

Conflict of Interest (Examinations) Policy

Policy Code:	TL8
Policy Start Date:	March 2024
Policy Review Date:	March 2027

Please read this policy in conjunction with the policies listed below:

- Code of Conduct and Dress Code
- HR12 Staff Disciplinary Policy
- HR4 Recruitment and Selection Policy
- TL4 Learner Malpractice Policy
- TL9 Conduct and Administration of Examinations Policy



1 Policy Statement

- 1.1 This policy applies to all staff, including all staff who assess, internally verify and administer qualifications.
- 1.2 This policy sets out guidance on how to identify and manage a conflict of interest and the procedure to follow.
- 1.3 This policy supports the Trust's commitment to integrity, by encouraging the declaration of conflicts of relevant interests so that they can be appropriately managed.
- 1.4 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well as the Early Years setting at the Priory Witham Academy, Priory Apprenticeships and Lincolnshire SCITT.
- 1.5 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.

2 Responsibility and Implementation

- 2.1 The Education & Standards Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Director of Trust Services.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all employees are responsible for supporting colleagues and ensuring its success.
- 2.3 It is the responsibility of all employees to adhere to this policy and, wherever possible, to resolve issues informally. The implementation of this policy on an operational level is the responsibility of the Trust's Examinations Manager.
- 2.4 The principles on which these requirements are based are that staff must ensure their personal interests do not conflict with their duty or the interests of the Trust.
- 2.5 The Priory Federation of Academies Trust acknowledges that there is a wide range of situations in which conflicts of interest may arise and will strongly encourage staff to seek advice where necessary.



3 Aims

- 3.1 To maintain rigorous quality standards, ensuring compliance with regulatory requirements and best practice.
- 3.2 To ensure practices are robust, fair and high quality, thus preventing any adverse effect.
- 3.3 To ensure that staff members are protected if there is an allegation of malpractice.

4 What is a Conflict of Interest?

- 4.1 A conflict of interest is a situation in which a member of staff has competing interests or loyalties, which could compromise or appear to compromise their decisions if it is not properly managed. In this context there is a potential conflict of interest when a member of staff has friends or relatives taking assessments or examinations, at the centre where they work, within the Trust or elsewhere. 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 their centre or another centre.
- 4.2 The Joint Council for Qualifications (JCQ) use the term 'Related People' to cover close friends and relatives. 'Related People' are those with whom the member of staff has a close relationship. It would certainly include spouses, children and siblings, but would also include close friends, relatives and members of the household where there is regular contact, such that privileged information might be shared inappropriately. A step-relative, cousin, niece etc. would count if the contact with that person was close and frequent.
- 4.3 A conflict of interest also occurs if any member of staff is entered for an examination or assessment at their centre or elsewhere.
- 4.4 Any individual concerned should also consider the perspective of an independent external observer and whether they would perceive there to be a conflict of interest.

5 Declare Interest

- 5.1 All staff should declare any interest to the Academy Examinations Officer that could impact on the integrity of the examination process, including where a relative or close family friend is sitting examinations in their own or another Trust centre. This is especially important if there is a Non-Examination Assessment (NEA) as part of the qualification or if the member of staff is preparing the student for the examination or assessment. The Examinations Officer will then inform the Headteacher (Head of Centre).
- 5.2 The information provided by key stakeholders will be processed in accordance with data protection principles as set out in the Data Protection Act 2018. Data will be processed only for the purpose set out in this policy and not for any other purpose.
- 5.3 While an interest may not necessarily give rise to a conflict, in the interests of transparency, it should still be declared.
- 5.4 If a conflict of interest is not declared at the outset, this may constitute a malpractice and, depending on the nature of the conflict, could lead to disciplinary action in line with HR12 Staff Disciplinary Policy.

6 Resolution of Conflict

- 6.1 The Headteacher, working with the centre's Examinations Officer, will advise the Local Governing Body (LGB) of any conflict of interest declared and will then:
- assess the nature of the conflict;
 - assess the risk or threat to the function of the academy;
 - decide whether the conflict is non-trivial; and
 - decide what steps to take to avoid or manage the conflict or adverse effect.
- 6.2 The purpose of the discussion is to reach a decision about how the conflict will be managed. Generally, the discussion will take place between the Headteacher and the Examination's Officer, unless they are involved. In this case, a nominated member of the LGB will be part of the discussion. The individual raising the possibility of a conflict will also take part in the discussion, if this is appropriate.

7 Decision

7.1 Normally it will be sufficient to:

- gain an undertaking from the individual to conduct their responsibilities in such a way that the integrity of the centre is maintained, as well as their own integrity; and/or
- reorganise activities and/or key functions so that the conflict is mitigated.

7.2 If neither of the above steps is possible, another solution must be agreed. The solution should be in proportion to the nature of the conflict; in extreme circumstances, activities may need to be monitored or even restricted. The decision as to how the conflict is managed is final.

8 Interests in Assessment

8.1 Each centre will take all reasonable steps to avoid any part of the assessment of a student (including moderation) being undertaken by any person who has a personal interest in the result of the assessment. Where, having taken all such reasonable steps, an assessment by such a person cannot be avoided, the centre will make arrangements for the relevant part of the assessment to be subject to scrutiny by another person/body.

8.2 The Trust requires all staff and contractors to declare any involvement in the preparation of any resource or learning materials designed to support learners, or likely learners, in the assessment of any qualification for which they are under contract. Any such declarations will be carefully monitored to ensure that those assessments are not compromised.

9 Log Conflict and Resolution

9.1 A conflict of interest should be declared to the Academy Examinations Officer in written format. The Examinations Officer will then report this to the Headteacher (Head of Centre), who will keep a log of this.

9.2 The Examinations Officer will keep a record of all instances where:

- examination staff have members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. children) being entered for examinations and assessments either at their centre or another centre;
- staff are taking qualifications at their centre which do not include internally assessed components/units; and/or

- staff are taking qualifications at other centres.

9.3 These records must:

- include details of the measures which have been put in place to mitigate any potential risk to the integrity of the affected qualifications;
- be available for inspection by a visiting JCQ Centre Inspector and/or awarding body staff;
- be available if requested in the event of concerns being reported to an awarding body; and
- be kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed (whichever is later).

9.4 Any unresolved matter shall be referred to the Head of Human Resources.

10 Policy Change

10.1 This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.



The Priory Federation of Academies Trust Conflict of Interest Policy

This Policy has been approved by the Priory Federation of Academies' Education & Standards Committee:

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

Trustee

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

Chief Executive Officer

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

Designated Member of Staff

Please note that a signed copy of this agreement is available via Human Resources.