



Conflict of Interest and Confidentiality Policy

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Introduction

The Chartered Institute of Linguists (CIOL) is the UK's Royal Chartered body for language professionals. CIOL Qualifications (CIOLQ) is registered as both an associated charity of CIOL and a charitable company with the Charities Commission as the IoL Educational Trust and is an Awarding Organisation regulated by Ofqual, Qualifications Wales and CCEA. Both CIOL and CIOLQ take all steps to avoid Conflicts of Interest or mitigate those that might exist or occur whilst staff, Board and Committee members, Assessment Associates and external contractors are carrying out their activities and responsibilities with CIOL and CIOLQ.

Scope

This policy is aimed at internal CIOL and CIOLQ staff, our Council and Educational Trust Board (ETB) members, Assessment Associates and external contractors, as they all have a duty to act in the best interests of both CIOL and CIOLQ and may have a wide range of interests in their private, public and/or professional life, and these interests might on occasions conflict.

All those who are either directly employed by, or indirectly involved with, CIOL or CIOLQ business are duty-bound to communicate any potential Conflicts of Interest immediately.

CIOL and CIOLQ reserve the right to take whatever action is considered necessary to avoid actual or potential Conflicts of Interest.

Definition of Conflict of Interest

A Conflict of Interest exists when an individual or organisation has competing interests or may benefit from actions or decisions made in their official capacity, which may impair their ability to make objective, fair and unbiased decisions.

It might seem obvious when there is a Conflict of Interest, but in practice, it is rarely absolutely clear. From time to time, staff, Council and ETB members, Assessment Associates or External Contractors may have access to information that is of a confidential, commercially or financially sensitive nature, or may take part in activities that may conflict with the confidential nature of CIOL business or CIOLQ's design, development and the awarding of qualifications. This could then have the potential to impact member interests, valid candidate achievement or call into question the validity of an assessment or CIOLQ's regulatory compliance.

It is also prohibited to share confidential or sensitive information with organisations or individuals that may be in competition with CIOL and CIOLQ, both in the UK and internationally.

Improper financial gain may be easily identified, but care needs to be taken over other circumstances that may occur.

For the purpose of this policy, Conflicts of Interest are defined as:

- Interests in any activity undertaken by CIOL, or on its behalf, that has the potential to lead it to act contrary to its Royal Charter or its interests in the development, delivery and awarding of qualifications in accordance with Regulatory Conditions
- Any person who is connected to the development, delivery or awarding of qualifications by CIOLQ with interests in any other activity which has the potential to lead that person to act contrary to his or her interests in that development, delivery or award in accordance with CIOLQ's regulations
- Any other person or activity that has the potential to act contrary to the interests of CIOL, CIOLQ or CIOLQ candidates, in accordance with CIOLQ's regulations

Responsibilities of CIOL and CIOL Qualifications (CIOLQ)

CIOL and CIOLQ endeavour to take all reasonable measures to avoid any Conflict of Interest. In particular, avoiding any part of the assessment of a candidate (including by way of Centre Assessment Standards Scrutiny) being undertaken by any person who has a personal interest in the result of the assessment. Where - having taken all reasonable steps - an assessment by such a person cannot be avoided without detriment to the candidate, CIOLQ will make arrangements for the relevant part of the assessment to be subject to scrutiny by an additional person.

Examples of where there is a risk that a Conflict of Interest may potentially occur can include:

- Where the training delivery function and the awarding function rest within the same organisation
- When an individual has personal interests or working interests that conflict with their professional association with CIOL or CIOLQ
- When an individual is marking for CIOLQ and works for another organisation that delivers CIOLQ qualifications and/or is involved in the delivery of CIOLQ qualifications
- When an individual working for CIOL or CIOLQ has a friend or relative taking CIOLQ qualifications
- When an individual has personal interests or working interests that conflict with any Exam Venue activities and/or duties
- When an individual invigilating has a relative or friend taking an Assessment
- When a member of CIOL or CIOLQ staff has a relative or friend taking an Assessment
- Where a tutor invigilates their own learners in an Assessment
- When a learner is taking an Assessment at an Exam Venue at which they also work
- When an individual is an Assessment Associate who writes, marks or moderates CIOLQ assessments, and teaches or prepares candidates for our qualifications

This list is not exhaustive, and it is the responsibility of the individual to communicate any possible conflict immediately to CIOLQ, the Responsible Officer or CIOL Chief Executive Officer (CEO).

It is also important to note:

- Regulatory Condition A8.3 prohibits anyone with a personal interest in the outcome of an investigation into potential malpractice from carrying out investigations of suspected or alleged malpractice
- Regulatory Condition G4.6 prohibits anyone with a personal interest in the outcome of the investigation into potential breaches of confidentiality from carrying out investigations of suspected or alleged breaches of confidentiality
- Regulatory Condition I1.2 prohibits anyone with a personal interest in the decision being appealed from taking decisions on that appeal

CIOL and CIOLQ Staff

All CIOL and CIOLQ staff are required to sign an Annual Declaration, disclosing any potential Conflicts of Interest, stating they have read and understood this policy and will abide by the terms, including declaring any actual or potential Conflicts of Interest they may conceivably have.

Council and ETB Members

All CIOL Council and Educational Trust Board members are required to sign an Annual Declaration, disclosing any potential Conflicts of Interest they may have.

Assessment Associates and External Contractors

All Assessment Associates and External Contractors are required to sign an Annual Declaration, disclosing any potential Conflicts of Interest. This ensures that CIOL and CIOLQ are able to take all reasonable steps to remove or mitigate any Conflicts of Interest where necessary.

Assessment Associates and External Contractors typically include (but are not limited to):

- Setters
- Proofreaders
- Markers
- Moderators
- Editors
- Subject Matter Experts
- Independent Appeals Adjudicator
- Exam venue staff
- Trainers

Each Assessment Associate and External Contractor has a responsibility for ensuring that they are familiar with and are meeting the conditions laid down in this policy. If there is any doubt about a Conflict of Interest, they should report it in writing to CIOLQ immediately.

CIOLQ must receive Annual Declarations of Conflict of Interest from all Assessment Associates and External Contractors in writing, so that these may be logged and any appropriate action(s) taken.

Reporting of Conflicts of Interest

- Each staff member has a responsibility for ensuring that they are familiar with and are meeting the conditions laid down in this policy.
- If there is any doubt about a Conflict of Interest, staff should raise it with the Executive Officer immediately, who will then escalate to the Responsible Officer and/or CEO as appropriate.
- Council and ETB members should not take on any activities, that may be considered to be conflicting or competing with CIOL or CIOLQ activities and must declare any perceived, actual or potential conflict of interest to the Executive Officer immediately if it occurs, for escalation to the Responsible Officer and/or CEO as appropriate.
- All external cases of Conflict of Interest and breaches of confidentiality should be reported to the Executive Officer, Responsible Officer and CEO as appropriate. In situations where the Conflict of Interest cannot be mitigated, it may be decided that an individual is not able to continue to work for CIOL or CIOLQ, and their contract (or appointment) may be terminated

Process

Council and ETB Meetings

Before all Council and ETB meetings, at the start of the session, members are asked to state any perceived, actual or potential interests to the Chair, which will be noted by the minute taker who will record these in the minutes of the meeting.

Where there is or may be a Conflict of Interest at Council or an ETB Meeting, it may be appropriate for the person conflicted to remain silent or withdraw while the matter concerned is being discussed.

In these situations, the Chair of Council or ETB, advised by the CEO and Responsible Officer, must consider whether CIOL or CIOLQ's reputation would be damaged by the person continuing to be involved in the meeting or, if the conflict is ongoing, whether they should be asked to stand down.

As part of the Annual Declarations, it is expected that Council or ETB members will inform CIOL and CIOLQ if there are connections to them (through family, business or other companies) that may have an interest in a contract, transaction, assessment or decision. Where this is revealed to not have been done, the Chair of Council or ETB, advised by the CEO and Responsible Officer, would need to consider whether the person can continue to be involved in Council or ETB meetings, or whether they should be asked to stand down.

Assessment Cycles

At the start of every assessment cycle, a Declaration is to be signed by all Assessment Associates and External Contractors involved in the setting, delivering and marking of the assessments. If the Declaration presented has not been signed and returned to CIOLQ by the date requested, an Assessment Associate or External Contractors will not be able to undertake any assessment activities for the relevant assessment cycle.

If any members of either CIOL or CIOLQ staff find themselves in a situation or role outside of CIOL or CIOLQ during a specific assessment cycle, that may have the potential to conflict with business as usual, they must communicate this in the first instance to both the Executive Officer and Responsible Officer for consideration.

Monitoring and Managing Conflicts of Interest

Both CIOL and CIOLQ will identify and monitor:

- All Conflicts of Interest which relate to their activities
- Any scenario in which it is reasonably foreseeable that a Conflict of Interest will arise in the future
- Maintain an annual log of actual and potential Conflicts of Interest

Both CIOL and CIOLQ will take all reasonable steps to ensure that no Conflict of Interest that relates to their operations has an adverse effect. If this does happen, CIOL and CIOLQ will take all reasonable steps to mitigate any adverse effect as far as possible.

Security of Information

For the purpose of this policy, any person working for or contracted by, either CIOL or CIOLQ for the purposes of Awarding Organisation activities must abide by this Conflict of Interest and Confidentiality Policy.

Any person working for or contracted by, either CIOL or CIOLQ may provide and/or receive confidential and/or sensitive information during the course of their duties. Preserving the security and confidentiality of such information is essential.

Examples include:

- Any financial, member, candidate or confidential personal information, assessment details or information concerning CIOL and/or CIOLQ, operations, assessment cycles, projects or future CIOL and/or CIOLQ assessments
- Information that is discussed during CIOL and/or CIOLQ Awarding Organisation meetings, such as moderation meetings, standardisation meetings, quality committees, appeals panels and/or exam boards

Those hearing, receiving and/or obtaining information must not disclose it to others in whole or in part unless authorised to do so.

Any CIOL or CIOLQ employee or contracted individual must not make or distribute copies of any CIOL or CIOLQ material to persons other than those authorised by the Responsible Officer or CEO, other than where a member of CIOL or CIOLQ staff requires it for business purposes.

Policy updating and reviewing

All policies relating to CIOLQ will be updated on an 18-month cycle or sooner as required.

Policy version and owner

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|--------------------|--------------------------------------------------------------------------------|
| Policy review date | May 2027 |
| Policy owner | Chief Executive and Responsible Officer in consultation with Executive Officer |

Regulatory references

Conflicts of Interest have the potential to affect all stages of the design, delivery and assessment of qualifications and therefore touch on many regulatory Conditions. For the purposes of this document, the main Conditions affected are listed below.

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| Ofqual General Conditions of Recognition |
| Condition A4: Conflicts of Interest - here |
| Condition A8.3 (b): Malpractice and Maladministration (personal interest) - here |
| Condition G4: Maintaining Confidentiality of Assessment Materials - here |
| Condition I1.2 (b): Appeals (personal interest) - here |
| Qualifications Wales |
| Condition A4: Conflicts of Interest - here |
| Condition A8.3 (b): Malpractice and Maladministration (personal interest) - here |
| Condition G4: Maintaining Confidentiality of Assessment Materials, including the conduct of specified training events - here |
| Condition I1.2 (b): Appeals (personal interest) - here |