



RSL Awards Conflict of Interest Policy

Table of Contents

<i>Introduction</i>	<i>2</i>
<i>What is a Conflict of Interest?</i>	<i>3</i>
<i>Potential Conflicts of Interest.....</i>	<i>4</i>
<i>Potential Conflicts of Interest in a Vocational Setting</i>	<i>5</i>
<i>Who is Responsible in RSL Awards for Managing Conflicts of Interest.....</i>	<i>7</i>
<i>Conflict of Interest Process.....</i>	<i>9</i>
<i>Consequences of Breach of this Policy</i>	<i>10</i>
<i>Data Protection and Retention of Declaration Records</i>	<i>10</i>
<i>Annex 1 Ofqual’s Condition A4 - Conflicts of Interest</i>	<i>10</i>
<i>Annex 2 SQA Accreditation’s Regulatory Principles (2021).....</i>	<i>10</i>



RSL

Awarding the
Contemporary Arts

Introduction

All staff, contractors and third parties need to be aware of the potential for a Conflict of Interest. This policy is to give information on Conflict(s) of Interest and why these must be managed and/or, if possible, necessarily mitigated against. It is the responsibility of all staff, contractors and third parties to declare all roles and responsibilities within the awarding sector and all other related educational role(s) that have the potential to undermine the integrity of our qualifications. This policy also ensures we meet all our regulatory requirements as an Awarding Organisation. It is important that all potential conflict(s) of interest are declared

RSL Awards is an UK regulated awarding organisation, that is subject to the conditions of recognition set out by Ofqual, CCEA, SQA and Qualifications Wales. We [and our regulators] recognise that conflicts of interest can sometimes be unavoidable, and we also appreciate that the people who are best placed to examine candidates are often those who teach the subject. Undeclared conflicts of interest can cause damage to the reputation of the regulated qualifications system, consequently, in accordance with Ofqual's Condition A4 (Conflict of Interest) [see Annex 1], we must maintain an up-to-date conflict of interest policy and register of declarations at all times.

This policy is for anyone involved with ANY aspects of the creation, marketing, sales, distribution, marking or any other activity connected with our qualifications (regulated or unregulated), tests & assessments and supporting resources & services. This includes:

- Permanent
- Fixed term
- Temporary
- Contract/freelance
- Consultants
- Assessment Associates - e.g. SSEs, SVs, CQA, EAs, Assessors, Examiners

This policy **does NOT apply** to VQ Centres or Partner Organisations – for these, requirements can be found in the VQ Handbook and Partner Organisation Handbook respectively.



What is a Conflict of Interest?

Under Condition A4, Ofqual, defines that a conflict of interest exists for 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 in the development, delivery and award of qualifications in a way that complies 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 a way that complies 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.

To summarise, a conflict of interest occurs in situations where a particular individual's interests might impair their ability to make the objective, unbiased decisions that are necessary to ensure the AO can develop, deliver and award its qualifications in line with the Conditions.

Note: A 'personal interest' is a conflict of interest that related to a particular individual rather the awarding organisation itself.

Note: Whilst, it may be apparent to the individual that they do not have a Conflict of Interest, it needs to be considered by the awarding organisation whether the activity could be PERCEIVED to be a conflict of interest.

A perceived conflict of interest is a situation where an outsider/outside observer could perceive that an awarding organisation and/or individual has a competing interest or loyalty. Any PERCEIVED conflicts of interest must also be managed.



Potential Conflicts of Interest

In relation to RSL Awards and their awarding organisation activities; conflicts of interest can arise in a variety of circumstances. Below is a list of examples (this list is not exhaustive):

- Where a person works for or represents RSL Awards on our behalf but may have personal interests (paid or unpaid) in a separate business that either uses our products/service or produces similar products.
- Where a person works for or represents RSL Awards on our behalf, who has friends or relatives taking our exams or assessments.
e.g. Being an RSL Examiner and your son/daughter/friend takes our exams.
- Where a person works for or represents RSL Awards on our behalf, who is themselves entered to take our exams or assessments.
- When an individual has a position of authority in one organisation that conflicts with his or her interest in another organisation.
e.g. Being an RSL Examiner, whilst owning a music school where your students sit RSL exams

Here is a list of scenarios that may constitute a conflict of interest (this list is not exhaustive):

- Anyone who works for or represents RSL Awards in any capacity who:
 - Has a close relative who is a candidate/learner taking our exams and/or assessments
 - Is also a teacher and their students take our exams and/or assessments
 - Is also entered as a candidate/learner for our exams and/or assessments.
- An examiner who delivers 'training' to teachers on how to prepare candidates/learners for secure exams when they may potentially know the content of forthcoming exams.
- Anyone creating content for a third-party publisher relating to our exams/assessments, especially if they have access to secure content.
- Anyone working for RSL Awards Head Office who has a longstanding relationship/connection to a member of staff working for/on behalf of RSL Awards.
e.g. Having a previous working relationship with another member of RSL Awards staff.
- Anyone who works for or represents RSL Awards in any capacity and also has either a current or past relationship/connection to another educational organisation or competing awarding body.
 - **You must declare, past or present, the name of school/college/awarding body) and your role.**



Potential Conflicts of Interest in a Vocational Setting

A: Potential Conflict of Interest or personal interest involving Learner assessment

- A member of RSL Awards staff has a close personal relationship (or one that could reasonably be perceived as such) with a Learner who is undertaking a qualification
- A member of RSL Centre staff undertaking an RSL qualification at that Centre, and their work being assessed and verified by other Centre staff
- A member of RSL staff assessing or verifying the work of a friend, acquaintance or family member undertaking a qualification
- A member of RSL staff marking or moderating the work of a friend, acquaintance or family member undertaking an RSL Awards qualification
- A member of staff acting in an assessment or verification role for an RSL Awards centre (e.g. IV) as well as acting in an assessment, verification or moderation
- A member of RSL Awards staff with access to Learner records has a close personal relationship (or one that could reasonably be perceived as such) with a Learner who is undertaking a qualification at RSL Awards and can access Centre and Learner records and data e.g. assessment records
- A member of RSL Awards staff undertaking qualifications which will be marked and moderated by another member of staff

Ofqual A4 Conditions A4.6 and A4.7 require Awarding Organisations to take all reasonable steps to avoid Learners being assessed by anyone with a personal interest in the outcome of the assessment, and – where it is unavoidable – to ensure any part of the assessment they do conduct is scrutinised by someone else who does not have such an interest.

B: Potential Conflict of Interest or personal interest involving external quality assurance

- The RSL Awards staff involved in external quality assurance for a Centre (e.g. moderation, quality management/audits) have previously been employed by that Centre

C: Potential Conflict of Interest or personal interest involving RSL Awards investigations e.g. malpractice or maladministration

- A member of RSL Awards staff having a personal interest in a Centre where they have been asked to carry out an investigation e.g. for malpractice, maladministration, suspected or alleged breaches of confidentiality, decisions on appeals



D: Potential Conflict of Interest or personal interest involving employment terms and conditions or financial aspects

A member of RSL Awards staff having sole responsibility for the appointment, supervision, promotion or performance review of a person with whom they have close ties (e.g. friend, family member) and where assessment or verification results have an impact on the process

- A member of RSL Awards staff whose pay would be influenced by positive assessment results
- A member of RSL Awards staff who has a financial interest in a centre/product/project
- A member of RSL Awards staff has a close personal or familial relationship with a member of Centre staff

E: Potential Conflict of Interest or personal interest involving competitor organisations

- A member of RSL Awards staff working with/for another employer (including another Awarding Organisation) that is in direct competition
- A member of RSL Awards staff working with/for another employer (including another Awarding Organisation) that is in direct competition with a RSL Awards Centre at which they have been asked to carry out work
- A member of RSL Awards staff that is both employed by RSL Awards and an employer whose Learners they teach or assess

G: Potential Conflict of Interest or personal interest involving Learner work or data

- A member of RSL Awards staff using Learner work for commercial gain or advantage (which may include personal advantage, the advantage of the RSL Awards Centre at which the Learner is registered or the advantage of a competitor organisation)
- A member of RSL Awards staff using non-public data for personal gain.



RSL

Awarding the
Contemporary Arts

Who is Responsible in RSL Awards for Managing Conflicts of Interest

The RSL Awards Board

The ultimate responsibility for this policy, circulation of the policy and management of potential and actual conflicts of interest rests with the RSL Awards Management Board.

Line Managers in RSL Awards

Line Managers in each department are responsible for communicating this policy to all relevant individuals within their areas of responsibility.

Line Managers are responsible for checking that all new staff are made aware of the conflict of interest policy as part of their induction period and understand how to raise potential conflicts of interest.

Line Managers are responsible for ensuring all relevant individuals within their areas of responsibility complete any mandatory training assigned to them on Conflict of Interest.

Line Managers are responsible for discussing identified conflicts of interest with the relevant member of staff and either resolving the issue or, for issues that cannot be resolved, reporting the issue to either the Responsible Officer or Head of People & Culture. Advice may be sought via coi@rslawards.com. Records of conflicts discussed, and measures put in place to manage them must be maintained and available for audit purposes. Any conflict, or potential conflict, must be declared and logged in line with RSL Awards Conflict of Interest Process.

Directors in RSL Awards

All departments must review their procedures annually to make sure that they have processes in place to identify and manage potential or actual conflicts of interest.

All departments must ensure any potential or actual conflict of interest is considered and logged, as required.

All RSL Awards staff, contractors and third parties

Everyone is responsible for making sure that they are familiar with this policy and complete any mandatory conflict of interest training that is assigned to them.

Individuals must report any activity that presents an actual or potential conflict of interest. If there is any doubt whether there is a conflict of interest the matter should be raised and discussed with their Line Manager in the first instance.

The individual and Line Managers are both responsible for documenting the issue carefully before they decide how to proceed. Records of the discussion should be maintained securely by the Line Manager and made available during any relevant audit activity. Any conflict, or potential conflict, must be declared and logged in line with section 6 below.



RSL

Awarding the
Contemporary Arts

An individual or Line Manager may want to raise concerns relating to conflict of interest directly with coi@rslawards.com. This can be done in confidence, and they will receive a response to their concerns.

Any staff member considering paid or unpaid work outside RSL Awards should inform their Line Manager if they think there is any potential for a conflict of interest and then supply this information to coi@rslawards.com. If the staff member is unsure whether a conflict of interest might arise, they should discuss this with their Line Manager first and a record of that conversation should be maintained by the Line Manager and then supply this information to coi@rslawards.com. A staff member must not take on any such activities that could be deemed to compete or conflict with RSL Awards' activities.

Each academic year all RSL Awards staff, contractors and third parties are required to declare any assessment conflicts of interest i.e. Where any students being entered for RSL Awards exams or other assessments, are immediate family members, other relatives, or friends.

Where contractors or freelancers are used to deliver work, an appropriate arrangement must be in place to ensure they are required to declare conflicts of interest. The individual with responsibility for the contractor/freelancer must ensure a suitable process is in place and must retain records of any declared conflicts of interest as well as any plans for managing the conflicts.

RSL Awards' Responsible Officer: monitoring and escalation

The Responsible Officer is responsible for escalating reports of actual or potential conflicts of interest to an appropriate level within the business and, when necessary, to the Board and the regulatory authorities.

The Head of People & Culture and the Global Director of Awarding team will investigate any issues identified by the Responsible Officer and will issue their preliminary findings within ten working days.



Conflict of Interest Process

1. Conflict of Interest Policy:

All staff, contractors and third parties undertaking activities on behalf of RSL Awards must be familiar with the content of this policy and any mitigation processes.



2. Conflict of Interest Declaration:

All staff, contractors and third parties undertaking activities on behalf of RSL Awards are issued with an annual conflict of interest declaration for to complete - it is a contractual requirement to complete this.



3. Declaration Evaluation:

The information submitted will be evaluated by The Responsible Officer. Where necessary and appropriate mitigating action will be taken. These would be relayed to you by your Head of Department, or for contractors your point of contact at RSL Awards.



Updating Conflicts of Interest:

All staff, contractors and third parties undertaking activities on behalf of RSL Awards are required to update RSL Awards of any new potential conflicts of interest* during the year to coi@rslawards.com. Upon declaration of new information, process [3.] will be conducted.

*this includes but not limited to; new or additional role(s) and/or undertaking any alternate work from usual responsibilities – e.g if an SSE or EA is consulting on business development work or training, or an Examiner conducting review syllabus work or qualification development.



RSL

Awarding the
Contemporary Arts

Consequences of Breach of this Policy

Should you be in doubt as to whether an activity involves a conflict of interest, you should discuss the situation with your line manager in the first instance

It is a condition of your contract of employment with RSL that you do not, directly or indirectly, engage in, or have any interest (financial or otherwise) in any other business enterprise which is likely to prejudice the performance of your duties as an employee of RSL or which might interfere with your independent exercise of judgment in RSL's best interests.

RSL will attempt to resolve any conflicts of interest as fairly and as reasonably as possible. If no resolution can be found, the final action to be taken will rest with senior Management.

If a conflict of interest is deliberately concealed by an employee or if no solution to one can be found, RSL may invoke disciplinary action that could lead to the employee's dismissal or immediate termination of contract for a consultant, contractor or other third-party service provider.

Data Protection and Retention of Declaration Records

All personal data collected as part of this policy will be always stored securely, in accordance with RSL Awards' Data Protection Policy and Privacy Statement, which can be viewed [here](#)

Annex 1

[Ofqual's Condition A4 - Conflicts of Interest](#)

Annex 2

[SQA Accreditation's Regulatory Principles \(2021\)](#)