



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 (registered as an associated charity of CIOL and a charitable company with the Charities Commission as The IoL Educational Trust) is an Awarding Organisation regulated by Ofqual, Qualifications Wales and CCEA. Both CIOL and CIOLQ must take all steps to avoid Conflicts of Interest or mitigate those that exist or occur whilst contractors are carrying out their activities and responsibilities with CIOL and CIOLQ.

Scope

This policy is aimed at internal CIOL and CIOLQ staff, our members and external contractors, this also includes Council, Committees, Vice Presidents and Trust Board (ETB) Members as they have a duty to act in the best interests of the organisations and will inevitably have a wide range of interests in private, public and/or professional life, and these interests might on occasions, conflict.

Members of CIOL also have a general responsibility to avoid Conflicts of Interest and are bound by our Code of Professional Conduct which is binding on all members and honorary members of CIOL as well as members of other qualifying organisations.

In particular, under the General Principles of Professional Conduct, points 1, 6, 7 and 8:

1. Professional judgement
6. Responsibilities to clients/employers
7. Responsibilities to fellow language professionals and to the Chartered Institute of Linguists
8. Responsibilities to other agencies, public bodies and society

All persons directly employed or indirectly involved in 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 it considers necessary to avoid actual or potential Conflicts of Interest.

Definition of Conflict of Interest

A Conflict of Interest exists when an organisation or an individual has competing interests or may benefit from actions or decisions made in their official capacity which may impair their ability to make objective, 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 or external contractors may have access to information that is of a confidential, commercially or financially sensitive nature or take part in activities that may conflict with the confidential and sensitive nature of CIOLQ design, development and award of qualifications. This could then have the potential to impact valid candidate achievement, calling into question the validity of the assessment and regulatory compliance.

It is also prohibited to share 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, on its behalf, or by a member of its Group that has the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with Regulatory Conditions
- Any persons who are connected to the development, delivery or award of qualifications by CIOLQ that has 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 assessment centre person or activity that has the potential to lead it to act contrary to the interests of CIOLQ or CIOLQ Candidates, in accordance with CIOLQ's regulations

External Contractors

All CIOL and CIOLQ staff and external contractors are required to sign an Annual Declaration, disclosing any potential Conflicts of Interest.

This will ensure that CIOL and CIOLQ are able to take all reasonable steps to remove or mitigate any Conflicts of Interest where necessary.

External Contractors typically include (but are not exhaustive):

- Committee, Council and Trust Board Members
- Setters
- Examiners
- Moderators
- Proofreaders
- Editors
- Subject Matter Experts
- Independent Appeals Adjudicator
- Exam venue staff
- Trainers at specified training events
- Members

Responsibilities of CIOL and CIOL Qualifications

CIOL and CIOL Qualifications endeavour to take all reasonable steps to avoid any part of the assessment of a learner (including by way of Centre Assessment Standards Scrutiny) being undertaken by any person who has a personal interest in the result of the assessment. But where having taken all reasonable steps, an assessment by such a person cannot be avoided, the CIOLQ will make arrangements for the relevant part of the assessment to be subject to scrutiny by another person.

- 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

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

- 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 CIOL Qualifications
- 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 CIOL qualifications has a friend or relation taking CIOLQ qualifications
- When an individual has personal interests or working interests that conflict with their Assessment centre 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
- When a member of Centre staff or a Tutor invigilates their own learners in an Assessment
- When a learner is taking an Assessment at an Assessment centre at which they also work
- When an individual is an Examiner or Moderator who writes CIOLQ assessments and may also teach our qualifications

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

Reporting of Conflicts of Interest by Staff and External Contractors

- The Executive Officer (CEO) is responsible for communicating this policy to relevant CIOL and CIOLQ staff and external contractors on an annual basis
- The Executive Officer is responsible for ensuring that staff in their departments are fully conversant with the requirements of this policy
- All relevant members of staff will be required to sign on an annual basis a Declaration, stating they have read and understood this policy and will abide by the terms
- The Executive Officer is responsible for ensuring this policy is reviewed on an annual basis and that procedures include measures that anticipate and manage potential Conflicts of Interest and/or confidentiality
- CIOL and CIOLQ must receive Conflicts of Interest Declarations in writing so that these may be logged and the appropriate action(s) taken
- All cases of Conflict of Interest and Confidentiality will be reported to the CEO and in situations whereby the interest cannot be mitigated, it may be decided that an individual is not able to continue to work for either organisation, and their contract (appointment) may be terminated
- Each internal 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, they should report it to the Executive Officer immediately
- Each external contractor has a responsibility for ensuring 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 the Executive Officer immediately
- Individual stakeholders should not take on any activities that may be considered to be conflicting or competing with CIOL or CIOLQ activities

Process

Committee and Board Meetings

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

Where there may be a Conflict of Interest at Committee or Board Meetings, it may be appropriate for representatives to withdraw while the matter concerned is being discussed.

In these situations, the Chair must be consulted. Good practice in making these decisions would be to consider if CIOLQ's or CIOL's reputation would be damaged, if the integrity of the assessment were compromised or if the connection or information were made public.

It is also expected that Committee or Board members inform CIOL and CIOLQ if there are connections through family, business or other companies that may have an interest in a contract, transaction, assessment or decision.

Assessment Cycles

At the start of every assessment cycle, a Declaration is to be signed by all 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, external contractors will not be able to undertake any assessment activities for the relevant window.

Internal Staff

If any members of the CIOL or CIOLQ staff find themselves in a situation or role outside of CIOL or CIOLQ during specific assessment windows, that may have the potential to conflict with business as usual, they must communicate this in the first instance to the 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 it
- Any scenario in which it is reasonably foreseeable that any such Conflict of Interest will arise in the future
- Maintain a log of actual and potential Conflicts of Interest

Both CIOL and CIOL Qualifications will take all reasonable steps to ensure that no Conflict of Interest that relates to its operations has an adverse effect. If this does happen, 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 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 CIOL or CIOLQ may provide and/or receive information, the preservation of the security and confidentiality of such information is essential.

Examples include:

- Any details or information concerning CIOL and CIOLQ related projects or future CIOL and/or CIOQ assessments.

- Information that is discussed during CIOL and/or CIOL Awarding Organisation meetings, such as validation meetings, standardisation meetings, quality committees, appeals panels, and/or exam boards.

Those hearing, receiving and/or obtaining this 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 never make copies or distribute copies of any CIOL or CIOLQ material to persons other than those authorised by the Responsible Officer, other than where a member of CIOLQ staff requires it for business purposes.

Signed Declarations of Conflict of Interest or reporting of potential breaches must be sent to anji.thomas@ciol.org.uk

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

Policy review date	October 2024
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.

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)
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