



Conflict of Interest Policy (Assessments)

Responsibility for this policy: Head of Student Experience and Improvement

Date: March 2018

Review Date: April 2026

Equality Impact Assessment Date: April 2023

History of Changes

Version	Description of Change	Authorised by	Date
1.1	Statement of Inclusiveness added	S Fraser	1-4-2021
1.2	EIA template updated	B Brownlee	12-4-23

West Lothian College is an inclusive organisation and all policies, procedures, strategies, plans, provisions, criteria, functions, practices and activities, including decisions and the delivery of services are assessed to consider the impact on staff and students covered by the Equalities Act 2010 by the completion of an Equalities Impact Assessment (EIA). Protected characteristics are defined as age, disability, gender reassignment, marriage or civil partnership (in employment only), pregnancy and maternity, race, religion or belief, sex, sexual orientation.

Please see end of this document for EIA.

1. Purpose

The purpose of this policy is to provide guidance to staff and any other relevant individuals on handling possible conflicts of interest that may arise as a result of their roles as assessors, invigilators, internal verifiers or assessment-related administrators. This policy applies to all staff or other individuals whenever they interact or potentially interact with any of the college's assessment-related functions.

This policy:

- Defines what is meant by conflict of interest in these circumstances
- Describes the role of conflict of interest in the context of working for the college in an assessment-related function
- Sets out which conflicts can be managed and how they should be managed, and those which are considered unmanageable and therefore cannot be allowed
- Illustrates potential conflict of interest situations, some of which are not obvious

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.

The policy describes how and when such disclosures should be made, that is, as soon as potential or actual conflict is discovered. This should be done by completion of a report at the time (i.e. before the activity is carried out). The policy describes the procedures that should be followed and how to handle potential conflicts of interest.

2. Introduction

West Lothian College is an organisation with a national reputation for the delivery of high quality learning and teaching leading to a wide variety of qualifications.

Working in partnership with a range of awarding bodies, the college is required to identify and manage all conflicts of interest that might detrimentally impact on standards of, or public confidence in, the college's educational and training provision or the reputations of partner awarding bodies.

The college's status as a publicly funded body makes it of considerable public interest. Consequently, it is important that all individuals and organisations with which the College has dealings are confident that all of its assessment-related operations are free from improper influence.

3. Scope

- This policy applies to staff and other individuals who interact or potentially interact with the assessment-related work of the college. This includes individuals involved with all aspects of devising, setting, marking, administering, invigilating, internally verifying or any other activity connected with the assessment of candidates and associated supporting resources and services.

- The individuals falling within the scope of this policy include full-time, part-time, pro rata and bank staff of the college and any associate staff including external examiners.
- The content of the policy cannot cover every potential conflict and must be interpreted in the light of the particular circumstances of each case.

4. What is a Conflict of Interest?

A simple definition of conflict of interest is a situation in which an individual or organisation has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances, for example:

- An individual whose personal interests conflict with his/her professional position
- An individual scheduled to assess, invigilate or internally verify the work of friends, relatives, or colleagues undertaking CPD within the college.
- When one part of the college follows a procedure that conflicts with the organisation's official policy and the requirements of its awarding bodies
- An individual undertaking assessment for the college in their own workplace

5. Roles, responsibilities and associated procedures to be followed in the event of an actual or perceived of interest

All relevant staff have a responsibility to be aware of the potential for a conflict of interest. It is possible that staff working in any assessment-related role might encounter potential conflicts of interest from time to time.

Such situations must be carefully managed to ensure that any conflict of interest does not detrimentally impact on standards of, or public confidence in, the college's educational and training provision or the reputations of partner awarding bodies.

Staff can find themselves in potential conflicts of interest situations because they are not clear what the correct, auditable processes and procedures are.

1. The Conflict of Interest policy is a requirement of the induction of all new assessors, invigilators, internal verifiers and assessment-related administration staff.
2. Any day-to-day concerns identified by an individual should be raised with their line manager.
3. Where there is a notified potential conflict of interest for an individual, the individual and line manager must document this carefully, together with those activities that must be avoided to prevent the college or any of its partner awarding bodies being brought into disrepute. The document (a Disclosure of a Conflict of Interest (Assessment Related Form)) should be signed by both the individual and the line manager, brought to the attention of the Vice Principal Performance and Improvement and forwarded to the Quality Officer, where such documents will be retained for audit purposes.
4. Any concerns that the individual feels are urgent should be communicated immediately to the Head of Student Experience and Improvement and may be done so in confidence. It is an individual's right to raise concerns relating to conflict of interest directly with the Head of Student Experience and Improvement

and to receive a response to their concerns. It should be noted that individuals are protected under the College's Public Interest Disclosure Procedure.

5. As and when the situation arises, assessors, invigilators, internal verifiers and administrators of assessment-related materials must notify their line managers of any students enrolled at the college who are family members, other relatives or close friends.
6. As and when the situation arises that staff become students at the college, the lecturer of the class should complete a Disclosure of Conflict of Interest (Assessment Related) Form as above.

6. Handling Potential Conflicts of Interest in Specific Areas and Functions

The following are examples of conflicts or potential conflicts of interest from different areas of the college. These notes are intended to be helpful to staff in making decisions that relate to potential conflict of interest situations in their day-to-day work.

- If a teaching member of staff is involved in any way with the development of a secure assessment for either internal or national use, he or she cannot make use of the knowledge of that assessment in any teaching or learning activity
- The appointment of all assessors, invigilators, internal verifiers and assessment-related administrative staff is not made against published criteria and on a transparent basis
- Assessors, invigilators, internal verifiers and assessment related administrators do not take responsibility to ensure the security and confidentiality of all assessment instruments, including examination papers.
- Learning and teaching materials are based on live examination of other assessment materials (although they can make use of past examination of other assessment materials)
- A member of staff is asked to assess, invigilate or internally verify the work of an enrolled student who is a family member, other relative, close friend or colleague undertaking CPD within the college
- A member of staff makes assessment materials available to individuals, whether or not students of the college, when not specifically tasked with assessing them as part of a timetabled activity.
- In the case of any situation where an assessor carries out assessment on behalf of West Lothian College in an organisation where they are also employed, they must adhere to the relevant assessment strategy and the quality standards set by the college.

In all cases, lecturers/assessors should complete the Disclosure of Conflict of Interest Form

Relevant documentation:

COI 001: Disclosure of a Conflict of Interest (Assessment Related) Form

Equality Impact Assessment

Before carrying out an EIA, you should familiarise yourself with the College's EIA Policy Statement and Guidance, along with further information and resources which are available on iShare.

EIA covers **strategies, policies, procedures, plans, provisions, criteria, functions, practices and activities, including decisions and the delivery of services**, but will be referred to hereinafter as 'policy/practice'.

Policy/Practice (name or brief description):	Conflict of Interest Policy
Strategy/Policy includes Equalities Statement of Inclusiveness? Yes	<p>Text to be included in strategy/policy:</p> <p>Statement of Inclusiveness</p> <p>West Lothian College is an inclusive organisation and all policies, procedures, strategies, plans, provisions, criteria, functions, practices and activities, including decisions and the delivery of services are assessed to consider the impact on staff and students covered by the Equalities Act 2010 by the completion of an Equalities Impact Assessment (EIA). Protected characteristics are defined as age, disability, gender reassignment, marriage or civil partnership (in employment only), pregnancy and maternity, race, religion or belief, sex, sexual orientation.</p>
Reason for Equality Impact Assessment (choose from the following options):	
<ul style="list-style-type: none"> • Proposed new policy/practice • Proposed change to an existing policy/practice • Undertaking a review of an existing policy/practice • Other (please give detail): 	Undertaking a review of an existing policy/practice

Person responsible for the policy area or practice:	
Name:	Beth Brownlee
Job title:	Head of Student Experience and Improvement
An Equality Impact Assessment must be carried out if the policy/practice:	
<ul style="list-style-type: none"> • affects operational or strategic functions of the College • is relevant to the promotion of equality (in terms of the Public Sector Equality Duty 'needs' as set out in the Policy and Guidance) 	
Why the EIA is being carried out	Scheduled review
Equality Groups	
Relevant to the Policy/Practice, identify which of the undernoted equality groups are impacted upon:	
<ul style="list-style-type: none"> • Age • Disability • race (including ethnicity and nationality) • religion or belief • sex • sexual orientation • gender reassignment • pregnancy and maternity • marriage or civil partnership 	None. The policy is designed to ensure equity for all students during assessment without fear of favour

Record your assessment against the following statements:

Statement	Equality assessment
Detail the evidence of the needs of the identified equality groups and any gaps in information	There is no perceived negative impact on any particular group, as this procedure is designed to ensure fair and equitable assessment procedures for all students

Will application of this policy/practice lead to discrimination (direct or indirect), harassment, victimisation, less favourable treatment for particular equality groups?	
If yes, how will the policy/practice be changed to contribute to advancing equality of opportunity	
State how this policy/practice will foster good relations:	All students will be positively impacted by having a mechanism for supporting fair and equitable assessment procedures
Will the policy/practice create any barriers for any other groups?	
If yes, how will the policy/practice be changed to contribute to advancing equality of opportunity	
Which equality groups or communities have been consulted in the development and review of this policy/practice?	None

Equality Impact Assessment Outcome

Select one of the four options below to indicate how the development/review of the policy/practice will be progressed and state the rationale for the decision. (Delete the options that do not apply):

Option 1: No change required – the assessment is that the policy/practice is/will be robust.

Option 2: Adjust the policy or practice – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.

Option 3: Continue the policy or practice despite the potential for adverse impact, and which can be mitigated

No change required – the assessment is that the policy/practice is robust

<p>Option 4: Stop the policy or practice as there are adverse effects cannot be prevented/mitigated against.</p>	
<p>Monitoring</p>	
<p>When will the policy/practice next be reviewed?</p>	<p>April 2026</p>
<p>Publication of EIA</p>	
<p>Can this EIA be published in full, now? Please state Yes or No</p> <p>If No – please specify when it may be published or indicate restrictions that apply:</p>	<p>Yes</p>
<p>Sign-off</p>	
<p>EIA undertaken by</p> <p>Name:</p> <p>Date:</p> <p>Accepted by person responsible for the policy/practice named above:</p> <p>Name:</p> <p>Date:</p> <p>Approved by Equalities Committee</p> <p>Date:</p>	<p>Shelagh Fraser 12-4-23</p> <p>Beth Brownlee 12-4-23</p>

Retain a copy of this form for your own records and send a copy to lbyrne@west-lothian.ac.uk