1. Overview of the Policy

1.1 Who is the Policy for?
This Conflicts of Interest (CoI) policy (the Policy) is for UAL Awarding Body (we, us, our etc), our awarding body staff, external moderators, content developers, and anyone involved in any activity undertaken by UAL Awarding Body. In line with regulatory Conditions, we must be proactive in identifying, declaring, monitoring and managing any CoI. UAL Approved Centres are also encouraged to consult the Policy when implementing their own procedures surrounding CoI.

Our awarding body staff must consult the Policy in conjunction with the UAL Staff Interests Policy, which details the requirements that all members of UAL staff must comply with regarding declaring any CoI. This document is included as an Annex to the Policy.

1.2 Scope
The Policy covers procedures and guidance for staff who may be in a position, or think they may in future be in a position where they could be seen to have a personal interest or stand to benefit directly or indirectly from any activity relating to UAL, us as an awarding body and our qualifications. The Policy applies to all our awarding body functions and qualifications, which can be found in our Qualifications Guide.

1.3 Purpose
The purpose of the Policy is to explain the meaning of a CoI, outline the process to be followed, and to provide guidance and examples of CoI that must be declared by UAL Awarding Body staff, UAL Approved Centres, or any individual involved in any activity we undertake.

The Policy is designed to support staff in declaring any potential or actual CoI. The Policy details our responsibilities as an awarding body, and that of our staff for managing all stages of any CoI, our responsibilities to the qualifications regulators, and the responsibilities of UAL Approved Centres.

1.4 Communication of the Policy
We ensure all staff are made aware of the Policy, as well as the importance of their active role in declaring and managing CoI. The Quality Assurance & Enhancement Team monitors ongoing declarations and reports into respective steering groups and the UAL Awarding Body Senior Management Team. We also ensure that the Policy and declaration form is communicated to all UAL Approved Centres via our website and through external communications.

1.5 Reviewing the Policy
We review the Policy on an annual basis, or more frequently in response to changes in regulatory Conditions and customer/stakeholder feedback.

Reviewing the Policy ensures that we continue to comply with all relevant regulatory Conditions of Recognition. Effective application of the Policy ensures all CoI are declared and managed to safeguard the individual and mitigate against any risk factors.
1.6 Definition and examples of Conflicts of Interest

The UK qualifications regulators define a CoI in regard to an awarding body as follows:

“A Conflict of Interest exists in relation to an awarding body where –

a. An awarding body’s interests in any activity undertaken by it, on its behalf, or by a member of its Group have the potential to lead it to act in any way contrary to its interests in complying with its Conditions of Recognition;
b. A person who is connected to the provision of the awarding body’s qualifications has interests in any other activity which have the potential to lead that person to act in any way contrary to his or her interests in that provision by the awarding body in compliance with its Conditions of Recognition; or
c. An informed and reasonable observer would conclude that either of these situations was the case.”

Indicative examples of potential CoI are outlined below:

1. Where a member of our awarding body staff or any individual involved in any activity relating to our qualifications holds a position, voluntary or otherwise, that conflicts with their role and the interests of UAL Awarding Body;
2. Where a member of our awarding body staff or any individual involved in any activity relating to our qualifications has a spouse, relative or friend undertaking a UAL Awarding Body qualification, or is enrolled in any UAL university course or programme of study;
3. Where a member of our awarding body staff or any individual involved in any activity relating to our qualifications has a spouse, relative or friend that holds a position in UAL Awarding Body, a UAL Approved Centre, or other relevant organisation such as the qualifications regulators where interests may conflict;
4. Where any part of the assessment of a learner relating to a UAL Awarding Body qualification is undertaken by, or involves through its quality assurance, moderation or awarding, any individual that has a personal interest in the outcome. This can include previous employment at UAL Approved Centres.
2. Responsibilities

2.1 UAL Awarding Body

We have a responsibility to identify and monitor all CoI.

The Quality Assurance & Enhancement team manages an annual CoI process. Declarations are recorded in a central register that details conflicts and mitigations, which is presented to the Quality Assurance & Enhancement Steering Group for review and ongoing monitoring.

All our staff must complete an annual CoI declaration. Moderators, consultants and other third parties involved in the design and development of qualifications and assessment are also required to submit CoI declarations.

As required by the UK qualifications regulators, we have processes in place to mitigate against any potential or actual CoI to prevent an Adverse Effect. These arrangements also support us in ensuring the interests of learners and staff are protected.

We encourage and support UAL Approved Centres in declaring CoI to us in line with the Policy. We also draw on the Policy to support UAL Approved Centres with managing internal conflicts that our Centre Agreement requires to be documented and monitored.

We have a responsibility to investigate any breach of a CoI that has resulted in a potential or actual Adverse Effect, and will do so in line with our investigations procedure.

2.2 Our responsibility to the qualifications regulators

It is a requirement of Condition A4 – Conflicts of Interest (and all sub-conditions), for us to identify and monitor all CoI and any scenario in which a CoI may arise relating to our qualifications and all activities we undertake. As required we establish, maintain, and at all times comply with an up to date CoI Policy, in line with Condition A4.7.

We are required to establish and maintain an up to date record of all CoI relating to our work and qualifications, in line with Condition A4.2. This record is referenced in section 2.1 of the Policy and relates to all our awarding body staff, external moderators, content developers, and anyone involved in any activity we undertake. We will also record declarations from UAL Approved Centres, which is outlined in more detail in section 2.3 of the Policy. By managing and monitoring all CoI on an annual basis, we demonstrate that we have effective procedures in place to prevent and mitigate against any potential or actual Adverse Effect.

In line with Condition B3 – Notification to Ofqual/Qualifications Wales/CCEA Regulation of certain events, we must promptly notify the relevant qualifications regulators of any event that has, or may occur which could have an Adverse Effect. There may be instances where the detail of a CoI, if leading to an Adverse Effect, will be shared.
2.3 UAL Approved Centres

UAL Approved Centres must identify and monitor all CoI through implementing their own procedures and policies. In addition, we require UAL Approved Centres to declare any CoI relating to our work and qualifications as soon as the centre is aware.

If a UAL Approved Centre identifies a CoI within their centre relating to us as an awarding body and our qualifications, they must complete the UAL Approved Centre CoI declaration form as soon as they become aware, and then annually on a recurring basis for as long as the conflict remains. UAL Approved Centres are only required to submit an annual declaration if they identify a potential or actual CoI. The form is available on our website. UAL Approved Centres are required to detail actions they are taking to mitigate against the risk of the CoI to prevent any Adverse Effect occurring. In particular circumstances, we may request additional information from a UAL Approved Centre declaring a CoI.

UAL Approved Centres must ensure that all staff (including subcontractors) involved in the delivery, management, assessment and/or quality assurance of our qualifications, and learners undertaking our qualifications are aware of their responsibilities in relation to CoI, both in respect of UAL Approved Centre policies and procedures, and those detailed in the Policy.
3. Data Protection

We are committed to protecting your privacy and being transparent about how your data is processed. We process personal data in accordance with our UAL Awarding Body Transparency Notice, sometimes referred to as a ‘Privacy Notice’. This sets out our data processing practices and your rights and options regarding the ways in which your personal information is used and collected, in line with the General Data Protection Regulation (GDPR). If you have a query about the way in which we processes your data, contact information is provided at the end of the Transparency Notice.
4. Equality

We believe that equality and diversity is integral to our inclusive curriculum, our creative innovation, our global reputation and the richness of UAL Awarding Body. We are committed to addressing inequality and celebrating diversity in order to sustain an accessible and inclusive environment for all learners, centres, governors, visitors, community and commercial partners with whom we engage. For more information about accessibility please review our accessibility statement.
1. Introduction

1.1 This policy sets out the requirements with which members of staff must comply in respect of the declaration of interests they may have that could conflict with those of the University or its subsidiaries. It is not intended to question the integrity of University staff but rather to ensure that University employees maintain and are seen to maintain the highest standards of behaviour in the conduct of the University’s business.

2. Definition of Interests and Conflict of Interests

2.1 An interest is a member of staff’s involvement in, or connection with, or relationship with a matter. It may be of a personal, financial or emotional nature.

2.2 A conflict of interest is any situation in which a member of staff’s personal interests, or duties and responsibilities which they owe to another body, and those of the University arise simultaneously and appear to clash in such a way that an independent observer might reasonably question whether the individual’s actions are determined by personal gain, whether financial or otherwise.

2.3 An interest may be financial or non-financial. Potential conflicts may arise from:
   i. Gifts and hospitality.
   ii. Services or connections with people or companies who do business with the University.
   iii. Executive and non-executive directorships.
   iv. Outside activities.
   v. Consultancy.
   vi. Research projects.
   vii. University management decisions.
   viii. Student assessment.

This list is not exhaustive.

3. Personal Benefit

3.1 All employees have a fiduciary duty to the University and a duty of fidelity under their contracts of employment. Employees must not use their office or employment for personal gain and must act at all times in good faith and in the interests of the University.

3.2 If a member of staff’s actions or decisions during their course of employment and/or activities connected to the University are considered to be for personal gain or motivated by any reason other than for the benefit of the University, the University will be entitled to take disciplinary action against the employee which might result in the dismissal (without notice) of the employee.

4. Declaration of Interests

4.1 A member of staff must avoid being involved in any transaction involving the University in which they have a financial or personal interest. A first step in avoiding involvement is making a declaration of interest and seeking further advice.
from your manager, Head of Service and the University Secretary and Registrar. This may not apply if a declaration has been fully and properly made and authorisation given by the University in advance to any involvement as envisaged, for example, by the Policy on Gifts and Hospitality at paragraph 2.4.

4.2 Members of staff at a senior level, defined for these purposes by the Executive Board as Executive Board members and those reporting to them, are required to make an annual declaration of their interests to the University Secretary and Registrar, even if it is a nil return.

They should also ensure that their manager is aware of their interests. Should an interest arise which may not have been included in the annual register, then this should be declared at the earliest opportunity to both their manager and the University Secretary and Registrar.

4.3 All members of staff have a duty to declare interests to their line manager/Dean/Head of Service and to comply with the University’s related policies and procedures such as the Policy on Gifts and Hospitality, Policy on Anti-Bribery and Corruption, and Financial Standing Orders and Regulations. This is particularly important for staff with responsibility for purchasing or for sale of goods or services or contracts. This policy extends to external members of University committees and consultants. External members on governor committees must also comply with the Governor Code of Conduct.

4.4 All employees have a duty to declare interests at the earliest possible stage, whether financial or non-financial, in accordance with this policy and to ensure that they act with propriety and probity in relation to the University’s affairs.

4.5 This duty extends to declarations of interests at any meeting whether the member of staff is attending as a member of that committee or as an advisor. The member of staff should declare their interest, not participate in the item, and withdraw from the room. If the member of staff is in any doubt about the declaration, they should seek advice in advance. In certain circumstances where the Chair and/or Committee are satisfied that it is in the best interests of the University, the Chair may allow the member of staff to answer any questions of a factual nature before withdrawing and therefore be present for some of the discussion. The declaration must be minuted in relation to the nature of the interest and whether the member of staff withdrew from the discussion and voting.

4.6 Disclosure of an interest must not be used to replace any appropriate permission required set out in other policies or the employee’s contract of employment e.g. to undertake external work or consultancy.

4.7 The Register of Staff Interests will be available for inspection by Officers of the University where it is appropriate for the proper conduct of their work, governors and internal and external auditors. The University Secretary and Registrar may make the Register available to other staff members of the University and to members of the public provided that he/she is satisfied that the enquiry is justified.

1 ‘All staff’ includes temporary staff; hourly paid staff; and consultants working on behalf of the University.
Links to regulatory Conditions

We are required to comply with all Conditions of Recognition produced by the three UK qualifications regulators, Ofqual, Qualifications Wales and CCEA Regulation.

The Policy is underpinned by the below regulatory Conditions:

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<tr>
<th>Regulatory body</th>
<th>Relevant Condition</th>
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<tbody>
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<td>Ofqual Qualifications</td>
<td>A4 – Conflicts of Interest</td>
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<td>Wales CCEA Regulation</td>
<td>B3 – Notification to Ofqual/Qualifications Wales/CCEA Regulation of certain events</td>
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<td></td>
<td>J1 – Interpretation and definitions</td>
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