



Conflicts of Interest Guide for Centres

Version History

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Contents

Conflicts of Interest	4
Definition of conflict of interest	4
Examples of conflicts of interests	4
Roles and Responsibilities	5
Action.....	6
Examples of actions that could be taken.....	6
Contact us	6

Conflicts of Interest

The following guidance is designed to help your centre identify and mitigate potential or actual conflicts of interest. Focus Awards recognises that tutors, assessors, and IQAs may take part in legitimate financial, business, charitable and other activities outside of their centre roles, but any potential conflict of interest raised by those activities must be acknowledged, disclosed, and in relevant cases, properly managed. It is the responsibility of each individual to recognise situations in which they may have a conflict of interest (or might reasonably be considered by others to be a conflict) to disclose this conflict and to take such further steps as may be appropriate.

Definition of conflict of interest

A conflict of interest is defined as a situation in which the concerns or aims of two different parties are incompatible, such as the conflict of interest between elected officials and corporate lobbyists, or where a person is able to derive personal benefit from actions or decisions made in their official capacity. Where such a competing interest exists, it may impair the ability to make fair, objective, and unbiased judgments and decisions.

A conflict of interest may be obvious and known as a direct conflict of interest. There could also be cases identified as potential conflicts of interest that may not actually occur. All must be considered and recorded once identified. Examples include (but are not limited to):

- When an individual has a position of authority in one organisation which conflicts with his or her interests in another organisation
- When an individual has personal interests that conflict with his/her professional position
- Where someone works for a centre, or carries out work on a centre's behalf, who has friends or relatives taking assessments at that centre.
- A conflict of interest may generally be defined as a conflict between the official responsibilities of a tutor, assessor, and/or internal verifier, and any other interests that individual may have, which could compromise, or appear to compromise, their decisions.

Examples of conflicts of interests

It is not possible to provide a definitive list of examples of conflicts of interests, but the following are examples of situations that could lead to actual or perceived conflicts of interest:

- Tutors and assessors working with a business outside of the approved centre, or participating in the appointment, supervision, evaluation, or assessment of a person with whom they have close or familial ties.
- Tutors and assessors having a close or familial relationship with a registered learner at the centre, or the learner's family, whilst being involved in decisions about the outcome of their assessments, or where the learner's or tutor's/assessor's remuneration may wholly or in part be determined by the outcome of the assessment.
- A manager undertaking a qualification being assessed by a subordinate

- Tutors and assessors using non-public centre information or the centre's learner data for personal gain or advantage.
- Directors who have a dual role as assessors, tutors, or IQAs may be deemed to have a financial interest in assessment outcomes.
- Where funded qualifications are being delivered, staff members could be put under undue pressure to ensure learners are given a pass grade or rating.
- Staff members currently working for competing training providers/schools or colleges
- Staff members who have previously worked for a competing centre
- Staff members who have a financial interest e.g., they are a director or owner, they sell resources for the course they teach on, or they are financially recompensed for success rates.

The existence of such interests as those outlined above, does not necessarily imply conflict, but is likely to present an appearance of conflict to an uninformed party, and as such should be declared.

Roles and Responsibilities

All relevant staff conducting assessment ('assessors'), moderation ('moderators' or 'verifiers') and other individuals have a responsibility to be aware of the potential for a conflict of interest.

It is likely that individuals working closely with a centre will encounter potential conflicts of interest from time to time. Such situations must be carefully managed to ensure that any conflict of interest does not detrimentally impact on the standards of, or public confidence in, regulated units and qualifications and/or on the centre's or Focus Awards' reputation.

A declaration of interest by an assessor, moderator or verifier is a declaration of a personal interest in the result of the assessment. It is the duty of all tutors and assessors to disclose any actual or potential conflict of interest.

Any conflict of interest should be disclosed and recorded on the centre's profile on Qualitas, which is maintained by a designated person at the centre. This should be updated as often as necessary, but all centres will also be automatically prompted every 6 months to confirm that the details held are correct.

Centres must do all they can to mitigate all conflicts of interest and in doing so have due regard for the requirements below:

Focus Awards, 2022, 'Centre Agreement'

OFQUAL.Gov.uk, 2017, 'OFQUAL Handbook; General Code of Recognition', Condition A4 – Conflicts of Interest

- A Centre must establish and maintain an up-to-date written conflict of interest policy, which must include procedures detailing how the Centre intends to report and manage any conflicts of interest, and the persons responsible for doing so.
- If a direct or potential conflict of interest is identified its details must be recorded and reported to Focus Awards.
- Centres should regularly update their conflict-of-interest log

- Centres should discuss any direct or potential conflicts of interest with new and current members of staff when such become known or identified.
- Where a conflict of interest is evident, the work undertaken by the staff member concerned (assessor or IQA) must be submitted for sampling by Focus Awards.

Action

A conflict of interest does not inherently indicate wrongdoing or automatically suggest a threat to impartiality or integrity; we do however expect Centre staff to always conduct themselves professionally and have due regard for the concept of 'conflicts of interests' and the mitigation thereof.

Most situations require no further action than the notification or disclosure of the conflict of interest, however, the information declared will require some follow up action, in order for the conflict of interest to be managed appropriately.

Examples of actions that could be taken

- Discuss the issues around the conflict of interest with your staff.
- Plan how the conflict of interest can be avoided in the first instance. If this is not possible, ensure it is managed and mitigated.
- Seek further support from Focus Awards if necessary.
- Accurately record your conflict of interest with Focus Awards on the Qualitas system.
- Monitor the conflict of interest for as long as it remains or exists.
- Submit any work linked with or to the conflict of interest for scrutiny and sampling by Focus Awards' EQA team.
- Maintain an open and honest approach to managing and mitigating conflicts of interest affecting your centre.
- Individuals excluding themselves from discussions or decisions of certain matters.
- Referring certain matters such as assessment, verification, and recommendations for credit, to others with no vested interest in the decision or outcome.
- Keeping a log of all potential conflicts within the centre and the mitigation of them.
- Where centre staff, family members, or friends are registered on qualifications, portfolios must be submitted for EQA sampling regardless of any Direct Claims Status held.
- Agreeing not to be involved in a particular project.
- Declaring an interest when it is appropriate to do so.

Contact us

If you have any queries about the contents of the policy, please contact our support team

E: info@focusawards.org.uk

T: +44(0)333 3447 388