

Conflict of Interest Policy

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Last updated: August 2018
Review date: September 2019

1. Introduction

1.1 As a UK regulated awarding organisation, ABRSM is subject to the conditions of recognition set out by the Office of Qualification and Examination Regulation (Ofqual), Qualifications Wales, and the Council for Curriculum Education and Assessment (CCEA).

1.2 Our regulators recognise that conflicts of interest can sometimes be unavoidable as employees of awarding organisations are often parents. The regulators also appreciate that the people who are best placed to examine candidates are those who teach the subject. However they are very conscious of the damage conflicts of interest may cause to the reputation of the regulated qualifications system. Therefore, in accordance with condition A.4 Conflict of Interest, ABRSM must maintain an up-to-date conflict of interest policy at all times, and must identify, monitor and, where required, mitigate the impact of any potential or actual conflicts of interest which relate to the development, delivery and award of our qualifications.

1.3 The regulators define conflicts of interest relevant to this policy as follows¹:

A4.1 For the purposes of this condition, a conflict of interest 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 in 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.*

1.4 Conflicts of interest can arise in a variety of circumstances relating to awarding organisation activity, for example:

- Where someone works for or carries out work on ABRSM's behalf, but may have personal interests – paid or unpaid – in another business which either uses ABRSM products or services, or produces similar products.
- Where someone works for or carries out work on ABRSM's behalf, who has friends or relatives taking ABRSM assessments or examinations.
- Where someone works for or carries out work on ABRSM's behalf, who is themselves entered to take ABRSM assessments or examinations.
- Where the training delivery function and the awarding function rest within one umbrella organisation.
- When an individual has a position of authority in one organisation that conflicts with his or her interests in another organisation.
- When an individual has interests that conflict with his or her professional position.

¹ Ofqual General Condition of Recognition, A4; Qualifications Wales Standard Condition of Recognition, A4; CCEA General Condition of Recognition, A4

In particular, the following scenarios may constitute a conflict of interest:

- Anyone who works in any capacity for ABRSM who:
 - Is also a teacher and whose candidates complete ABRSM exams
 - Has a close relative who is a candidate completing ABRSM exams
 - Is also entered as a candidate for ABRSM exams
- An exam writer who is a teacher and whose candidates complete ABRSM exams in the subject for which they write
- An examiner or exam writer who delivers training to teachers on how to prepare candidates for secure exams where they know the content of upcoming exams
- Anyone creating content for a third party publisher relating to the content of those ABRSM exams, especially if they are an exam writer or have access to secure content.

1.5 The purpose of this policy is to set out the roles and responsibilities of individuals within its scope and procedures associated with the management of conflicts of interest. All ABRSM staff and any other individuals who contribute to the development, delivery or award of our qualifications are responsible for ensuring that they adhere to this policy. Included within the scope are ABRSM directors and employees, contractors, home workers, agency workers, examiners, moderators², international representatives, honorary local representatives, stewards and any other contractors or volunteers.

2. Responsibilities

2.1 We are all responsible for supporting ABRSM in complying with condition A4 Conflict of Interest. Listed below are the specific responsibilities for individuals and groups within our working community.

ABRSM: the Awarding Organisation

2.2 As an awarding organisation, ABRSM is committed to operating in line with the following principles:

- Ensuring that when one part of ABRSM creates and follows a procedure, it does not conflict with ABRSM's regulatory responsibility as an awarding organisation.
- Reviewing our processes to ensure that all conflicts of interest or potential conflicts of interest are managed and resolved as part of the process for preparing our Statement of Compliance.
- Ensuring that the contractual arrangements with our examiners and moderators clearly set out any obligations on them to manage conflicts of interest arising from other activities that they undertake.
- Ensuring that when delivering training events to teachers, no confidential assessment materials will be used or disclosed to any unauthorised persons.
- Ensuring that all individuals covered by this policy declare any interest for friends or family sitting upcoming ABRSM examinations.

The Governing Body

2.3 The Governing Body is ultimately responsible for compliance with the *Conflict of Interest Policy* and delegates authority to the Executive Board to manage the risk and adequacy of internal controls to ensure compliance.

² moderators who verify assessment decisions for Music Medals and CME.

The Policy Owner

2.4 The Policy Owner is responsible for overseeing the management of the *Conflict of Interest Policy*. At present, this policy is owned by the Executive Director for Finance and Corporate Services as the policy sits within the context of broader corporate governance and risk management. The day to day work involved in managing this policy is delegated to the individuals listed in the following sections.

The Responsible Officer: Escalation and Investigation

- 2.5 The Responsible Officer is the authoritative point of contact between ABRSM and our regulators. Currently, the position is held by the Chief Executive Officer. For the purposes of this policy, the Responsible Officer is responsible for reporting any potential conflict of interest to the appropriate regulator(s) where it is believed that this has or may have an adverse effect on candidates.
- 2.6 Any conflicts of interest which could have an adverse effect on learners must be reported to the Responsible Officer within 24 hours of receipt, by emailing declarations@abrsm.ac.uk.
- 2.7 An investigation into any such issues will be completed by a disinterested party, chosen by the Responsible Officer, and a preliminary report of the findings will be provided to the Responsible Officer within 5 working days.

Senior Management and Departmental Responsibilities

- 2.8 All departments are required to review their procedures to ensure that they anticipate and manage potential or actual conflicts of interest.
- 2.9 Departmental management meetings are required to give appropriate attention to potential or actual conflicts of interest.
- 2.10 Any potential or actual conflicts of interest must be documented using the declarations form on the Score. The line manager must either resolve the issue or, for issues that cannot be resolved at this level, report the issue to their Director and/or the Responsible Officer. All records are required to be available for audit purposes.

All Staff

- 2.11 For the purposes of this policy it is assumed that “all staff” includes all part-time, temporary and agency workers. All Individuals within ABRSM have responsibility for ensuring that they are familiar with the *Conflict of Interest Policy* and any guidelines and complete any required conflict of interest training.
- 2.12 All staff will be required to read and understand the *Conflict of Interest Policy*.
- 2.13 All staff are responsible for disclosing any activity which poses a potential or actual conflict of interest.
- 2.14 Prior to each examination series all staff must inform ABRSM of any candidates being entered for its examinations and other assessments who are family members, other relatives, friends or we are their students.
- 2.15 Any staff member considering paid or unpaid work outside ABRSM should inform their manager if they think there is any potential for a conflict of interest. If the staff member is unsure whether a conflict of interest might arise, they should discuss this with their line manager first. The line manager should contact the Responsible Officer by emailing declarations@abrsm.ac.uk if they need advice on whether a situation presents a conflict and a record should be kept of the discussion. A staff member must not take on any activities that could be deemed to compete or conflict with ABRSM’s activities.
- 2.16 The individual and line manager are equally responsible for ensuring that the issue is documented carefully.

- 2.17 Failing to declare a potential conflict of interest may be considered professional misconduct as described in the ABRSM Disciplinary and Dismissal Policy and Procedure.

Examiners

- 2.18 All examiners and moderators have a responsibility to declare any potential conflicts of interest in the development, delivery and award of ABRSM qualifications. Further information for examiners and moderators is provided in their Code of Conduct.
- 2.19 The Chief Examiner's team is responsible for supporting examiners and moderators to manage any potential conflicts of interest. If a potential conflict of interest has or may result in an adverse effect, the matter should be reported to the Responsible Officer as soon as possible.
- 2.20 If an examiner is also an applicant, ABRSM will automatically have a record of the candidates which they themselves enter for our exam. However, examiners must ensure that they declare any candidates who they teach, but who are entered by another applicant.
- 2.21 An examiner may have another kind of conflict of interest, e.g. working on a third party publication. The examiner must ensure they declare any such conflict of interest to ABRSM, providing all relevant details.

Writers of Confidential Assessment Material

- 2.22 An individual contracted as a writer of confidential materials for an assessment must declare if they are engaged in any activity to teach students who may reasonably be believed to be preparing to take that assessment.

Other Contractors and Volunteers including Representatives and Stewards

- 2.23 All contractors and volunteers have a responsibility to declare any potential conflicts of interest in the development, delivery and award of ABRSM qualifications. This includes declaring any candidates closely connected to them who are entered to complete ABRSM exams.
- 2.24 Staff members working directly with contractors and volunteers are responsible for ensuring any potential conflicts of interest are appropriately documented and managed.

3. Making declarations of conflicts of interest

All Staff

- 3.1 A link to a declarations web form can be found on the Score. Complete the details on the form for each conflict of interest.
- 3.2 Individuals will not be able to edit any details of their conflicts of interest once they have been submitted. Please contact declarations@abrsms.ac.uk to make any amendments.
- 3.3 If there is any doubt about what should be declared or for further advice, please contact declarations@abrsms.ac.uk.

Examiners Representatives, Other contractors and volunteers

- 3.4 A copy of the contractors declaration form can be found on Examiner's Online Resource, The Rep's Guide and the Score. Please fill in the form and send it by email to declarations@abrsms.ac.uk or by post to:

Quality & Compliance Executive
Office of the Chief Executive
ABRSM
4 London Wall Place
London
EC2Y 5AU

4. Advice and guidance

- 4.1 Any required guidance or interpretation on potential conflicts of interest should be sought from the Responsible Officer, by emailing declarations@abrsms.ac.uk.
- 4.2 An individual may wish to raise concerns relating to conflict of interest directly with the Responsible Officer. This may be done in confidence and they are entitled to receive a response to their concerns.

5. Data Protection and Declarations Records

- 5.1 All conflict of interest data relating to candidate entries will be held for one year following the exam session in which the candidate is entered.
- 5.2 All data relating to other forms of conflicts of interest, including work completed by an employee or examiner for a third party, will be held for 6 years following the termination of the individual's contract.
- 5.3 The timeframe for retaining data on declarations of conflicts of interest is in line with ABRSM's Personal Data Retention Policy. Please see this policy for further information.

6. References

- 6.1 UK regulators require all awarding organisations to establish and maintain their compliance with regulatory conditions and criteria. As part of this process, policies that relate to ABRSM's status as an awarding organisation will reference any particular conditions and criteria that they address.
- 6.2 This policy addresses the following regulatory criteria and conditions: Ofqual General Conditions of Recognition August 2018; CCEA Accreditation General Conditions of Recognition December 2017; Qualifications Wales Standard Conditions of Recognition March 2017 - Conflict of Interest. Condition A4
- 6.3 Other useful policies:
 - ABRSM Bribery Prevention Policy and Procedure
 - ABRSM Disciplinary and Dismissal Policy and Procedure
 - ABRSM Examiners' Code of Conduct
 - ABRSM Personal Data Retention Policy