Conflicts of Interest Policy

FOCUS AWARDS

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Introduction

This policy provides guidance to support centres in identifying, declaring, and managing both actual and potential conflicts of interest. Focus Awards recognises that tutors, assessors, IQAs and other centre personnel may legitimately engage in financial, professional, charitable, or personal activities outside their roles. However, where such activities create, or may reasonably be perceived to create, a conflict of interest, this must be fully declared and appropriately managed.

This policy applies to all approved Focus Awards Centres, including directors, owners, managers, tutors, assessors, Internal Quality Assurers (IQAs), administrators, invigilators, consultants, contractors and any other individual involved in the delivery, assessment, internal quality assurance or certification of Focus Awards qualifications.

Focus Awards requires centres to identify, manage and monitor conflicts of interest to ensure assessment decisions remain valid, reliable, objective and free from undue influence. Every individual has a professional responsibility to recognise situations that may compromise, or appear to compromise, their judgement or impartiality. All conflicts—whether confirmed, suspected, or foreseeable—must be disclosed promptly so they can be recorded and effectively mitigated.

Definition of conflict of interest

A conflict of interest exists where an individual's personal, professional, financial or other interests could compromise, or could reasonably be perceived to compromise, their ability to carry out their responsibilities objectively, fairly and impartially.

Conflicts may be:
Actual: a direct conflict exists and is currently influencing, or could influence, decision-making.
Potential: a foreseeable situation that might, at some future point, give rise to a conflict.
Perceived: no conflict exists in fact, but an informed third party could reasonably conclude that one does.

All three categories must be identified, declared, and recorded. Examples include, but are not limited to:

- Holding a position of authority in another organisation that conflicts with duties at the centre
- A personal interest that could influence professional judgement
- Close personal relationships with learners being assessed
- Using non-public centre information for personal gain
- Dual roles in both senior management and assessment/IQA
- Financial incentives linked to learner outcomes
- Staff working for, or previously employed by, competing centres or organisations
- Directors, owners or staff having a financial or commercial stake in assessment outcomes

The presence of an interest does not itself indicate wrongdoing; however, it must be declared to maintain ethical standards, transparency and regulatory compliance.

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, owners or shareholders involved in assessment or quality assurance activities must ensure that commercial interests do not influence assessment decisions. Appropriate independent quality assurance arrangements must be implemented where such dual roles exist.
- 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 undertaking qualifications at the centre where they are employed. Such learners must not assess their own work, internally quality assure their own assessment or authorise certification decisions relating to their own qualification.
- 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.
- Immediate family members, spouses, partners or members of the same household involved in assessment or internal quality assurance activities.
- Staff members assessing or internally quality assuring their own work.
- Staff members authorising certification for qualifications in which they have been involved as the learner, assessor or IQA.
- Managers undertaking qualifications assessed or quality assured by staff they directly manage.
- Owners, directors or shareholders whose commercial interests may influence assessment decisions.

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.

Focus Awards will:
- Review declared conflicts during external quality assurance activity.
- Determine whether additional controls or sampling are required.
- Monitor the effectiveness of mitigation arrangements.
- Require corrective actions where conflicts have not been appropriately managed.
- Take regulatory action where undeclared conflicts present a risk to qualification integrity.

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.

All actual, potential and perceived conflicts of interest must be declared and recorded on the Centre's Qualitas profile before the individual undertakes any activity that may give rise to the conflict.

Individuals are required to:

- Identify both actual and potential conflicts
- Declare them promptly
- Cooperate fully with any mitigation arrangements
- Avoid involvement in assessment or decisions where impartiality is compromised

Centres are required to:

- Ensure all conflicts of interest (actual, potential, and perceived) are declared and recorded on the centre's Qualitas profile
- Maintain an up-to-date conflict-of-interest policy and log
- Review declarations during recruitment, staff induction, before assessment or IQA activities commence, whenever circumstances change, following organisational changes, and in response to Qualitas review requests.
- Respond to automatic 6-monthly prompts from Qualitas to confirm or update conflict information
- Put in place effective mitigation to protect the integrity of assessment and centre operations
- Ensure that any assessment or IQA activity involving a conflict is submitted for EQA sampling, irrespective of Direct Claims Status
- Retain records of declared conflicts and mitigation arrangements for audit purposes.

Regulatory Requirements

Centres must have due regard to the following:

- Focus Awards Centre Agreement
- Ofqual General Conditions of Recognition, Condition A4: Conflicts of Interest
- The requirement to manage risks that could compromise the validity, reliability or integrity of assessment decisions
- The obligation to notify Focus Awards of any actual or potential conflict without delay
- The Centre must ensure assessment decisions remain objective, valid and reliable despite any declared conflict
- The Centre must notify Focus Awards immediately where a conflict has, or may have, compromised assessment decisions or qualification integrity

A conflict must always be formally logged and mitigated. Undeclared conflicts represent a breach of regulatory expectations.

Managing Conflicts of Interest

A conflict of interest does not automatically indicate wrongdoing. However, transparency and proactive management are essential to protect the integrity of regulated qualifications. Once a conflict is declared, the centre must determine how best to manage or remove any associated risk.

A declared conflict does not automatically prevent an individual from carrying out their role; however, the Centre must demonstrate that appropriate controls are in place to remove or reduce any associated risk.

Mitigation may include:

- Discussing the conflict with relevant staff and agreeing clear boundaries
- Reassigning assessment, IQA, or decision-making responsibilities
- Increased sampling or scrutiny by an independent party
- Escalation to Focus Awards for further guidance
- Monitoring the conflict for as long as it continues to exist
- Ensuring all portfolios relating to conflicts are automatically submitted for EQA sampling
- Ensuring individuals do not take part in decisions where they have a vested interest
- Recording all actions taken in the centre's conflict-of-interest log

- Ensuring individuals do not participate in any decision where they have a financial, professional or personal interest.

Where Centre staff, directors, owners, relatives, close personal associates or household members are registered as learners, all related assessments and portfolios must be submitted for EQA sampling regardless of Direct Claims Status to ensure independent external scrutiny.

Failure to Declare Conflicts of Interest

Failure to declare an actual, potential or perceived conflict of interest may constitute Centre malpractice. Where an undeclared conflict is identified, Focus Awards may require the Centre to:

- Carry out an immediate investigation.
- Review assessment decisions affected by the conflict.
- Provide a written report detailing findings and corrective actions.
- Submit additional learner portfolios for EQA sampling.
- Arrange reassessment where assessment decisions cannot be relied upon.

Where an undeclared conflict presents a significant or systemic risk to qualification integrity, Focus Awards may suspend certification, remove Direct Claims Status, initiate a Centre malpractice investigation and apply sanctions in accordance with the Centre Agreement and applicable policies.

Where repeated undeclared conflicts of interest, ineffective mitigation arrangements or failures to comply with this policy are identified, Focus Awards may determine that the Centre's quality assurance arrangements are ineffective.

In such circumstances Focus Awards may:

- Increase external quality assurance activity.
- Require enhanced sampling.
- Suspend or remove Direct Claims Status.
- Suspend certification.
- Initiate a Centre malpractice investigation.
- Apply regulatory sanctions where appropriate.

Contact us

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

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Version History

The version history for this policy is maintained within the Focus Awards Policy Document Control List.