

ASSESSMENT CONFLICT OF INTEREST POLICY

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PURPOSE

To provide guidance to staff and volunteers on conflicts of interest that may arise as a result of their roles as assessors, invigilators, internal quality assurance or assessment-related administrators.

This policy applies to all staff or other individuals whenever they interact or potentially interact with any of ELATT's assessment-related functions.

This policy:

- Defines what is meant by conflict of interest in these circumstances.
- Describes the role of conflict of interest in the context of working for ELATT in an assessment-related function.
- Sets out which conflicts can be managed and how they should be managed, and those which are considered unmanageable and therefore cannot be allowed.
- Illustrates potential conflict of interest situations, some of which are not obvious.

Individuals should always disclose an activity if there is any doubt about whether it represents a conflict of interest.

The policy describes how and when such disclosures should be made: as soon as potential or actual conflict is discovered. This should be done by completion of a report at the time (i.e., before the activity is carried out). The policy describes the procedures that should be followed and how to handle potential conflicts of interest.

INTRODUCTION

ELATT is required to identify and manage all conflicts of interest that might detrimentally impact on standards of, or confidence in, ELATT's educational and training provision or the reputations of awarding bodies.

Given ELATT's status as a publicly funded provider, it is important that all individuals and organisations with which ELATT has dealings are confident that all of its assessment-related operations are free from improper influence.

SCOPE

This policy applies to staff and other individuals who interact or potentially interact with the assessment-related work of ELATT. This includes individuals involved with all aspects of devising, setting, marking, administering, invigilating, internally quality assurance or any other activity connected with the assessment of learners and associated supporting resources and services.

The content of the policy cannot cover every potential conflict and must be interpreted in the light of the circumstances of each case.

WHAT IS A CONFLICT OF INTEREST?

A simple definition of conflict of interest is a situation in which an individual or organisation has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances:

- An individual whose personal interests' conflict with his/her professional position
- An individual scheduled to assess, invigilate or internally quality assure the work of friends, relatives, or colleagues undertaking CPD within ELATT.
- When one part of ELATT follows a procedure that conflicts with the organisation's official policy and the requirements of its awarding bodies
- An individual undertaking assessment for ELATT in their own workplace

ROLES AND RESPONSIBILITIES

All relevant staff have a responsibility to be aware of the potential for a conflict of interest. It is possible that staff working in any assessment-related role might 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 standards of, or public confidence in, ELATT's educational and training provision or the reputations of partner awarding bodies.

Staff can find themselves in potential conflicts of interest situations because they are not clear what the correct, auditable processes and procedures are. To clarify:

- The Conflict of Interest policy is a requirement of the induction of all new assessors, invigilators, internal quality assurance and assessment-related administration staff.
- Any day-to-day concerns identified by an individual should be raised with their line manager.
- Where there is a notified potential conflict of interest for an individual, the individual and line manager must document this carefully, together with those activities that must be avoided to prevent ELATT or any of its awarding bodies being brought into disrepute. The document (a Disclosure of a Conflict of Interest (Assessment Related Form) should be signed by both the individual and the line manager, brought to the attention of the Centre Manager, where such documents will be retained for audit purposes.
- Any concerns that the individual feels are urgent should be communicated immediately to the Centre Manager and may be done so in confidence. It is an individual's right to raise concerns relating to conflict of interest and to receive a response to their concerns.
- As and when the situation arises, assessors, invigilators, internal quality assurance and administrators of assessment-related materials must notify their line managers of any learners enrolled at ELATT who are family members, other relatives or close friends.

- As and when the situation arises that staff become learners at ELATT, the tutor of the class should complete a Conflict of Interest Declaration, found at: https://resources.elatt.org.uk/elatt-handbook/12-operational-procedures/elatt-conflict-of-interest_declaration.docx

CENTRE RESPONSIBILITY

ELATT manage conflicts of interest in relation to internal assessment and quality assurance under the terms of our policies. Any unresolved issues will be brought to the immediate attention of the awarding body concerned. Measures to ensure compliance with JCQ and awarding body guidelines and regulations include:

- Managing working arrangements to avoid potential conflicts of interest. For example, a member of staff at the centre undergoing an assessment must be assessed by an unrelated assessor.
- Maintaining accurate records of all existing and/or potential conflicts of interest, including details of all mitigating actions, for example 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 ELATT or other centres.
 - centre staff are taking qualifications which do not include internally assessed components/units centre staff taking qualifications at other centres.
- Informing awarding bodies of any changes to circumstances relating to any previously declared conflicts of interest and must submit any changes which may lead to new or potential conflicts of interest.
- Carrying out additional quality assurance monitoring activities in cases where conflicts of interest are unavoidable e.g.
 - Personal or professional relationship between IQA's, assessors, tutors and learners
 - All personnel undertaking mandatory regulated qualifications within their own centre
 - Instances of mutual quality assurance activities between IQA's.

ACTIVITIES RELATED TO MANAGING A CONFLICT OF INTEREST

- Staff are trained in managing boundaries and related conflicts as part of their induction and ongoing CPD activity.
- Where there is potential for a conflict of interest, the awarding body will be notified, and their agreement requested prior to the start of the course.
- Any agreed conflict of interest will be recorded on a central log maintained by the Centre Manager.
- Development is provided for learners on key policies during their induction and new policies or procedures are introduced in Tutorials / Reviews.

PROCEDURE FOR DEALING WITH A CONFLICT OF INTEREST

The Centre Manager will take steps to manage the conflict e.g.

- provide an alternative assessor, internal quality assurance, invigilator or support worker who is not related to any learner.
- inform the awarding body if the tutor is the only available specialist in that subject area to seek their permission and to arrange for any additional scrutiny to monitor fair and impartial approaches.
- record the conflict of interest in the conflict of interest log maintained by the examinations team.
- provide details of conflicts of interest to visiting External Quality Assurers and External Examiners or others associated with the awarding body for the relevant qualification.

If a learner or staff member believes that a declaration of conflict of interest has not been managed correctly, they may raise a complaint in line with the Complaint Policy. If the full complaints procedure has been exhausted and the issue remains unresolved, learners may refer their concern to ESFA or GLA as appropriate.

HANDLING POTENTIAL CONFLICTS OF INTEREST IN SPECIFIC AREAS AND FUNCTIONS

The following are examples of conflicts or potential conflicts of interest from different areas of ELATT:

- If a teaching member of staff is involved in any way with the development of a secure assessment for either internal or national use, he or she cannot make use of the knowledge of that assessment in any teaching or learning activity.
- The appointment of all assessors, invigilators, internal quality assurance and assessment-related administrative staff is not made against published criteria and on a transparent basis.
- Assessors, invigilators, internal quality assurance and assessment related administrators do not take responsibility to ensure the security and confidentiality of all assessment instruments, including examination papers.
- Learning and teaching materials are based on live examination of other assessment materials (although they can make use of past examination of other assessment materials)
- A member of staff is asked to assess, invigilate or internally quality assure the work of an enrolled learner who is a family member, other relative, close friend or colleague undertaking CPD within ELATT
- A member of staff makes assessment materials available to individuals, whether or not learners of ELATT, when not specifically tasked with assessing them as part of a timetabled activity.
- In all cases, tutors/assessors should complete the Conflict of Interest Declaration (https://resources.elatt.org.uk/elatt-handbook/12-operational-procedures/elatt-conflict-of-interest_declaration.docx).



FAILURE TO DISCLOSE A CONFLICT OF INTEREST

If a conflict of interest is identified that has not been disclosed the related examination or assessment will be invalidated and the staff or learner disciplinary procedure will be activated. The qualification awarding body and the Joint Council for Qualifications (JCQ) will be notified of the conflict of interest.

DATA PROTECTION

Information provided will be processed in accordance with data protection principles as set out in the GDPR 2018 and Data Protection Act 1998. Data will be processed only to ensure that staffs act in the best interest of the company.