

ABRSM Conflict of Interest Policy

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1. Introduction

- 1.1 We require all employees, staff and third parties to declare any potential conflict of interest that has the potential to undermine the integrity of our qualifications. The information in this policy sets out our expectations and procedures relating to any potential or actual conflicts of interest that may arise.
- 1.2 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). For ease, we will only refer to Ofqual's Conditions of Recognition in this document, however, the regulations for all three regulators have been considered when developing this policy.
- 1.3 We and our regulators recognise that conflicts of interest can sometimes be unavoidable, as employees of awarding organisations are often parents. We also appreciate that the people who are best placed to examine candidates are those who teach the subject. However, conflicts of interest can cause damage to the reputation of the regulated qualifications system and therefore, in accordance with Ofqual's Condition A4 (Conflict of Interest), we must maintain an up-to-date conflict of interest policy at all times.
- 1.4 By doing this we ensure that we can 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.

2. What is a conflict of interest?

- 2.1 Ofqual defines, under Condition A4, 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 interest in the development, delivery and award of qualifications,
 - (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,
 - (c) an informed and reasonable observer would conclude that either of these situations was the case.
- 2.2 We must therefore ensure that no private interest of our employees, staff or third parties, bears any influence on their judgement in carrying out their duties for us.

3. Examples of conflicts of interest

- 3.1 Conflicts of interest can arise in a variety of circumstances relating to awarding organisation activity. These include, but are not limited to:

- Where someone works for or carries out work on our behalf, but may have personal interests – paid or unpaid – in another business which either uses our products or services, or produces similar products.
- Where someone works for or carries out work on our behalf, who has friends or relatives taking our assessments or exams.
- Where someone works for or carries out work on our behalf, who is themselves entered to take our assessments or exams.
- 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 interest in another organisation.
- When an individual has an interest that conflicts with his or her professional position.

3.2 The following scenarios may constitute a conflict of interest, but this is not an exhaustive list:

- Anyone who works in any capacity for us who:
 - is also a teacher and whose students take our exams,
 - has a close relative who is a candidate taking our exams,
 - is also entered as a candidate for our exams.
- An exam writer who is a teacher and whose students take our 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 when they know the content of forthcoming exams.
- Anyone creating content for a third-party publisher relating to our exams, especially if they are an exam writer or have access to secure content.

4. Responsibilities

4.1 We are all responsible for supporting ABRSM in complying with Ofqual Condition A4. Listed below are the specific responsibilities for individuals and groups within our working community.

4.2 ABRSM: the Awarding Organisation

- Ensure that when one part of our organisation creates and follows a procedure, it does not conflict with our regulatory responsibility as an awarding organisation.
- Review processes to ensure all actual or potential conflicts of interest are managed as part of the process for preparing our annual Statement of Compliance.
- Ensure that contractual arrangements with our examiners and moderators set out their obligations regarding the management of conflicts of interest that may arise from other activities they undertake.
- Ensure that when delivering teacher training events, no confidential assessment materials are used or disclosed to any unauthorised persons.
- Ensure that all individuals covered by this policy declare any friends or family due to sit ABRSM exams.

4.3 The Governing Body

- The Governing Body is ultimately responsible for compliances with this policy, and delegates authority to the Executive Board to manage the risk and adequacy of internal controls to ensure compliance.

4.4 The Policy Owner

- The Policy Owner is responsible for overseeing the management of this policy. This policy is currently owned by the Director for Legal and Compliance 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.

4.5 The Responsible Officer: escalation and investigation

- The Responsible Officer is the authoritative point of contact between us and our regulators, and the position is currently held by the Chief Executive. For the purposes of this policy, the Responsible Officer must report any potential conflict of interest to the appropriate regulator(s) if it is believed that this has or may have an adverse effect on candidates.
- Any conflicts of interest which could have an adverse effect on learners must be reported to the Responsible Officer within 24 hours of becoming aware of them, by emailing declarations@abrsms.ac.uk.
- An investigation into any such issues will be completed by a disinterested party, chosen by the Responsible Officer, with a preliminary report of the findings provided to the Responsible Officer within five working days.

4.6 Senior management and departmental responsibilities

- All departments must review their procedures to ensure that they anticipate and manage potential or actual conflicts of interest.
- Departmental management meetings must give appropriate attention to potential or actual conflicts of interest.
- Any potential or actual conflicts of interest must be documented using the declarations form on the intranet (The Score). Line managers must either resolve the issue or, for issues that cannot be resolved at this level, report the issue to their departmental director and/or the Responsible Officer. All records must be available for audit purposes.

4.7 All staff

- For the purposes of this policy, 'all staff' includes all part-time, temporary and agency workers as well as full-time, permanent staff.
- All staff must read and understand this policy and guidelines and complete any required conflict of interest training.
- All staff are responsible for disclosing any activity which poses a potential or actual conflict of interest.
- All staff are responsible for declaring any candidates being entered for our exams and assessments who are their students, family members, other relatives, or friends.
- Any staff member considering paid or unpaid work outside ABRSM should inform their manager if they believe 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 at declarations@abrsms.ac.uk if they need advice on whether a situation present a conflict, and a record should be kept of the discussion. Staff members must not take on any activities that could be deemed to compete or conflict with our activities.

- Individual staff and their line manager are equally responsible for ensuring that the issue is documented carefully.
- Failing to declare a potential conflict of interest may be considered professional misconduct as described in our Disciplinary and Dismissal Policy and Procedure, found on the intranet (The Score).

4.8 Examiners

- All examiners and moderators have a responsibility to declare any potential conflicts of interest in the development, delivery and award of our qualifications. We provide further information for examiners and moderators in their Code of Conduct.
- The Assessment Services team is responsible for supporting examiners and moderators to manage any potential conflicts of interest. If there is a possibility that a potential conflict of interest may cause an adverse effect the matter should be reported to the Responsible Officer as soon as possible, at declarations@abrsms.ac.uk.
- If an examiner is also an exam applicant, we will have a record of any candidates they enter for one of our exams. However, examiners must declare any candidates who they teach, but who are entered by another applicant.
- An examiner may have another kind of conflict of interest, e.g. working on a third-party publication. The examiner must declare any such conflict of interest to us, providing all relevant details to declarations@abrsms.ac.uk.

4.9 Writers of confidential assessment material

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

4.10 Other contractors and volunteers (including representatives and stewards)

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

5. Procedures for identifying and declaring possible conflicts of interest

5.1 All staff

- You can find a link to an online declaration form on the intranet (The Score). Complete the details on the form for each conflict of interest.

- Once submitted, you won't be able to edit the form. Please contact declarations@abrsm.ac.uk to make any changes.
- If you are unsure about what to declare or need further advice, please contact declarations@abrsm.ac.uk.

5.2 Examiners, representatives, volunteers, third parties

- You can find a copy of the declaration form on the Examiner Online Resource (EOR) and The Rep's Guide. Complete the form and email it to declarations@abrsm.ac.uk.

6. Procedures in the event of an unforeseen conflict of interest

6.1 If you encounter an unforeseen actual or potential conflict of interest before the activity:

- You must declare this conflict of interest immediately by contacting declarations@abrsm.ac.uk, stating the details of the activity and the nature of the conflict of interest. We will then cancel or reallocate affected face-to-face exams and reallocate Performance Grade exams.
- If an examiner assessing face-to-face exams is presented with a candidate who they are related to, or otherwise linked to through a personal or professional connection, they should assess the exam as normal and add a 'query note' on Marcato. They must also immediately notify us at declarations@abrsm.ac.uk.

6.2 If you encounter an unforeseen actual or potential conflict of interest after the activity:

- You must declare this conflict of interest immediately by contacting declarations@abrsm.ac.uk, stating the details of the activity, including when and how you became aware of the conflict.

7. Consequences of breach of this policy

7.1 Compliance with this policy is mandatory. Breaches may result in:

- Disciplinary proceedings up to and including dismissal for employees.
- Immediate termination of contract for a consultant, contractor, or other third-party service provider.

8. Advice and guidance

8.1 For further guidance or questions about this policy, contact the Responsible Officer at declarations@abrsm.ac.uk.

8.2 If you have any concerns about this policy, you can contact the Responsible Officer in confidence at declarations@abrsm.ac.uk.

9. Data protection and retention of declaration records

9.1 The timeframe for retaining data on declarations of conflicts of interest is in line with our Personal Data Retention Policy, available at: www.abrsm.org/policies/privacy-policy.

10. References and overlap with other policies

10.1 This policy addresses the following regulatory criteria and conditions:

- Ofqual General Conditions of Recognition
- Qualifications Wales Standard Conditions of Recognition
- CCEA Accreditation General Conditions of Recognition

10.2 This policy also falls within the scope of a number of other ABRSM policies available at www.abrsm.org/policies. If you believe you have a conflict of interest you should also refer to our:

- Bribery Prevention Policy and Procedure
- Disciplinary and Dismissal Policy and Procedure
- Examiner's Code of Conduct
- Personal Data Retention Policy

11. Contact details

11.1 Please email us if you need more information:

- Submitting a declaration: declarations@abrsm.ac.uk
- Exam re-allocation queries: allocations@abrsm.ac.uk