assessors with adhering to the Conflicts of Interest Policy and escalating any potential conflicts of interest which may arise.
- 4.8. Assessors are responsible for disclosing to the Head of Examinations if they are related to or know a learner that they have contact with either as an assessor, internal quality assurance or part of the delivery team at the start of the academic year or within two weeks of a student commencing on a course if this is later in the year, using the [Conflict of Interest Notification Form](#).
- 4.9. All staff are responsible for ensuring that they are familiar with the Conflicts of Interest Policy and for reporting as appropriate any potential, perceived or actual conflict of interest using the [Conflict of Interest Notification Form](#).

#### 5. Implementation

##### Identification of a conflict of interest

- 5.1. 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 not properly managed. For purposes of this Policy, the term 'conflict of interest' includes perceived and potential as well as actual conflicts of interest.
- 5.2. A perceived conflict of interest is one which a reasonable person would consider likely to compromise objectivity.
- 5.3. A potential conflict of interest is a situation which could develop into an actual or perceived conflict of interest.
- 5.4. Awarding organisation's guidance has specific requirements regarding potential conflicts of interest relating to examinations (see Section 6 below):

The awarding organisations are required by the qualification regulators to ensure that any Conflict of Interest in relation to the design, delivery and awarding of examinations/assessments is identified,

recorded and managed effectively. In turn, centres are required to take all reasonable steps to ensure that the awarding bodies are able to comply with this regulatory condition.

### **What is a Conflict of Interest?**

In this context, a Conflict of Interest occurs where any member of staff who has access to privileged information, or is responsible for making decisions about assessment outcomes, could, potentially, use that information, or their position, to give an unfair advantage to a close friend or relative entered for an examination or submitting an assessment at your or any other centre. The term 'Related People' is used to cover close friends or relatives. A Conflict of Interest also occurs if any member of your centre's staff is entered for an examination or submitting an assessment.

### **Who are 'Related People'?**

'Related People' are those with whom the member of staff has a close relationship. It would certainly include spouses, children and siblings, but would also include close friends, relatives and members of the household where there is regular contact, such that privileged information might be shared inappropriately. A step-relative, cousin, niece, etc., would count if the contact with that person was close and frequent.

- 5.5. Conflicts of interest can arise in a variety of circumstances, for example (please note this is not an exhaustive list and should be used as guide only):
- any members of centre staff who are taking qualifications at their own centre which include internally assessed components/units;
  - any members of centre staff who are teaching and preparing members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) for qualifications which include internally assessed components/units; and maintains clear records of all instances where:
  - exams office staff have members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) being entered for examinations and assessments either at the centre itself or other centres;
  - centre staff are taking qualifications at their centre which do not include internally assessed components/units;
  - centre staff are taking qualifications at other centres.

### **Disclosing a Potential or Actual Conflict of Interest**

- 5.6. All staff must disclose any situation that might give rise to a potential conflict of interest. If there is any doubt whether or not a situation represents a potential, perceived or an actual conflict of interest it must be reported.
- 5.7. Potential, perceived and actual conflicts of interest should be reported through the [Conflicts of Interest Notification Form](#) which requests sufficient information to enable appropriate management and resolution.
- 5.8. An individual may wish to raise concerns relating to a conflict of interest directly with their line manager. This may be done in confidence, and they are entitled to receive a response to their concerns. The Conflicts of Interest Notification Form should still be completed.
- 5.9. Prior to the start of the academic year and no later than the second week of the academic year, members of the Leadership Excellence Group will:
- 5.9.1. Hold conversations with all staff (or direct managers to) within their area providing awareness of this Policy and what constitutes a potential conflict of interest

- 5.9.2. Identify members of staff with potential conflicts and report those to the Head of Examinations through the Exam and Assessment Conflict Review Form.
- 5.9.3. If no staff within an area are identified as having a potential conflict this should be reported through the Exam and Assessment Conflict Review Form.
- 5.9.4. Instruct staff with potential conflicts of interest to complete a Conflict of Interest Notification Form no later than one month from the course start date.

### **Managing a conflict of interest**

- 5.10. The Head of Centre for exams or their designee will begin a review of any disclosed conflict of interest within ten (10) working days of disclosure. The review will be undertaken to determine the resolution or mitigation needed to occur to remove the conflict. Resolution or mitigation of the conflict of interest must occur as soon as is reasonably practicable.
- 5.11. Advice should be sought from colleagues in relevant curriculum or professional areas as appropriate. Where the reviewer is unable to decide how to resolve the conflict of interest or wishes to have the advice and authority of a more senior member of staff, the matter should be referred to the Head of Examinations for re-assignment to a more senior member of staff.
- 5.12. The College will take a risk-based approach to managing Conflicts of Interests considering the type of qualification and the nature of the relationship that is in conflict.
- 5.13. Where a conflict of interest is identified related to a subject-based or professional qualification a selection of the following steps will be used to remove or manage conflict of interest:
  - 5.13.1. Marking of work will be moved to another colleague who does not have a conflict of interest or where that is not possible double marking will take place.
  - 5.13.2. The marked work will also be put forward for sampling internally and externally to ensure standardisation.
  - 5.13.3. Possible papers for marking will be anonymised through the use of the Turn It In systems particularly in the College's HE teaching.
  - 5.13.4. Exams will not be invigilated by a member of staff with a conflict of interests.
  - 5.13.5. During any exam boards where a member of staff with a conflict of interest cannot be avoided this will be declared to the awarding organisation as required.
  - 5.13.6. Marks across a course will be checked for consistency of performance and any notable under or over performance will be investigated.
  - 5.13.7. Where work is submitted students declare the work as their own.
- 5.14. Where a conflict is identified related to a staff member taking part in a leisure or hobby course at the College, the College will take steps appropriate to the level of risk related to the qualification sought, student achievement and College reputation.
- 5.15. The member of staff involved should be notified of the findings of the reviewer within two (2) weeks of disclosure and if they are required to suspend involvement in an activity, the reasons should be provided.
- 5.16. In most cases, the resolution will be one of the following:
  - 5.16.1. Agreement that there is no conflict of interest, or that the circumstances surrounding the conflict are not of any concern to the College
  - 5.16.2. Agreement that there is a conflict of interest and activity will be allowed to continue subject to conditions as provided in the notification described above in paragraph 5.15
  - 5.16.3. The member of staff will cease to be involved in the activity presenting the conflict of interest. Where no conditions can be made, this will be the default solution provided that this does not go beyond the scope of the member of staff's contractual obligations.

- 5.17. Where agreement cannot be reached or the member of staff is not satisfied with the decision, they should meet with the SLT member responsible for their curriculum.
- 5.18. If still not resolved, the member of staff may consider escalation to the Grievance Policy/ Procedure.
- 5.19. In all cases, the reviewer should keep a record of the disclosure and solution to the conflict of interest.
- 5.20. Where a conflict is ongoing, it is important that line managers are made aware of the conflict and solution.

**Breach of this Policy**

- 5.21. Failure to disclose an actual or perceived conflict of interest, or to comply with the resolution constitutes a breach of this policy and may result in disciplinary action, and in serious cases dismissal.
- 5.22. Where malpractice or maladministration is proven staff shall be subject to the staff disciplinary process and any external process relevant to the exam board involved.

**6. Associated Documents**

- 6.1. Staff Disciplinary Policy and Procedure
- 6.2. Grievance Procedure
- 6.3. Financial Regulations (for information related to financial conflicts of interests)
- 6.4. JCQ guidance for centres – [Exams Office - JCQ Joint Council for Qualifications](#)

**7. Policy Monitoring and Review**

- 7.1. This Policy will be monitored by the ELT through annual reports from the Head of Examinations providing the number of disclosures and type of resolution.
- 7.2. This policy will be reviewed every 3 years.

**8. Equality Impact Assessment**

<b>Have you sought consultation on this policy?</b>		Consultation has been sought from the Head of Exams.		
<b>Details:</b>				
<b>Could a particular group be affected (negatively or positively)?</b>	<b>Impact Y/N</b>	<b>Description of Impact</b>	<b>Evidence</b>	<b>Mitigation/ Justification</b>
Protected characteristics under the Equality Act 2010				
Age	N			
Disability	N			
Gender Reassignment	N			
Marriage and Civil Partnership	N			
Pregnancy and maternity	N			
Race	N			
Religion or belief	N			
Sex	N			

Sexual Orientation	N			
<b>Additional characteristics to consider</b>				
Young Persons in Care & Care Leavers	N			
Young Carers & Care Givers	N			
Young Parents	N			
Youth Offenders	N			
Those Receiving Free School Meals	N			
<b>If there is no impact, please explain:</b>	This policy applies equally to all groups regardless of protected characteristics under the Equality Act or the other additional characteristics listed above.			