



# Oldbury Wells School

## Conflicts of Interest (Exams) Policy

April 2021

<b>Review Date:</b>	April 2021
<b>Responsibility:</b>	Headteacher / Deputy Headteacher
<b>APPROVED BY:</b>	Governors - 28 April 2021

## **Conflict of Interest (Exams)**

Oldbury Wells school operates in accordance with JCQ Regulations (General Regulations) as follows:

Manages Conflicts of Interest by informing the awarding bodies, before the published deadline for entries, of:

- any members of centre staff who are taking qualifications at their own centre which include internally assessed components/units;
- any members of centre staff who are teaching and preparing members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) for qualifications which include internally assessed components/units; and maintains clear records of all instances where:
- exams office staff have members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) being entered for examinations and assessments either at the centre itself or other centres;
- centre staff are taking qualifications at their centre which do not include internally assessed components/units;
- centre staff are taking qualifications at other centres.

The head of centre must ensure that the records include details of the measures taken to mitigate any potential risk to the integrity of the qualifications affected.

The records may be inspected by a JCQ Centre Inspector and/or awarding body staff (please see appendix 1).

They might be requested in the event of concerns being reported to an awarding body. The records must be retained until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.

**NB:** Any conflict of interest must also be declared to the relevant exam board online in accordance with each board's procedures.

Note:

Heads of centre must note that entering members of centre staff for qualifications at their own centre must be as a last resort in cases where the member of centre staff is unable to find another centre.

The head of centre is responsible for ensuring that proper protocols are in place to prevent the member of centre staff having access to examination materials prior to the examination and that other centre staff are briefed on maintaining the integrity and confidentiality of the examination materials.

The head of centre must ensure that during the examination series the member of centre staff is treated as per any other candidate entered for that examination, does not have access to examination materials and does not receive any preferential treatment.

Appendix One:

## **JCQ Information on Conflict of Interest and Declarations**

Declaration of Interest form:

To comply with the regulations, the centre is required to manage Conflicts of Interest and inform the relevant awarding body/bodies for any of their qualifications of:

- *any members of centre staff who are taking qualifications at their own centre which include internally assessed components/units;*
- *any members of centre staff who are teaching and preparing members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) for qualifications which include internally assessed components/units; and*

*maintains clear records of all instances where:*

- *exams office staff have members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) being entered for examinations and assessments either at the centre itself or other centres;*
- *centre staff are taking qualifications at their centre which do not include internally assessed components/units;*
- *centre staff are taking qualifications at other centres.*

To ensure compliance, you must declare (by ticking) any of the statements that apply to you and complete the required information.

Your name		Your job title(s)	
Subject(s) you teach (if applicable to your role)			

Please tick any statement/statements that applies/apply to you and complete the required information (or will apply to you during the academic year)

- I am taking a qualification(s) at this centre which includes an internally assessed component/unit

Qualification(s) I am taking	Awarding body	Qualification type	Specification (Subject)
Steps I have taken to seek an alternative centre at which to take the qualification(s)			

- I am teaching and preparing a member of my family or close friend/member of their immediate family for a qualification(s) which includes an internally assessed component/unit

(Where more than one related person, please complete a separate form for each person)

Name of related person (the candidate)			
Candidate number		Relationship to me	
Qualification(s) being taught and prepared for	Awarding body	Qualification type	Specification (Subject)

- I am a member of exams office staff and have a member of my family or close friend/member of their immediate family being entered for examinations and assessments at this centre or another centre

(Where more than one related person, please complete a separate form)

Name of related person (the candidate)			
Where the candidate is being entered	<input type="checkbox"/> This centre <input type="checkbox"/> Another entering centre (tick box as applies)		
Candidate number (if this centre)		Relationship to me	
Entering centre name (if not this centre)			
Entering centre number (if known)			

- I am taking a qualification at this centre which does not include internally assessed components/units  
 I am taking a qualification at another centre

Qualification(s) I am taking	Awarding body	Qualification type	Specification (Subject)	Exam series
Entering centre name				
Entering centre number (if known)				

- I have none of the above statements to declare

Date declaration(s) made:

Signature to confirm declaration(s):

This completed form must be returned to the Exams Officer

The declaration(s) you have provided will be used to inform the relevant awarding body/bodies (where required) and to record *details of the measures taken to mitigate any potential risk to the integrity of the qualifications affected*. You will be informed if/where any measures or protocols put in place directly affect you.

All records are subject to inspection by the JCQ/awarding body on request and will be retained until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later (for the relevant exam series).

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**FOR HEAD OF CENTRE/EXAMS OFFICER USE ONLY**

<b>Date</b>	<b>Action</b>
	Completed Declaration form received
	Declaration(s) recorded on Conflict of Interest (COI) log
	Awarding body/bodies informed of specific COI (where applicable)
	Staff member informed of measures/protocols in place to manage the risk represented by the COI

Conflict of Interest log

Date recorded	Staff name & job title(s)	Conflict of Interest (COI)	Measures taken/protocols in place to mitigate any potential risk to the integrity of the qualifications affected
		(As a last resort where unable to find another centre) Taking a qualification(s) at this centre which includes an internally assessed component/unit <input type="checkbox"/> Centre informed awarding body/bodies of COI	The following is in place (- <i>to prevent the member of centre staff having access to confidential exam/assessment materials prior to exam(s)/assessment(s) - to brief other relevant centre staff on maintaining the integrity and confidentiality of exam/assessment materials - to ensure the member of centre staff is treated as per any other candidate taking that qualification, and does not receive any preferential treatment</i> ):
		Teaching and preparing a member of family or close friend/member of their immediate family for a qualification(s) which includes an internally assessed component/unit  <input type="checkbox"/> Centre informed awarding body/bodies of COI	The following is in place (- <i>to ensure the member of centre staff is not involved in making assessment decisions for the affected candidate for any internally assessed component/unit...</i> ):
		A member of exams office staff and has a member of family or close friend/member of their immediate family being entered for examinations and assessments at this centre or another centre  <input type="checkbox"/>	The following is in place (- <i>to ensure that the member of exams office staff does not have unaccompanied access to confidential exam materials (for example, question papers, pre-release materials, answer scripts etc.) - to ensure that another person is present for particular administrative arrangements relating to the candidate's exams/assessments</i> ):
		Taking a qualification at this centre which does not include internally assessed components/units  <input type="checkbox"/>	The following is in place (- <i>to prevent the member of centre staff having access to confidential examination materials prior to taking the exam(s) - to brief other relevant centre staff on maintaining the integrity and confidentiality of exam materials - to ensure the member of centre staff is treated as per any other candidate taking that qualification, and does not receive any preferential treatment</i> ):
		Taking a qualification at another centre <input type="checkbox"/>	The following is in place (- <i>to ensure the member of centre staff does not have access to confidential examination materials for the same awarding body qualification if this is delivered in the centre</i> ):

**This record will be retained until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later (for the relevant exam series)**

## Appendix 2:

### Conflicts of Interest and Declarations (General Regulations, paragraph 5.3d)

#### Background

The awarding bodies are required by the qualification regulators to ensure that any Conflict of Interest in relation to the design, delivery and awarding of examinations/assessment is identified, recorded and managed effectively. In turn, centres are required to take all reasonable steps to ensure that the awarding bodies are able to comply with this regulatory condition.

#### What is a Conflict of Interest?

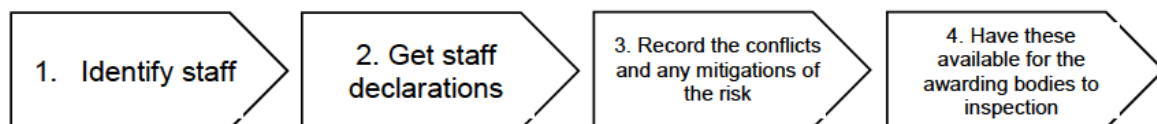
In this context, a Conflict of Interest occurs where any member of staff who has access to privileged information, or is responsible for making decisions about assessment outcomes, could, potentially use that information, or their position, to give an unfair advantage to a close friend or relative entered for an examination/assessment at your or any other centre.

The term 'Related People' is used to cover close friends or relatives in these FAQs. A conflict of Interest also occurs if any member of your centre's staff is entered for an examination/assessment.

#### Who are 'Related People'?

'Related People' are those with whom the member of staff has a close relationship. It would certainly include spouses, children and siblings, but would also include close friends, relatives and members of the household where there is regular contact, such that privileged information might be shared inappropriately. A step-relative, cousin, niece, etc., would count if the contact with that person was a close and frequent.

#### What would we need to do?



#### Identify staff

You will need to identify members of staff who **could** have a Conflict of Interest (see 'What is a Conflict of Interest', **page 1**). For example, this will include teachers, exams office staff and invigilators but is unlikely to include any other staff unless they have access to confidential assessment materials or are entered for an examination/assessment.

#### 1. Get staff declarations

These staff must declare whether they have 'Related People' entered for an examination/assessment at your or another centre, i.e. they declare an interest.



## 2. Record the conflicts

Where these staff declare an interest, record the steps you are taking to manage the risk represented by and Conflict of Interest. For example, this could include removing their access to your secure storage facility or ensuring they will not invigilate examinations in which 'Related People' are present.

Your records **must** identify the relevant member of staff, the name, relationship and, where necessary, the centre of the 'Related People' and the nature of any potential conflict.

The records **must** also include the details of **any** staff entered for an examination/assessment and the steps you are taking to manage this Conflict of Interest. These arrangements must include ensuring they have no access to confidential material.

A JCQ Centre Inspector may ask to see your records during a visit to ensure that you have considered and mitigated any potential impact of the conflicts that you have identified.

## 4. Tell the awarding bodies about specific conflicts

You **must** tell the awarding body/bodies where, for one or more of their specifications:

- Any member of staff is entered for an examination or assessment:
- Any member of staff (including invigilators), with access to your centre's secure storage facility, has 'Related People' sitting examinations, whether that is at your centre or elsewhere. This includes a member of staff who has access to both confidential assessment materials and is also entered for an examination at another centre;
- You have members of staff who are involved in making assessment decisions for 'Related People' at your centre where there are centre marked and externally moderated components/units. (Awarding bodies are normally informed of the candidates affected at the point when centre assessed marks are submitted.)

The awarding body/bodies have established processes for collecting this information. If you are in any doubt about how the information should be submitted, **then please contact the relevant awarding body/bodies using the email addresses on pages 4.**

You must keep a copy of any records that you make and the steps being taken to mitigate the risk. A JCQ Centre Inspector may ask to see these records.

## Frequently Asked Questions

### When should Conflicts of Interest be recorded?

Conflicts of Interest **must** be recorded in the year of entry, by the entry deadline.

**Do you have examples of conflicts that I must record but do not need to inform the awarding bodies about?**

**Examples** of Conflicts of Interest you would need to record and manage **but not** inform the awarding bodies about include:

- Teachers who have access to confidential assessment materials before the date when they can be shared with candidates for preparation purposes, such as Task Cards for Modern Foreign Language Speaking Tests, where they have 'Related People' taking examinations in the same subject, with the same awarding body, at any centre;
- Teachers and invigilators who are overseeing examinations of 'Related People';
- Teachers and invigilators who have access to the completed scripts of 'Related People' but not the secure storage facility.

### **How long must I keep my centre records regarding Conflicts of Interest?**

An awarding body may require access to your records in the event of any suspected malpractice. You **must** keep your records relating to Conflicts of Interest declarations for a minimum of one year after results have been issued for the relevant examination series.

### **What are the Data Protection implications of collecting this information?**

As a centre, you are obliged, under contract, to meet the requirements set out by the awarding bodies in their policies and regulations, including those issued by JCQ. This is a lawful basis for collecting and, where appropriate, providing on request information about potential Conflicts of Interest. Likewise, the awarding bodies are handling this information in order to comply with Statutory Regulations, and the data is held in accordance with their Data Privacy and Usage policies.

### **If you have any queries about Conflicts of Interest in your centre, please contact the awarding bodies as follows:**

AQA (For general enquires)	<a href="mailto:eos@aqa.org.uk">eos@aqa.org.uk</a>
AQA (To make Conflict of Interest Declarations)	<a href="mailto:COIcentredeclarations@aqa.org.uk">COIcentredeclarations@aqa.org.uk</a>
CCEA	<a href="mailto:centresupport@ccea.org.uk">centresupport@ccea.org.uk</a>
OCR	<a href="mailto:general.qualifications@ocr.org.uk">general.qualifications@ocr.org.uk</a>
Pearson	<a href="mailto:conclctofinterest@pearson.com">conclctofinterest@pearson.com</a>
WJEC	<a href="mailto:exams@wjec.co.uk">exams@wjec.co.uk</a>

To make your declarations, you should follow the individual awarding body's procedures, as explained on their website:

AQA	<a href="http://www.aqa.org.uk">www.aqa.org.uk</a>
CCEA	<a href="http://www.ccea.org.uk">www.ccea.org.uk</a>
OCR	<a href="http://www.ocr.org.uk/administration/stage-1-preparation/centre-staff-clcarationform/">www.ocr.org.uk/administration/stage-1-preparation/centre-staff-clcarationform/</a>
Pearson	<a href="http://www.qualifications.pearson.com">www.qualifications.pearson.com</a>
WJEC	<a href="http://www.wjec.co.uk">www.wjec.co.uk</a>