

Conflict of Interest

Policy Statement

The purpose of this policy is to:

- highlight and illustrate potential situations where conflicts of interest may arise
- identify the principles that AIM Awards will adopt in the management of conflicts of interest
- set out what actions should be taken by individuals who encounter conflicts of interest
- set out how we will manage identified conflicts of interest

At the end of each section are references to the documents you will need, the documents we will use and Ofqual’s General Conditions of Recognition that apply. All related documents are available on our website.

Policy Detail

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances and it is likely that people working with or for us may encounter potential conflicts of interest from time to time.

Examples include:

- where someone has a position of authority in one organisation which conflicts with their interests in another organisation
- where someone has personal interests that conflict with their professional position
- where someone works for us or carries out work on our behalf, but who may have paid or unpaid personal interests in another business which uses our products or services or produces similar products
- where someone works for or carries out work on our behalf who has friends or relatives taking our assessments or examinations
- where there is a conflict between income and regulatory responsibilities
- where training and delivery and awarding rest within one umbrella organisation
- awarding body activity, or activity undertaken on its behalf, has the potential to lead it to act contrary to Ofqual’s General Conditions of Recognition
- when one part of AIM Awards creates and follows a procedure that conflicts with its regulatory responsibilities as an Awarding Organisation

It is the responsibility of all staff at AIM Awards and AIM Awards centres to ensure that they are familiar with this Conflict of Interest Policy and the requirement to disclose any activity that has the potential represent a conflict of interest.

The ultimate responsibility of the management of potential and actual conflicts of interest lies with the Board of Trustees.

Ofqual General Conditions of Recognition (GCRs):	Condition A4 Conflicts of interest Condition G4 Maintaining confidentiality of assessment materials
Responsible staff:	Specific GCRs referenced:
Quality	A4.6
Senior Management Team	A4.4
All staff	A4.1, A4.2, A4.3, A4.5, A4.7, G4.2, G4.3

How centres should implement the policy

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances and it is likely that you may encounter potential conflicts of interest from time to time.

Examples include:

- where an assessor, internal verifier or invigilator has a personal relationship with a learner or candidate
- where someone works for or carries out work on AIM Award's behalf who has friends or relatives taking AIM Awards assessments or examinations
- where an individual has a position of authority in an organisation which may conflict with the role of the individual in another organisation.
- when an activity undertaken on behalf of AIM Awards has the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with Ofqual General Conditions of Recognition
- where someone works for or carries out work on AIM Award's behalf, but who may have personal interests - paid or unpaid – in another business which either uses AIM Award's products or services, or produces similar products.

Conflict of interest in the assessment and quality assurance of qualifications

The following guidance is provided in the **Being an AIM Awards Centre** and **How we Quality Assure** policy documents regarding management of conflict of interest in the assessment and verification of qualifications:

1. you must take all reasonable steps to avoid any part of the assessment and verification of a learner's work being undertaken by any person who has a personal interest in the result of the assessment
2. in the event that you identify a conflict of interest in advance, the parties involved need to inform us immediately by completing and submitting via email to your AIM Awards Customer Support Officer the **Conflict of Interest Declaration form (Appendix 1)**
3. in the event that the conflict of interest is identified after it has taken place the parties involved need to inform us immediately by completing and submitting via email to your AIM Awards Customer Support Officer the **Conflict of Interest: Change in Circumstance form (Appendix 2)**
4. if there is a connection between any of your learners and your allocated External Verifier (EV) you must let us know so that we can avoid a conflict of interest (using the Conflict of Interest Declaration form). If the EV identifies such a conflict of interest once they are externally verifying your learners work, we will arrange for another member of the team to verify that learner's work.

When a conflict of interest has been declared we will follow the steps outlined on the next page.

Should a conflict of interest between staff and candidate be identified at the start of, or during the assessment/examination you must:

1. replace the assessor/invigilator with another suitable member of staff
2. if this is not possible, you must move the candidate to another assessment/examination room
3. if this is not possible, you must add an additional member of staff to invigilate/assess those candidates
4. if this is not possible and there are no other opportunities for the learner to be assessed, the assessment/examination may take place. Immediately following the assessment/examination you must complete and submit by email to AIM Awards the **Conflict of Interest: Change in Circumstance form (Appendix 2)** explaining what happened.

When a conflict of interest has taken place and has been declared we will follow the steps outlined on the next page.

Conflict of interest in delivering examinations

You must take all reasonable steps to avoid any part of the assessment process being undertaken by any person who has a personal interest in the result of the assessment. This includes both invigilators and speaking/speaking and listening test assessors.

Where there is a known potential conflict of interest, the invigilator/speaking/speaking and listening test assessor must complete and submit a conflict of interest declaration form (**Appendix 1**) declaring the potential conflicts of interest prior to gaining approval to invigilate an examination or assess a speaking/speaking and listening test.

How we will consider declarations of conflict of interest

All received declarations of conflict of interest will be logged.

1. Declarations will be considered monthly by the **Quality Team** and we will agree one of the following possible outcomes:
 - The staff member is approved to assess / internally verify / invigilate / manage the examination
 - Further information is required to demonstrate suitability
 - Further appropriate steps agreed to have the invigilation or assessment scrutinised by another person
 - The member of staff has a conflict of interest and the application has been declined
2. We will watermark your application with approved or declined and **your allocated Quality Reviewer** will write back to you to inform you of our decision. This document will be retained in our centre files
3. If your declared conflict requires scrutiny by your allocated external verifier, we will inform them by marking 'COI' on our system

If an applicant is dissatisfied with the decision, they can appeal to AIM Awards within two weeks of receiving the outcome by following the process described in **Appeals and Complaints**.

If a declaration has been made after the examination or assessment has taken place, the **Head of Standards and Regulation** will agree an appropriate course of action to ensure that all affected learners' assessed work is subject to additional levels of scrutiny. The **Adverse Effects** procedure will be followed to ensure that no future learners are affected.

How AIM Awards staff implement the policy

Corporate conflict of interest

Corporate conflict of interest resolution lies principally with the Board of Trustees and the Senior Management Team. Corporate conflict of interest includes the balance between maintaining financial stability and compliance with regulation, for example the types of centre we work with or engaging in activities which require resources or expertise we cannot supply. Trustees have a responsibility to ensure AIM Awards meets its mission and is financially viable alongside a responsibility to ensure we are compliant with our regulators. The Board of Trustees and the SMT must balance these conflicts by:

- recognising and recording where and when they occur
- making transparent decisions about the resolution of such conflicts

Individual conflict of interest

1. **All line managers** are responsible for ensuring that all staff receives the conflict of interest policy and training.
2. Any **member of staff** considering taking on any additional paid/voluntary work on either an employed or self employed basis must seek written agreement from their line manager beforehand **as soon as possible**.
3. If a **member of staff** identifies an activity that could lead to a conflict of interest they must notify their line manager **as soon as possible**. Members of the Senior Management Team should consult the Chair of the Board of Trustees. It should be noted that individuals are protected under the company's Whistleblowing Policy
Evidence: Email, documentation
4. The **line manager** must either resolve the issue or escalate the issue to the Head of Standards and Regulation (HSR) **within 2 working days**.
5. The **HSR** will begin an investigation of any issues identified **within 2 working days**.
6. The **HSR** will decide when and how matters relating to potential or actual conflicts of interest should be escalated, including when they are reported to the Board of Trustees and to the regulator/s **within 5 working days**. Should any potential conflicts of interest have the potential to lead to an Adverse Effect, the **HSR** will follow the **Adverse Effects** procedure to avoid or mitigate the Adverse Effect.
7. A preliminary report will be made available to the **Senior Management Team** **within 5 working days** who will agree the course of action to be taken.
8. If a **member of staff** feels that the issue has not been resolved they have the right to bring it to the attention of either the Senior Management Team or to the Board of Trustees **as soon as possible**.



Conflict of interest in confidential assessments

Contracts of employment for all members of staff require staff to maintain confidentiality whilst in and after employment.

All staff involved in the creation, assessment and moderation of externally assessed qualifications must follow the following instructions:

1. You must maintain complete security and confidentiality of material at all times.
2. The requirement extends to a period of 2 years following termination.
3. Any information or material that Assessment Writers/Reviewers/Examiners/Markers have access to as a result of work carried out on behalf of AIM Awards at an external organisation must be kept confidential at all times, for an indefinite period.

Any training delivered about confidential assessments will only utilise examination papers, questions and/or material that are not nor will not be used for any live examination. Training to centres about confidential assessments will not be delivered by any person involved with the development of those assessments.

Documents you will need:	Being an AIM Awards Centre How we Quality Assure FS Operations ESOL Operations
Documents we will use:	Whistleblowing (Personnel Policy) Adverse Effects
Related evidence:	Contracts of employment
Related Ofqual General Conditions of Recognition:	A4.1, A4.2, A4.3, A4.4, A4.5, A4.6, A4.7, G4.2, G4.3



Appendix 1: Conflict of Interest Declaration

Actual, potential or perceived conflicts of interest could arise from any of the following (the list is not exhaustive – please indicate any possible interest that you may have):

- Previous or current employment at an AIM Awards centre as a tutor or programme manager
- Appointment to a board, committee, tribunal panel, etc. of AIM Awards or an AIM Awards centre
- Membership of a professional body with an interest in the development, delivery or award of qualifications
- Contractual relationship with AIM Awards, e.g. consultants
- Personal or professional relationship with a candidate who is undertaking an AIM Awards qualification

Full Name	
Job Role	
Centre Name	
Centre Number	
Address	
Telephone number	
Email Address	

Information for declaration must include:

- **The type of interest**
- **The nature of the interest**
- **A description of all parties involved in the interest (financial or non- financial) and any other relevant information.**

Declaration

I declare that I will not assess, invigilate or internally verify any candidate or their assessments until I have been given approval against the above conflict of interest by AIM Awards.

Signed:..... Date:.....



Appendix 2: Conflict of Interest: Change in Circumstance

Individuals remain under a continuing obligation to declare conflicts of interests as they arise. Therefore should circumstances change after completion of the initial declaration, or a new situation arises, all information must be promptly disclosed to AIM Awards.

Full Name	
Job Role	
Centre Name	
Centre Number	
Address	
Telephone number	
Email Address	

Information for declaration must include:

- **The type of interest**
- **The nature of the interest**
- **A description of all parties involved in the interest (financial or non-financial) and any other relevant information. eg name of candidate**

Declaration

I acknowledge that the above interests exist and to the best of my knowledge have informed AIM Awards with all the information regarding the change in circumstance.

Signed:..... Date:.....