

Policy Title **CONFLICT OF INTEREST POLICY - STAFF**

Author/Responsible Manager	Director of Corporate resources and Finance
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Risk Assessment (please note here any identified risks of non-compliance with the policy)	

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Equality Impact Assessment				
Characteristic	No impact	Positive impact	Negative impact	Evidence
Race	☒	☐	☐	
Disability	☒	☐	☐	
Gender	☒	☐	☐	
Pregnancy/Maternity	☒	☐	☐	
Religion/belief	☒	☐	☐	
Sexual orientation	☒	☐	☐	
Age	☒	☐	☐	
Gender reassignment	☒	☐	☐	
Marriage & civil partnership	☒	☐	☐	
Carried out by: T Breeze				

Actions required:

Action	Date	Reviewed by	Date

1. Introduction

Kendal College trusts the professionalism of the staff it employs, as well as its governors. This policy is intended to mitigate risks and safeguard all aspects of College life as well as staff and College integrity and reputation. It also contributes to the maintenance of awarding body accreditation and certification.

Definition and examples of conflict of interest

A conflict of interest occurs where the professional responsibilities and position of trust held by an individual or an organisation is compromised by the potential for personal gain or organisational benefit from a situation. For example, if a member of staff is related to a student whose work they assess, there is a conflict of interest as they have a personal interest in their relative's achievement.

Activities related to managing a conflict of interest

- Staff are trained in managing boundaries and related conflicts as part of their induction and contract of employment
- Where there is potential for a conflict of interest, the awarding body will be notified, and their agreement requested prior to the start of a course
- Any conflict of interest will be recorded on a central log maintained by the examinations team
- Development is provided for students on key policies during their induction and new policies or procedure are introduced into tutorials
- Staff are contractually bound to declare any conflicts, for example if they take part time work in any capacity, in addition to their role at the College
- Staff must declare an interest if they have any personal association with a supplier of contractor used by the College
- College governors are bound by the College Instruments and Articles and annually complete a register of interests which may include any conflicts of interest

Disclosure

It is important that staff students and governors recognise and disclose any situations that present a conflict of interest, for example;

- Staff applying to study or currently studying within the College where they are an employee
- Teaching, assessing, internally verifying, or invigilating an exam where a relative, friend or colleague is a student
- Students completing an assessment or examination that is supervised or assessed by a member of staff who is a relative, carer or family friend

Failure to disclose a conflict of interest

If a conflict of interest is identified that has not been disclosed, the related examination or assessment will be invalidated and the staff or student disciplinary procedure will be activated. The qualification awarding body and the Joint Council for Qualifications will be notified of the conflict of interest.

2. Procedure

Declarations

It is the duty of all employees to disclose any conflict of interest. The procedures for disclosure are explained below. Failure to disclose a conflict of interest may result in disciplinary action. Application for permission to undertake other activities will require the individual concerned to declare any conflict of interest before permission will be granted. Disclosure should be made in writing and should be directed to the HR Manager. This procedure will also apply in other situations giving rise to

a potential conflict of interest. Should a member of staff be unclear as to whether any potential external involvement should be declared, advice should be sought from the HR Manager. A record of all declarations made by staff shall be maintained centrally by the HR Manager. Members of staff should inform the HR Manager when their circumstances change and a declaration of interest needs to be declared or amended. Staff will be reminded annually to declare or amend any register of interest held by Human Resources. The HR Manager will seek the permission of the Principal should any declarations raise issues of potential conflict. In addition, a further declaration as to any conflict of interest may be requested by the College at the funding award stage in connection with any externally funded research project. If a conflict of interest or a potential conflict of interest has been disclosed, the individual concerned shall discuss a possible resolution with the HR Manager.

Members of the Governing body and Senior Managers complete an annual declaration of interests. The Director of Governance shall keep a record of the declarations of interest for Governors and Senior Manager. Any unresolved matter will be referred to the Audit & Risk Committee for advice; in cases of difficulty the matter shall then be referred to the wider Governing Body.

Assessment

Where a team member/internal quality assurer or internal invigilator has a personal interest in the outcome of an assessment or will make financial gain, this is considered a conflict of interest, which poses a risk to the integrity of assessment. All staff must take responsibility for reporting any personal interest to their line manager and this should be done before any work has begun. The line-manager will then risk assess the situation and decide upon a suitable action to address the conflict of interest. This is likely to result in moving the candidate to another team member, internal quality assurer or using a different invigilator. Non-disclosure of this information is a breach of college procedure and is likely to result in the use of the disciplinary procedure. Any Conflict of Interest must be reported to the relevant Awarding Organisation when the External Quality Assurance process is initiated.

3. Reference to Other Policies, Processes and Documents

- Disciplinary Policy
- College Instruments and Articles
- Staff contracts
- Recruitment and Selection
- Induction
- Quality Policy
- Exam regulations