

Hampshire Achieves

Conflict of Interest Policy & Procedures

Date of last review/update	October 2022
Review Frequency	Bi-annual
Reviewer(s):	Sue Muldowney Kevin May

Contents

1.0	Introduction	3
2.0	Scope & Purpose	3
3.0	Definition of Conflict of Interest	3
4.0	Hampshire Achieves Responsibilities	4
5.0	Monitor, Review & Audit	5
Appendix 1	Summary of Process to Mitigate Risk	6
Appendix 2	Conflict of Interest Log – 2022-2023	7

Conflict of Interest Policy & Procedures

'The contents of this policy are an integral part of the Hampshire Achieves (HA) Quality Assurance Frameworks'.

1.0 Introduction

HA is part of the Skills & Participation Service in Hampshire County Council's directorate of Children's Services and is responsible for the delivery of the adult and community learning (ACL); education provision for young people aged 16-24 who are not in education and/or training; the management and delivery of the County Council's apprenticeship programme; and the delivery of a full education and enrichment programme to young people in specialist and secure settings. This policy applies to all aspects of the provision.

1.1 Related Policies

This policy is developed in the context of other related policies, including:

- Teaching, Learning and Assessment
- Internal Quality Assurance
- Malpractice and Maladministration
- Exams
- Complaints and Compliments
- Functional Skills
- [HCC Code of Conduct for local government employees](#)

2.0 Scope & Purpose

The policy applies to all employees of Hampshire County Council (HCC) who undertake or deliver qualifications through Hampshire Achieves. In addition to this policy all HCC staff follow the standards outlined in the HCC Code of Conduct for all local government employees (see bullet point 7 above).

The Awarding Bodies (AB) are required by the qualification regulator the Joint Council for Qualifications (JCQ) to ensure that any conflict of interest in relation to the design, delivery and awarding of examinations / assessments is identified, recorded, and managed effectively.

HA conflict of interest processes have been designed to protect the integrity of awarding bodies assessments undertaken at our centres, and we want to make sure they remain fair, and we also want to make sure individuals at our centres are protected where there is potential, or a perception, that they could be influenced by any personal interests.

3.0 Definition of Conflict of Interest

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/assessment at our or any other centre.

A conflict of interest also occurs if any member of our Centre's staff is entered for an examination/assessment.

4.0 Hampshire Achieves Responsibilities

It is the responsibility of the Head of Service (or their nominee e.g., Development Manager (Quality & Assessment) / Education Managers) to manage conflicts of interest by informing the AB, of any:

- members of centre staff who are taking qualifications at their own centre which include internally assessed components/units;
- members of centre staff who are teaching and preparing members of their family (which includes stepfamily, 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 stepfamily, 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.

In addition to the above requirements of what should be recorded at our centres, if there are any other situations which is felt could be, or at least perceived to be, a potential conflict, it is best practice to record this.

The Development Manager (Quality & Assessment) / Education Managers must ensure that the records include details of the measures taken to mitigate any potential risk to the integrity of the qualifications affected. These records may be inspected by a JCQ Centre Inspector and/or AB staff. They might be requested in the event of concerns being reported to an awarding body. The records must be retained until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.

As an approved Employer Provider of Apprenticeships Hampshire County Council staff may be entered for National qualifications through our training centres. In these cases, it is the Development Manager (Quality & Assessment) who is responsible for ensuring that proper protocols are in place to prevent the member of centre staff having access to examination materials prior to the examination and that other training and exam's office staff are briefed on maintaining the integrity and confidentiality of the examination materials. The Development Manager (Quality & Assessment) / Education Manager must ensure that during the examination series the member of centre staff is treated in the same way as any other candidate entered for that examination, does not have access to examination materials, and does not receive any preferential treatment.

The new regulations state that AB must be informed about conflicts of interest before the published deadline for entries. Conflict of interests are submitted by letting the relevant AB know about a conflict of interest at our centre by completing the relevant declaration, these are usually found on the policy and document section of the AB website.

Once submitted, we do not need to take any further action. The AB will get in touch if they need any further information.

Failure to comply with the AB policy and/or our Centre Agreement may lead to immediate termination of our contract, in line with established contractual agreements.

5.0 Monitor, Review & Audit

The contents of all policy and procedures will be monitored regularly by Hampshire Achieves Performance Management Group (PMG). Policies and procedures will be kept updated in accordance with any mid-year changes in the law, regulations, or changes to the Services' provision, with updates approved by PMG.

All policy and procedures will be reviewed annually to determine their effectiveness, and where any changes are required, these will be applied and ratified. A summary of all changes will be kept as part of the PMG meeting notes. In addition, an annual cycle of internal policy compliance/audits defined by Senior Managers will provide the assurance of the overall effectiveness of the Services ethos, policies, and procedures, and will confirm operational effectiveness, and compliance with our own quality assurance framework and any relevant laws or regulations.

Appendix 1 Summary of Process to Mitigate Risk

All HCC staff **delivering** a national qualification either as part of an apprenticeship or as a standalone qualification will be given the opportunity to complete a [staff conflict of interest declaration form](#) per qualification at the start of the academic year. Staff will be given the chance to update this form at the start of each new cohort/or individual learner.

All HCC staff, as **learners**, or any other learner completing a national qualification, either as part of an apprenticeship or through any other HA programme, will sign a conflict of interest declaration as part of the enrolment process and have their details recorded with the relevant AB and listed on the HA central conflict of interest log.

The Exams Office will:

- complete the relevant section of the staff declaration form summarizing the nature of conflict and the action agreed to mitigate the risk, for example: a change of Tutor; IQA or Invigilator.
- at registration stage, complete the electronic conflict of interest form for the relevant AB, this may be per learner, or a cohort of learners.
- create an annual Conflict of Interest log, to which, both learner and where relevant staff names will be added.
- prior to an EQA visit, provide the EQA with a list (our internal log) of the learners subject to conflict.

The EQA will (where relevant):

- identify a recommended sample size from the list of learners and undertake QA activity.
- by completing their report provide a rolling log of learners to the awarding body
- request to review our 'Conflicts of Interest Policy', along with details of the Assessor(s) and IQA(s)
- need to summarise and qualify on their EQA report (section 10) that mitigation is in place or will highlight actions where identified.

Appendix 2 Conflict of Interest Log – 2021-2022

[illegible]

Nature of conflict *reference numbers

Informing the Awarding Body, of any:

1. members of centre staff who are taking qualifications at their own centre which include internally assessed components/units;
2. members of centre staff who are teaching and preparing members of their family (which includes stepfamily, 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:

3. exams office staff have members of their family (which includes stepfamily, 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;
4. centre staff are taking qualifications at their centre which do not include internally assessed components/units;
5. centre staff are taking qualifications at other centres.