**Conflict of Interest Policy**

**Purpose**

The purpose of this policy is to encourage the disclosure and management of conflicts of interest that may arise at the Cheshire West and Chester Council - Skills and Employment department, our training providers, assessors and moderators of accredited units and qualifications.

**Scope**

It is the policy of the Skills and Employment department that tutors, assessors, and Internal Quality Assurers (IQA) acting on behalf of the team, must be free from conflicts of interest that could affect their judgment in conducting assessments and decisions about learner achievement.

The department recognises that tutors and assessors may take part in other activities outside of their recognised roles within our department, but any potential conflict of interest raised by those activities must be disclosed by completing the ‘disclosure form’ and submitting it to their manager.

**Definition and examples of Conflict of Interest**

A conflict of interest can be defined as a conflict between the professional responsibilities of a tutor, assessor, and internal quality assurer and any other interests the individual may have and as such could compromise or appear to compromise their decisions.

Examples of conflicts of interest that can arise in relation to awarding organisation activity:

* When a member of staff is related to a learner whose work they assess, there is a conflict of interest as they have a personal interest in the learner’s achievement.
* When an individual has a position of authority in one organisation/institution which conflicts with their interests in another organisation/institution
* When an individual has personal interests that conflict with their professional position
* When there is actual or potential financial gain which may be seen to influence decision making
* When learners completing an assessment or examination are supervised or assessed by a member of staff who is a family friend or a close relative
* When a member of staff is involved in decisions relating to the recruitment or assessment, allocation of duties or promotion of any individual with whom they have a personal relationship

**General Principles about Disclosure**

* An interest must be disclosed whether or not the tutor, assessor or the IQA is able to personally influence an assessment decision or other dealings with the Council. If a staff is, or could be, in a position to influence such matters, as well as disclosing the interest, they should also discuss this promptly and fully with their Line Manager, who will decide what further steps to take for the Council’s, learners and the staff members’ protection.
* There will be borderline cases in which staff are uncertain whether to disclose or not. The safest course of action, in case of doubt or uncertainty is to err on the side of caution and disclose.

**Failure to disclose a conflict of interest**

If a conflict of interest is identified that has not been disclosed, the related assessment or examination will be invalidated, and disciplinary procedures will be followed:

* The qualification awarding body and the Joint Council for Qualifications (JCQ) will be notified of the conflict of interest.
* Alternative assessor, internal verifier, invigilator or support worker who is not related to any learner will be provided.
* The conflict of interest will be recorded in the conflict of interest log.
* Details of conflicts of interest will be reported to visiting External Quality Assurers 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 can make a complaint in line with the Complaint’s Policy. Learners may refer their concern to The Education and Skills Funding Agency (ESFA):

**Complaints Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT**

**For more information on how to complain to the ESFA visit:** [Complaints procedure - Education and Skills Funding Agency - GOV.UK (www.gov.uk)](https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure)

**CONFLICT OF INTEREST DECLARATION**

**FOR TUTORS, ASSESSORS, AND INTERNAL QUALITY ASSURERS**

|  |  |  |  |
| --- | --- | --- | --- |
| **Full Name:** |  | **Job Title:** |  |
| **Course Name:** |  | **Course Venue:** |  |
| **Course Start Date:** |  | **Course End Date:** |  |

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|  |  |
| --- | --- |
| 1. **There is nothing I need to declare**   **or,**   1. **I hereby declare the following interests that may be relevant to or likely to affect my impartiality** |  |
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| I have read and understood the Conflict on Interest Policy and confirm that, to the best of my knowledge, the information disclosed on this form is complete and accurate in accordance with the Policy. I understand that any false declarations or omissions will invalidate related assessment or examination, and that disciplinary procedure will be followed.  **SIGNED:**  **DATE:** |

**Possible conflicts of interest may include:**

|  |  |
| --- | --- |
| When a member of staff is related to a learner whose work they assess, there is a conflict of interest as they have a personal interest in the learner’s achievement. |  |
| When an individual has a position of authority in one organisation/institution which conflicts with their interests in another organisation/institution. |  |
| When an individual has personal interests that conflict with their professional position. |  |
| When there is actual or potential financial gain which may be seen to influence decision making. |  |
| When learners completing an assessment or examination are supervised or assessed by a member of staff who is a family friend or a close relative. |  |
| When a member of staff is involved in decisions relating to the recruitment or assessment, allocation of duties or promotion of any individual with whom they have a personal relationship. |  |
| Other (please state) |  |

When you have completed the form, discuss with your manager, who may take action (where necessary) and forward to [amta.xhetani@cheshirewestandchester.gov.uk](mailto:amta.xhetani@cheshirewestandchester.gov.uk). This form will be kept for 4 years (from signature date).

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| --- | --- | --- | --- |
| **Manager Signature:** |  | **Date:** |  |

**Summary of conversation if positive declaration made:**

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**If in doubt – DISCLOSE!**