

Conflict of Interest Policy and Procedure

Policy Owner – ASDAN Responsible Officer

Review History	
V1	June 2015
V1 Updated	February 2019
V2	September 2020
V3	March 2021
V4	September 2023
V3	September 2023
V4	September 2026
Next Review	September 2028

1. Purpose

1.1 This document applies to all ASDAN courses and qualifications.

1.2 ASDAN's qualifications are regulated by Ofqual (England and international), CCEA (Northern Ireland) and Qualifications Wales (Wales).

1.3 This policy and procedure responds to Condition A4, A6.1, A6.2, B3.1 of the General Conditions of Recognition (Ofqual and CCEA, 2025) and Standard Conditions of Recognition (Wales, 2024).

1.4 This document is for the attention of:

- ASDAN trustees, staff and associate staff
- ASDAN centres
- Learners and their parents/carers (where appropriate)
- ASDAN's regulators: Ofqual, CCEA, Qualifications Wales
- Other stakeholders

Conflict of Interest Policy and Procedure

2. Policy

This policy applies to all regulated qualifications, as well as related products and services offered by ASDAN, and aims to ensure that centres and ASDAN are able to identify, declare, manage and mitigate conflicts of interest (Col) in order to protect the integrity of qualifications, safeguard learners, and maintain public confidence in assessment and awarding.

2.1. Definition of Conflict of Interest

A Col arises when an individual or organisation has competing interests or loyalties. For individuals, such a conflict may compromise, have the potential to compromise, or be perceived to compromise their decision making if it is not properly managed.

A Col is defined by Ofqual, in relation to an awarding organisation, as existing 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 accordance with its Conditions of Recognition, or
- 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.
- c. An informed and reasonable observer would conclude that either of these situations was the case.

2.1.1. What is a personal interest

A personal interest is a Col that relates to an individual involved in the delivery, assessment, quality assurance, investigation or appeal of an ASDAN qualification. This includes both actual and perceived conflicts, as defined in parts (b) and (c) of the Col definition.

A personal interest may be financial or non-financial and includes any situation where an individual's judgement could be influenced, or could reasonably be seen to be influenced, by personal relationships, incentives or other circumstances.

When deciding whether a personal interest exists, the following questions should be considered:

- Could the individual benefit personally from the outcome of a decision or assessment?
- Could their relationship, role or circumstances affect their ability to act impartially?
- Would a reasonable person think that the individual's judgement might be influenced?

If the answer to any of these questions is "yes", the situation should be declared. This includes existing and potential conflicts and situations that could reasonably be perceived as a conflict.

Conflict of Interest Policy and Procedure

2.2. Examples of centre Col

Examples of situations where Col and personal interests exist (or could be perceived to exist)

2.2.1. Scenario 1

Centre staff carry out assessment on behalf of an awarding organisation. The centre's main source of income is payments based on the number of learners who pass the qualification. The pay and reward of centre staff is directly linked to the centre's overall income.

A Col arises here because an individual Assessor has a financial incentive to ensure that as many learners as possible pass the qualification, as this will maximise both the centre's and their own income.

That incentive could impair or be perceived to impair an Assessor's ability to make unbiased judgements about the extent to which a learner has demonstrated the required knowledge, skills and understanding. In turn, that makes it less likely that an Assessor will in fact make an objective and unbiased decision.

Indeed, in this case centre staff would most likely have a personal interest in the outcome of assessments for learners at their centre. The regulatory Conditions require ASDAN to take all reasonable steps to avoid assessment being undertaken by a person with a personal interest in its outcome. Where this cannot be avoided, the assessment must be subject to scrutiny by another person.

2.2.2. Scenario 2

ASDAN has received an allegation of malpractice and is deciding who should investigate it.

The regulatory conditions require investigators to be 'persons of appropriate competence'. In this case, one individual who meets that requirement is the head of centre.

There is also a requirement for investigations to be undertaken by 'persons... who have no personal interest in their outcome'. It will be a matter of judgement for the awarding organisation to determine whether a personal interest exists.

Examples of situations where a head of centre has a clear personal interest in the outcome of an investigation would include cases where:

- the head of centre is accused of, or potentially implicated in, the alleged malpractice,
- the head of centre is related to, or has a close personal relationship with, any of the individuals accused of malpractice, and
- a finding of malpractice would have direct financial consequences for the head of centre (for example, if it would place a performance-related bonus, or their job, at risk).

Conflict of Interest Policy and Procedure

2.2.3. Scenario 3

A centre uses a large pool of assessors. Some of the more experienced assessors also act as members of a panel which determines appeals.
One appeal involves a Learner whose work was originally marked by one of the panel members.

A Col arises here in relation to that panel member, because it is their own assessment decisions that are being scrutinised on appeal.

That also means the panel member would have a personal interest in the decisions being appealed, because the appeal would determine whether those assessment decisions were appropriate.

As a result, and in order to maintain impartiality, they must be excluded from decisions on that appeal. They would, however, be permitted to adjudicate appeals for other learners whose work they had not assessed.

2.3. Centre Responsibilities

Centres must:

- Have and maintain a written Conflict of Interest policy that applies to all staff involved in the delivery, assessment, moderation, quality assurance, investigation and appeal of ASDAN qualifications.
- Declare all actual or potential Col, annually upon renewal, during quality assurance activities, or as they arise, using the ASDAN Declaration of Conflict of Interest form
- Maintain an up-to-date internal register of conflicts, including actions taken to manage them, and review it regularly.
- Ensure no staff member with a personal interest is involved in assessing or quality assuring learners they are connected to
- Support ASDAN investigations and implement mitigation measures as instructed
- Incorporate conflict of interest declarations in employment contracts and staff induction

2.4. ASDAN Responsibilities

In relation to conflicts of interest reported or identified at centres, ASDAN will:

- Identify and monitor:
 - a) All Col that relate to the organisation
 - b) Any situation in which it is reasonably foreseeable that such Col may arise in the future
- Establish and maintain an up-to-date record of all Col that relate to the organisation

Conflict of Interest Policy and Procedure

- Ensure that no Col has an adverse effect (as defined in the General/Standard Conditions of Recognition) and, where a Col does have an adverse effect, take all reasonable steps to mitigate and correct it as far as possible.

- Ensure that, in relation to assessment, quality assurance and awarding:

- a) No person with a personal interest in the outcome is involved

- b) Where such involvement cannot be avoided, despite taking reasonable steps, appropriate arrangements are made for independent scrutiny by another person.

3. Procedure

Where a potential or actual Col is identified, the following procedure will apply:

- The centre will report the potential conflict of interest to ASDAN at the earliest opportunity, using the Declaration of Conflict of Interest form.
- The identified Col will be reviewed and investigated by a quality manager or a designated person within the quality team, depending on the nature of the conflict.
- The individual(s) involved will be contacted to provide further information, along with any relevant independent parties where appropriate. An assessment will be made to determine the nature of the conflict and any actions required to prevent or mitigate potential adverse effects.
- Where assessment or quality assurance/moderation has been carried out by an individual with a personal interest in the outcome, additional arrangements will be made to ensure independent assessment and/or quality assurance/moderation, in order to mitigate any adverse effects.
- A full written record of the investigation, decisions taken, agreed mitigating actions implemented, will be maintained, and a report will be provided to the centre.
- Where adverse effects are identified or are reasonably suspected, the relevant regulator(s) will be informed at the earliest opportunity, in line with regulatory requirements.

4. Associated Documentation

- Appeals Policy
- Centre Policy and Procedure Guide
- Maladministration and Malpractice Policy
- Conflict of Interest declaration form