

LASER Conflict of Interest Policy and Procedures

Policy Statement

A conflict of interest¹ exists in relation to an awarding organisation where:

- 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 interests of the development, delivery and award of qualifications in accordance with its Conditions of Recognition;
- 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 in accordance with the awarding organisation's Conditions of Recognition; or
- An informed and reasonable observer would conclude that either of these situations was the case.

This policy sets out what you should do and what you can expect if you are an employee, member of the Board/a committee of the Board, or freelance contractor, working for Laser Learning Awards (LASER)², or for any of its approved centres, and LASER's procedures for dealing with conflicts of interest.

Policy Relevance

Potential conflicts of interest could arise internally and relate to LASER employees, Board/Committee members, or freelance contractors, or could arise within LASER approved centres and relate to centre staff or learners.

Potential conflicts of interest could include the following situations (this list is not exhaustive):

- An individual enters into a financial or operational agreement with an organisation or individual in which they have a vested interest.
- The interests of one job held by an individual contradict another job held by that same individual eg a person working for two competing organisations or in two conflicting roles within one organisation, such as Assessor and Internal Quality Assurer (IQA) or Internal Moderator (IM).
- A partner, child, sibling, or other close relative or friend of an employee/contractor, registers for training at a centre approved by the organisation where the individual is employed/contracted.
- An individual carrying out assessment or internal quality assurance is a close relative and/or has other personal links with an individual they are assessing or internally quality assuring.
- An External Quality Assurer (EQA) or External Moderator (EM) has personal or professional connections with centre staff at a centre to which they are assigned.
- An EQA or EM has a personal connection with a learner undergoing assessment at a centre they are assigned to.
- An examination invigilator is the sole invigilator for an examination and that invigilator stands to benefit from positive outcomes for that examination (for example, the centre owner).
- Goods or services are purchased from a relative of an individual employed by the organisation, or from an organisation controlled by a relative.

Centres must take responsibility for identifying and managing potential conflicts of interest relating to their organisation, and reporting these as required to LASER, who is responsible for monitoring the centre's management of them. Centres must ensure that they are familiar with the content of this policy and must operate their own internal policy and procedures accordingly. Failure to do so may result in the centre receiving a sanction from LASER, which may include withdrawal of approval in line with the LASER Sanctions Policy.

Policy Responsibility and Review

This policy is the responsibility of the Quality Manager and will be reviewed by December 2022 at the latest.

Identification of Conflicts of Interest

Conflicts of interest are identified through:

¹ As defined in the Ofqual General Conditions of Recognition (August 2018)

² All references to LASER in this document also refer equally to Trident Awards, which is the brand name for LASER's work in the security industry

- The recruitment process for LASER employees, members of the LASER Board/committees of the Board, and freelance contractors. This includes signing a declaration of no conflicts of interest, or identifying and declaring any potential conflicts of interest at the recruitment stage.
- An agenda item at the start of every meeting of the LASER Board/committee of the Board requiring the declaration of any potential conflicts of interest not already declared.
- LASER centre monitoring visits and monitoring activities.
- Receipt of Internal Conflict of Interest Declaration Forms from LASER employees, members of the Board/committee of the Board, and freelance contractors, indicating any change since their appointment.
- Receipt of Centre Conflict of Interest Declaration Forms from approved LASER centres.

Management of Conflicts of Interest

In all cases, LASER seeks to mitigate any potential conflicts of interest before they pose a risk to the integrity of awards and/or cause an Adverse Effect.

Internal Conflicts of Interest

When any potential conflict of interest which relates to themselves is identified by any LASER employee or freelance contractor, the individual must immediately complete the [LASER Internal Conflict of Interest Declaration Form](#) and submit to the Quality Manager³/member of SMT as appropriate.

When any potential conflict of interest is identified by any member of the LASER Board/committee of the Board, if this may impact upon their overall ability to remain impartial and/or to continue as a Board/committee member, the individual must immediately complete the [LASER Internal Conflict of Interest Declaration Form](#) and submit to a member of SMT. If the potential conflict of interest does not impact upon their overall ability to remain impartial and/or to continue as a Board/committee member, but may be relevant only to one item being discussed at a Board/committee meeting, it must be declared under the Conflicts of Interest (not already declared) agenda item at the start of the meeting and will be recorded in the meeting minutes. A decision will be taken by the Chair as to any actions required, such as the member absenting themselves from the whole item in question, or from any decision to be taken in relation to it.

Upon receipt of all LASER Internal Conflict of Interest Declaration Forms and declarations at Board/committee meetings, LASER will:

- Log the potential conflict on the [LASER Internal Conflicts of Interest Register](#).
- Decide whether the potential conflict:
 - Does not pose a risk to the integrity of awards (Risk level 1) – in which case the conflict will be monitored over time to assess whether any changes to the situation might pose a risk in the future.
 - Poses a risk to the integrity of awards if not managed appropriately (Risk level 2) – in which case mitigating actions will be identified and implemented.
 - Poses a significant risk to the integrity of awards (Risk level 3) – in which case the conflict situation is unacceptable, and actions will be required to stop the conflict situation from existing.
- Decide and record what action is to be taken.
- Take the appropriate action and monitor its implementation and effectiveness, making any changes necessary over time.

Some examples of potential conflicts, and some example actions, can be found in the table below.

Conflicts of Interest in relation to Confidential Assessment Materials

LASER requires any employee or freelance contractor who has/had access to confidential assessment information, eg through the development process or as a result of quality assurance activities, to declare via a [LASER Internal Conflict of Interest Declaration Form](#):

- Any instances in which the individual is, or has been, a teacher/trainer/assessor for the relevant qualification, and/or is employed by a centre at which that qualification is taught or delivered (even if that person does not themselves teach or deliver the qualification).

³ For Access to HE matters this will be the Access to HE Quality Manager and all further references to 'Quality Manager' will be deemed to refer to the relevant Quality Manager within LASER

- Any other conflicts of interest arising from their access to assessment material, including personal conflicts such as, for example:
 - Where they know anyone who is due to take the assessment in question.
 - Where they know anyone who teaches, or is due to teach, the relevant qualification.

Centre Conflicts of Interest

All potential conflicts of interest identified by centres must be reported immediately to LASER using the LASER Centre Conflict of Interest Declaration Form which can be found on Quartzweb and must be submitted through Quartzweb.

Provided the centre has identified appropriate actions to take to manage each potential conflict, LASER will approve and monitor the centre's actions to ensure the conflict is being managed appropriately.

If a centre fails to identify appropriate actions to manage a conflict, or does not carry out its identified actions or follow its own policy and procedures, or in any other way fails to manage a potential conflict appropriately, then sanctions may be imposed on the centre and/or individuals within the centre, in line with the LASER Sanctions Policy. This may include withdrawal of approval.

Examples of Internal and Centre Conflicts of Interest and Actions (Not Exhaustive)

Risk Level	Conflict of Interest	Action
1: No risk to integrity of awards	Freelance contractor works for another awarding organisation but not in the same capacity or sector	Individual to submit LASER Internal Conflict of Interest Declaration Form LASER to complete Internal Conflicts of Interest Register and monitor over time
	LASER qualification development employee has a partner undertaking a LASER qualification, but employee does not have involvement in any areas of LASER quality assurance or administration involving the learner	
	EQA previously worked for a LASER centre but does not know current members of staff involved in LASER provision at the centre in a personal or professional capacity	
2: Risk if conflict not managed appropriately to mitigate	EQA previously worked at a centre in a department currently offering LASER provision	EQA to submit LASER Internal Conflict of Interest Declaration Form LASER to complete Internal Conflicts of Interest Register and EQA not to be allocated centre in question
	LASER customer services employee is friends with a learner on a LASER qualification	Employee to submit LASER Internal Conflict of Interest Declaration Form LASER to complete Internal Conflicts of Interest Register and employee to have no involvement with course run for that learner; course run to be administered by another employee and also overseen by a manager
	LASER Board member has an interest in an organisation about which a decision needs to be taken by Board	Board member to declare interest at start of meeting LASER to complete Internal Conflicts of Interest Register and Board member to absent themselves from decision to be taken

	Centre IQA/IM has a child taking a LASER qualification at the centre	<p>Centre to submit LASER Centre Conflict of Interest Declaration form</p> <p>LASER to review declaration with identified actions and ensure IQA/IM not allowed to carry out quality assurance on, or have any involvement in, their child’s course run</p>
<p>3: Significant risk from conflict which cannot be mitigated – conflict situation is unacceptable and cannot be allowed to exist</p>	Applicant for part time job currently works part time for another awarding organisation in the same sector and intends to continue to do so	<p>LASER to complete Internal Conflicts of Interest Register</p> <p>Applicant cannot be selected, on the basis of conflict of interest which cannot be managed safely</p>
	Centre assessor is the brother of a learner on his/her course, and centre reports no options available to manage the conflict	<p>Centre to submit LASER Centre Conflict of Interest Declaration form</p> <p>LASER to review declaration with identified actions, advise centre of refusal to accept actions proposed, give centre required actions with timescales, impose sanctions on centre if not resolved appropriately within given timescales, and no assessments carried out by the assessor on his own brother, to be accepted</p>

Monitoring of Conflicts of Interests

Potential conflicts of interest will be monitored through:

- Review of the Internal Conflicts of Interest Register and implementation of identified actions, by the relevant Quality Manager and/or SMT.
- Checks at renewal of contracts for freelance contractors.
- Review of Centre Conflict of Interest Declaration Forms, and actions required, including via centre visits, both planned and unannounced as appropriate, and other monitoring activities by EQAs/EMs.
- Oversight of Centre Conflict of Interest Declaration Forms by the relevant Quality Manager.
- Reporting Internal Conflicts of Interest Register to the LASER Quality Committee for review and comment.
- Reporting Internal Conflicts of Interest Register to the LASER Board for information and comment.

Should any actions require amending, and/or risk levels this will be implemented as necessary and reviewed and monitored going forward.

Policy Approval

Approved internally by Deputy CEO 05.02.2020

Approved externally by Quality Committee 28.02.2020