UAL Approved Centre Guidance: Declaring Conflicts of Interest

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<th>Version</th>
<th>1.0</th>
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<td>Managed by</td>
<td>Centre Monitoring &amp; Compliance Manager</td>
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<tr>
<td>Last review</td>
<td>March 2022</td>
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<td>Next review</td>
<td>March 2023</td>
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<td>Authorised by</td>
<td>Quality Assurance &amp; Enhancement Steering Group (QAESG)</td>
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1. Introduction

As an awarding body recognised by the UK qualifications regulators, we are required to comply with all Conditions of Recognition to ensure the qualifications we offer and award are fit for purpose, valid, accurate and reliable.

It is a requirement of Condition A4 – Conflicts of Interest (and all sub-conditions), for us to identify and monitor all Conflicts of Interest (Col) and any scenario in which a Col 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 Col Policy, in line with Condition A4.7.

We require UAL Approved Centres to have in place, and at all times comply with their own internal policies and procedures relating to the identification and management of any potential or actual Col.

UAL Approved Centres must alert us of any potential or actual Col as soon as the centre becomes aware. This is outlined in more detail in section 3.

To help UAL Approved Centres in defining, identifying and notifying us of potential Col, we have produced this guidance document. Here you will find a list of indicative examples of potential centre level Col, and more supporting guidance outlining how to declare these to us.

This guidance document should be read alongside our COI policy. The policy covers our responsibilities as an awarding body, our responsibilities to our qualifications regulators, and our expectations of UAL Approved Centres.
2. What could a potential or actual Conflict of Interest look like at centre level?

The 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.”

We apply the same definition in respect to UAL Approved Centres, particularly given the active role our centres play in the assessment process. Specifically, part (b) of the regulatory definition underpins our view of CoI for UAL Approved Centres.

We appreciate that applying an absolute rule to CoI is not straightforward, as every scenario, and every centre, has its individual circumstances. Our CoI policy provides some suggested examples of possible CoI scenarios that could relate to UAL Awarding Body staff and UAL Approved Centre staff.

In its purest form, a conflict may exist at a centre where any part of qualification delivery or assessment of a learner relating to a UAL Awarding Body qualification is undertaken by, or involves through its internal quality assurance, any individual that has a personal interest in the outcome.

What we set out in this following section are several more detailed, centre specific examples of scenarios that could present a potential or actual CoI:

**Centre staff must declare if:**

1. They have a child, relative or close friend undertaking a UAL Awarding Body qualification at the centre. The member of staff may or may not be directly involved in qualification delivery, assessment, marking and/or quality assurance. Mitigations would be specific given the role of the individual; and

2. They have a spouse or relative that occupies a position within UAL Awarding Body or the wider University. While this example must be captured by UAL Awarding Body’s internal CoI procedures, we recognise that there may be instances where both parties are perhaps not aware of the role of the family member. Due to this, we expect the member of staff at the UAL Approved Centre to also declare a potential conflict in such a scenario.
Centre staff who occupy roles with UAL Awarding Body must declare the centre they work for as part of UAL’s external staff declaration process. They must also declare:

3. Where a member of staff at a UAL Approved Centre occupies a role as an External Moderator, Senior External Moderator, Content Developer, Assessor or Consultant for UAL Awarding Body or the wider University and has a child, relative or close friend undertaking a UAL Awarding Body qualification or other UAL programme of study; and

4. Where an External Moderator, Senior External Moderator or Assessor for UAL Awarding Body has been assigned a centre that they were once employed by. While this must be declared by the individual through their UAL Awarding Body external staff declaration form, UAL Awarding Body advises that UAL Approved Centres declare this directly as soon as they become aware to aid transparency.

Centres must declare a potential subcontractor conflict:

6. Where any member of staff from a subcontractor that delivers any aspects of a UAL Awarding Body qualification on behalf of the UAL Approved Centre is subject to any of the aforementioned scenarios detailed in points 1-5.

These are indicative examples and we recognise that individual circumstances at a centre level will vary.

UAL Approved Centres are advised to err on the side of caution where they are unsure if a particular circumstance presents a potential or actual Col. Even if the circumstance doesn’t feel like it will lead to a conflict, it is very important to notify us as we are required to record and manage potential conflicts as well as actual, to mitigate against any possible future Adverse Effects.

Centres must declare a potential learner conflict:

5. Where a learner undertaking a UAL Awarding Body qualification has a parent, relative or close friend who occupies a role within UAL Awarding Body. While this must be declared via UAL Awarding Body’s internal staff declaration process, we advise centres to declare any potential or actual conflict to ensure transparency and to mitigate against any perceived advantage or disadvantage.
3. When and how to notify UAL Awarding Body of a potential or actual Conflict of Interest.

We require UAL Approved Centres to declare all potential or actual CoI relating to UAL Awarding Body qualifications or UAL programmes of study within the wider University, as soon as they become aware.

Furthermore, we require UAL Approved Centres to continue to declare the conflict on annual basis for as long as the CoI remains.

UAL Approved Centres must complete the UAL Approved Centre staff declaration form to declare any potential or actual CoI, which can be found 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, UAL Awarding Body may request additional information from a UAL Approved Centre declaring a CoI.
4. What mitigations can be put in place by UAL Approved Centres?

UAL Approved Centres must outline mitigations that are being put in place at a centre level to manage the potential or actual conflict using the UAL Approved Centre Staff Declaration form. These mitigations will be reviewed by the Quality Assurance & Enhancement team and signed off by the Head of Quality Assurance & Enhancement.

Detailed below are two examples of the types of mitigations that could be put in place by UAL Approved Centres:

1. If a member of staff at a UAL Approved Centre is directly involved in the delivery and/or assessment of a UAL Awarding Body qualification that a child, relative or close friend is undertaking, the centre must ensure that any potential or actual personal interest or benefit be mitigated against. This may involve additional internal verification, double marking, or if staffing allows, delivery changes must be put in place to remove the potential or actual conflict.

2. If a member of staff at a UAL Approved Centre is directly involved in administrative activities relating to a UAL Awarding Body qualification (such as a Quality Assurance role or Exams Officer) and has a child, relative or close friend registered on that qualification, the centre must put processes in place to ensure that the role is not involved in the quality assurance or assessment process for the student.
5. Frequently asked questions

Please find below a series of common questions asked regarding CoI in particular relation to qualification delivery, management, assessment and quality assurance.

Q1. We have previously notified UAL Awarding Body of our CoI. Do we have to do it again?

A. UAL Approved Centres must declare any potential or actual CoI as soon as they become aware, and then on an annual, recurring basis for as long as the circumstance remains.

Q2. What information do we include as a UAL Approved Centre when declaring a potential or actual CoI?

A. UAL Approved Centres are required to submit CoI declarations on the UAL Approved Centre staff declaration form. This form requires centres to provide the following information:
   - The name of the individual the declaration relates to;
   - Centre name and ID;
   - The name of the Head of Centre.

Furthermore, if personal connections occupy positions within UAL Awarding Body or the university, the form requests:
   - Their full job title;
   - How long they have been employed with UAL; and
   - Their relationship to the individual.

If any personal connections are undertaking UAL Awarding Body qualifications or studying at the university, the form requires:
   - The full UAL Awarding Body qualification(s) title(s) or UAL HEI course;
   - Year of registration;
   - Course duration;
   - Their name and unique learner number (if known);
   - Where they are studying; and
   - Their relationship to the individual.

You are also required to provide details of the actions being taken by your centre to manage the potential or actual conflict.

Q3. Is there a deadline for submitting annual CoI declarations relating to UAL Awarding Body qualifications?

A. If a UAL Approved Centre identifies a potential or actual CoI relating to UAL Awarding Body qualifications, the centre must make us aware as soon they become aware. This declaration must then be submitted annually for as long as the potential or actual conflict remains.
Q4. Is there a specific amount of time that must have passed before a CoI no longer presents a risk of an Adverse Effect?

A. UAL Awarding Body does not place any timeframe on potential or actual CoI. We recognise that it is logical to consider that a CoI may no longer be applicable or relevant if for example, an internal quality assurer’s spouse used to work at the centre but hasn’t for some time. However, there may well still be an actual, or perceived personal interest that could lead to an Adverse Effect if the centre was treated differently, and the individuals’ judgement was, or was deemed to be impaired due to any previous circumstance, despite no longer being the case. Similarly if an External Moderator used to work at a centre a number of years ago, if not declared, it could still cause the decision making of the individual to potentially be impaired and could lead to an Adverse Effect. UAL Awarding Body advise UAL Approved Centres to notify us of all “potential” conflicts. This ensures transparency and allows UAL Awarding Body and the UAL Approved Centre to take any mitigating action that may or not be required.

6. Your point of contact regarding Conflicts of Interest

We encourage our approved centres to contact us directly in regard to any queries relating to CoI.

Please contact quality.awarding@arts.ac.uk