



## ISTD CONFLICTS OF INTEREST POLICY

### Introduction

The purpose of this policy is to define where a potential conflict of interest may arise within the ISTD and protect individuals and the organisation from any appearance of impropriety. This policy applies to all trustees, examiners, staff, and other contracted individuals.

Conflicts of interest may arise where an individual's personal or family interests and/or loyalties can conflict with those of the ISTD. The ISTD's activities and those of its employees must be free from conflicts of interest that could affect their judgement and objectivity, and particularly in relation to decisions as an awarding organisation. The ISTD recognises that some individuals may take part in legitimate activities and work outside their role with the ISTD, but any potential conflict of interest must be declared upon appointment, or promptly as and when they arise.

The most important feature of the policy is the instruction that individuals should always disclose an activity if there is any doubt about whether it represents a conflict of interest.

### Definition of conflicts of interest:

*A conflict of interest<sup>1</sup> exists in relation to an awarding organisation where:*

- (a) Its 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 contrary to its interests of the development, delivery and award of qualifications in accordance with its Conditions of Recognition*
- (b) A person who is connected to the development, delivery or award of qualifications by the awarding organisation has interests in any other activity which have the potential to lead that person to act contrary to his or her interests in that development, delivery or award in accordance with the awarding organisation's Conditions of Recognition, or*
- (c) An informed and reasonable observer would conclude that either of these situations was the case.*

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<sup>1</sup> As defined in the *General Conditions of Recognition 2013* published by Ofqual  
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## Identification of conflicts of interest

The ISTD will carry out continuous monitoring of operations and employees to ensure that any conflicts of interest in relation either to the organisation's activities, or to the activities of employees and others working for the ISTD are identified and alleviated as soon as possible. This includes, for example, anything relating to training activities especially where examiners may be involved

To do this, the ISTD will carry out the following activities:

(a) In the course of normal operations, the Head of Customer Services and Quality Assurance will monitor that activities undertaken by the awarding organisation do not conflict with its other functions. Any conflicts identified will be flagged to the Chief Executive Officer directly and dealt with, via the Risk Register, by the Finance, General Purposes and Audit Committee, which would refer the matter to Council as necessary.

(b) In relation to identification of potential conflicts of interest in relation to those working for it, the ISTD will identify potential conflicts of interest as follows:-

For all examiners, assessors and markers, including Chief Examiners:

- As part of the initial appointment process, CVs will be checked by the Head of Customer Services and Quality Assurance and Faculty Chairs to identify any possible conflicts of interest. Where uncertainty remains, these will be explored as part of the interview process.
- Upon appointment, they sign an Examiner's agreement which specifies rules in relation to their ISTD work. They are also required to sign a form declaring where they currently and recently have worked so that they are not allocated work from those schools, and that work they accept can be monitored to ensure there is no conflict of interest. These forms are issued and retained by the Head of Customer Services and Quality Assurance. They will be asked to notify the Head of Customer Services and Quality Assurance of changes of employment which may affect their ability to examine in the immediate future, and re-complete on an annual basis. They also confirm that they will not knowingly accept a booking for an examination session where they have knowledge of the candidates.
- Where a conflict of interest is declared or arises, and where this relates to examining candidates for any reason for a specific teacher, this will be dealt with by a bar in the relationship within the examinations systems. For any other type of conflict this will be reported to the relevant Faculty Board at its next meeting, for recognition and if necessary, resolution.
- Where an examiner/teacher who delivers, or expects to deliver the qualification is involved in the development of the qualification, that development work must be subject to scrutiny by an expert panel to ensure that it meets the needs of all learners and has no bias towards any specific group or type of learners.

- Where ISTD training courses are delivered by an examiner, records of attendees are maintained to enable audit of any potential candidates if necessary.

For other personnel:

- On initial appointment to Council or a Committee or working group, members will be expected to declare any conflicts of interest that may prevent them from carrying out their roles with objectivity. CVs and other documentation will be checked by the Chief Executive Officer to ensure that there are no potential conflicts of interest.
- Similarly, senior staff applying to work for the ISTD will complete a declaration during the application process. Employment of new staff in the event of a potential conflict will be subject to the agreement of the Chief Executive Officer.

### **Monitoring of conflicts of interest**

(a) For all examiners, assessors and markers, including Chief Examiners:

- The ISTD has a policy of not allowing examiners to examine:
  - candidates they have taught within the last 18 months, including those on ISTD courses
  - candidates they know on any personal basis e.g. family or friends
  - for teachers with whom they have a personal, or professional employment relationship
- In order to reduce the likelihood of any conflicts of interest, on receipt of a timetable for a session, ISTD examiners and assessors must declare if for some reason they know a candidate. In this case, the examiner/assessor is replaced.
- In the UK, examiners are not allocated to a session for the same teacher until two further examination sessions have taken place; overseas they have at least a two year gap before returning to the same country.

In addition, the ISTD uses the following monitoring and administrative procedures to further protect against any potential conflict of interest:

- Candidates for Vocational Graded Examinations and Professional examinations are required to give the names of those who trained them and courses attended within the last 18 months, to ensure that examiners do not examine those they have trained.

- Records of attendees on ISTD training courses are maintained to enable audit of any potential candidates if necessary, especially where the course is delivered by an examiner.
- Examination sessions are monitored to check examiners allocation to centres and proximity.
- All scripts for markers and portfolios for assessors are allocated to ensure they do not view any assessments in which they may have any personal or professional interest, and all scripts are anonymised.

The actions taken may be the following, depending on the severity of the circumstances:

- If found prior to the examinations, the immediate replacement of the examiner, or if no other examiner is available, the removal of the specific candidate(s) from the timetable, or cancellation of the session.
- If immediate post examination, as examinations are performance-based external examinations which cannot be adjusted, the results would not be issued, and the candidate(s) re-examined by another independent examiner.
- Should any ongoing monitoring find any conflicts of interest arising, actions will be taken to ensure that whilst being resolved, there is the minimum necessary impact on learners. This may result in learners' work being re-marked by another marker/assessor, or in the case of a performance examination, re-examined by another examiner and may impact on results and certification timescales. Should this be the case, the ISTD will inform the teacher accordingly.

(b) For other personnel:

- Council, Committee and Group members will be expected to complete a new Declaration of Related Party Interests form annually, which also includes a declaration of any gifts or hospitality over a defined value. Any changes to the information within a year must also be declared forthwith.
- At any meeting the members must declare any potential conflict of interest in an agenda item.
- Service providers will either be prohibited from having any conflict of interest with the ISTD in their contract of services, or where a conflict cannot be avoided, will be required to declare any conflicts of interest on a Declaration of Related Party Interests form, at the time of entering into their contract.
- Existing employees will be required to declare any change in their circumstances immediately to their senior manager, and any issue arising will be resolved by their senior manager in agreement with the Chief Executive Officer.

## **Confidentiality**

Trustees, examiners and staff are required to confirm that they do not (except in the proper course of their duties), either during their trusteeship/employment or at any time after its termination, improperly use or disclose any confidential Information relating to the ISTD and its operations

## **Data Protection**

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that trustees and all staff act in the best interests of the ISTD. The information provided will not be used for any other purpose.

*This policy has been agreed by the ISTD Council of Management, is reviewed on a regular basis, and any amendments other than to contact details, have been confirmed by them.*