



Joint Council for
Qualifications

Conflicts of Interest and Declarations 2018/19 (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/assessments 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.

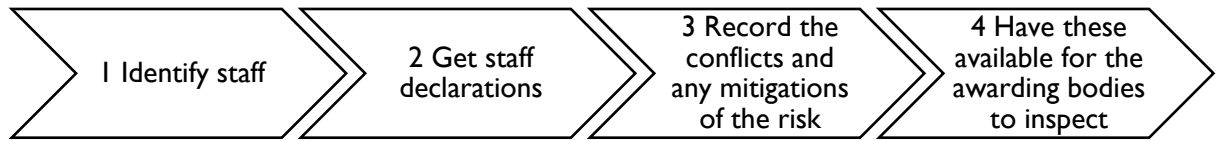
The term 'Related People' is used to cover close friends or relatives in these FAQs.

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 close and frequent.

What do we need to do?



1 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.

2 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.

3 Record the conflicts

Where these staff declare an interest, record the steps you are taking to manage the risk represented by any 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 e-mail addresses on page 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 Conflict 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 enquiries)	eos@aca.org.uk
AQA (To make Conflict of Interest Declarations)	COIcentredeclarations@aca.org.uk
CCEA	centresupport@ccea.org.uk
OCR	general.qualifications@ocr.org.uk
Pearson	conflictofinterest@pearson.com
WJEC	exams@wjec.co.uk

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

AQA	www.aqa.org.uk
CCEA	www.ccea.org.uk
OCR	www.ocr.org.uk/administration/stage-1-preparation/centre-staff-declaration-form/
Pearson	www.qualifications.pearson.com
WJEC	www.wjec.co.uk