

Awarding Organisation Conflict of Interest Policy

January 2025



Conflict of Interest Policy



Introduction

As a recognised awarding organisation (AO), the Institution of Occupational Health and Safety (IOSH) is subject to external regulation and must meet the requirements set by education regulation. The AO is committed to providing a quality service. As part of our commitment, the AO will listen and respond to the views of our customers.

Conflicts of interest may arise where an individual's commercial, personal, or family interests and/or loyalties conflict with those of the AO and its learners. Such conflicts may create problems; they can for example:

- inhibit free discussion
- result in decisions or actions that are not in the interests of the AO and its learners
- risk the impression that the AO has acted improperly

This policy sets out guidance that must be followed to ensure that a conflict of interest, or potential conflict of interest, does not have an Adverse Effect on the development of qualifications, the learning provision, assessment processes or the assessment outcomes.

Condition A4 Conflicts of Interest

Purpose

The purpose of this policy is to protect the integrity of IOSH, its qualifications, reputation, and good standing. This policy:

- provides a definition of conflict of interest
- sets out what is required to meet the regulatory responsibilities attached to IOSH
- provides examples of potential conflicts of interest
- identifies the roles and responsibilities for managing conflicts of interest
- sets out the processes for managing and reporting conflicts of interest
- describes the action(s) which will be taken in the event of a breach of this policy

Scope

This policy is designed to set out the requirements for the handling of potential conflicts of interest that may arise in relation to the purpose and work of the Awarding Organisation.

The policy applies to all staff and other individuals, including volunteers, who interact or potentially interact with the work of the Awarding Organisation. This includes individuals involved with any aspect of the administration, development, delivery, marketing, marking, or sales activity of IOSH qualifications.

Roles and responsibilities

The IOSH Awarding Organisation Committee (AOC), is responsible for ensuring the performance and activities as a recognised Awarding Organisation and adherence to the Ofqual Conditions of Recognition. It is also responsible for assuring the systems, processes and resources and ensures that conflicts of interest are documented and managed to prevent breach of conditions.

The Head of Awarding Organisation, as Responsible Officer has duties and responsibilities that must ensure compliance with Ofqual Conditions of Recognition. This includes ensuring training and development is carried out by others to prevent any conflict of interest from arising. The role is also responsible for escalating reports of actual or potential conflicts of interest to an appropriate level within the organisation and, when necessary, to the AOC and the regulatory authorities.

Directors and Senior Managers in each department/team associated with activities of the AO are responsible for communicating and providing training where applicable on the Conflicts of Interest Policy to all relevant individuals within their area of responsibility at least annually. Departments are required to review their procedures annually to ensure that they anticipate and manage potential or actual conflicts of interest.

Line Managers of any teams associated with the activities of the AO are responsible for ensuring that all new staff involved in activity with potential or actual conflicts of interest receive training. Any new conflicts identified must be included on the Conflicts of Interest register and the Responsible Officer must be notified within 48 hours (maximum).

All Individuals involved with AO activities, including contractors, have responsibility for ensuring that they are familiar with the Conflicts of Interest Policy and any guidelines and complete any required Conflict of Interest training.

All individuals will be required annually to read and understand the Conflicts of Interest Policy, and complete a declaration

The most important feature of the policy is the requirement that an individual disclose any activity that might give rise to a potential conflict of interest. If there is any doubt whether it represents a conflict of interest, the situation must be reported to the Responsible Officer

Study Centres

Study Centres approved to deliver IOSH qualifications must ensure they have their own Conflict of Interest policy in place and their staff, and any contractors associated with delivery of the qualifications and assessments must be aware of the policy and relevant procedures.

The Policy

IOSH has a regulatory responsibility to manage conflicts of interest as defined by Ofqual's General Conditions of Recognition. This defines a conflict of interest as any situation where:

- IOSH Awarding Organisation activity, or activity undertaken on its behalf, has the potential to lead it to act contrary to the Conditions of Recognition in relation to the development, delivery and award of qualifications
- a person who is connected to the development, delivery, or award of qualifications on behalf of the Awarding Organisation has interests in any other activity which could potentially conflict with the Awarding Organisation interests in the development, delivery or award of qualifications under the Conditions of Recognition
- or
- an informed and reasonable observer would conclude that either of the situations outlined in a and b is the case

To meet these responsibilities, the Awarding Organisation is required to:

- identify and monitor all conflicts of interest which relate to activities as an awarding organisation
- identify and monitor any scenario in which it is reasonably foreseeable that any such conflict of interest will arise in the future
- establish and maintain an up-to-date record of all conflicts of interest which relate to our activities as an awarding organisation
- take all reasonable steps to ensure that no conflict of interest has an Adverse Effect.
- take all reasonable steps to avoid any part of the assessment of a learner (including quality assurance) being undertaken by any person who has a personal interest in the result of the assessment, or, in cases where this is not possible, to make arrangements for the relevant part of the assessment to be subject to scrutiny by another person.

Examples of conflict of interest

Potential situations where a conflict of interest within the sphere of the Awarding Organisation, include but are not limited to:

- Internal Management functions and other business interests
- Engagement with external suppliers of services
- The registration of learners to centres

Conflicts of interest can arise in a variety of circumstances relating to Awarding Organisation activity, for example:

- Where the training delivery function and the awarding function rest within one umbrella organisation.
- When an individual has a position of authority in one organisation that conflicts with his or her interests in another organisation.
- When an individual has interests that conflict with his or her professional position.
- Where someone works for or carries out work on behalf of IOSH but may have personal interests – paid or unpaid – in another business, which either uses IOSH products or services, or produces similar products.
- Where someone works for or carries out work on behalf of IOSH, who has friends or relatives taking IOSH assessments.
- When one part of IOSH creates and follows a procedure that conflicts with IOSH's regulatory responsibilities as an Awarding Organisation.
- An assessor, acting on behalf of or directly employed by a centre, who may have a vested interest in the outcome of an assessment (e.g. an assessor assessing a family member, friend or colleague)
- An Internal Quality Assurer (IQA) who has a vested interest in the outcome of an assessment (e.g., where a learner is a relative or friend)
- An assessor or IQA who gains a financial reward based on the outcome of assessments undertaken by them over and above the normal pay/salary (e.g. a bonus based on achievement rates).

Procedure for managing and reporting a conflict of interest

The procedure for reporting and managing potential or existing conflicts is as follows:

- An annual statement of Conflicts of Interest is undertaken by the Head of Awarding Organisation as Responsible Officer
- Employees, contractors, volunteers, and stakeholders undertaking activities in relation to the AO declare identified potential or actual conflict by completing the Conflict of Interest Declaration Form provided by IOSH and reporting this to the IOSH Head of Awarding Organisation
- IOSH will work with the individual to identify and implement an appropriate solution for dealing with the conflict.
- IOSH will monitor any conflict to ensure that any changes are accounted for and dealt with. Ongoing monitoring is important as even if a conflict has been resolved circumstances may occur where the conflict arises again or affects individuals in another way.
- If there are any changes for an individual, or the conflict arises again, individuals must report the conflict to ensure the conflict is resolved appropriately.
- Any actual or potential conflict of interest identified will be added to AO Conflict of Interest Register which includes information about what the conflict of interest is; who this applies to; how the conflict of interest is managed, and when this will be reviewed.
- Where it is deemed necessary, a conflict of interest may be added to the Risk Register. All high risks are reported to the AOC.
- The Head of Awarding Organisation as Responsible Officer will report any breach of the Conflicts of Interest Policy to Ofqual

Study Centre responsibilities

With respect to conflicts of interest, IOSH AO approved Study Centres must do the following to ensure ongoing compliance with IOSHAO and regulatory requirements:

- Ensure Study Centre staff understand what constitutes a potential and/or actual conflict of interest and are aware how to identify and mitigate conflicts of interest
- The Head of Centre or Responsible Person for each Study Centre must ensure that all staff or third parties such as trainers/ assessors/IQAs involved in the delivery or administration of IOSH qualifications must be able to identify any existing or potential conflicts of interest as and when they arise.
- Prior to obtaining approval, prospective Study Centres are required to confirm all staff involved in the delivery of IOSH AO qualifications have read and understood the content of the Conflict of Interest Policy.
- Steps must be taken to avoid or mitigate any existing or potential conflicts of interest
- Ensure independent scrutiny takes place if a conflict of interest cannot be avoided
- Declare all identified (potential and/or actual) conflicts of interest
- Maintain accurate records of all existing and potential conflicts of interest affecting Study Centre operations and IOSH qualification delivery and assessments, including details of all mitigating actions taken.
- Update records and inform IOSH if there are any changes in circumstances relating to previously declared conflicts

Once approved, IOSH Study Centres are required to declare all identified conflicts of interest which will have an impact on Study Centre operations and the delivery of IOSH qualifications. In order to do this, a Conflict of Interest Declaration Form must be completed and submitted to the AO.

Study Centres must ensure that submitted forms contain all details of the conflict of interest that has arisen and the actions that have been taken to either avoid or mitigate the conflict.

The details on any forms submitted will be reviewed by IOSH to ensure that the declared conflict has been managed appropriately. If this is not considered to be the case, IOSH will contact the individual who has made the declaration to discuss the scenario and ensure that appropriate actions are taken to avoid or mitigate the conflict.

Study Centres must manage working arrangements to avoid identified conflicts of interest as much as possible. Where an identified conflict of interest is unavoidable, particularly in relation to learner assessment, it is important to ensure that independent scrutiny occurs to mitigate the conflict (e.g., an IQA could be present during the assessment process).

Study Centres that are unsure of requirements should contact the AO to discuss the matter.

Monitoring

The Head of Awarding Organisation as Responsible Officer will monitor the effectiveness and review the implementation of this policy as part of annual self-assessment arrangements, considering its suitability, adequacy and effectiveness.

As necessary it will be revised to ensure that it remains fit for purpose, reflects the types of conflicts that may arise, and states how those conflicts can be managed. Any feedback from stakeholders or guidance from the regulators will also be taken into account.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in managing conflicts of interest.

Terms, definitions, acronyms and abbreviations

Adverse Effect:

An Adverse Effect describes situations in which a learner or learners may have received an unfair advantage or disadvantage and/or any of the following are compromised: our ability to undertake the development, delivery, or award of qualifications in accordance with the regulators' requirements; the standards of our qualifications; public confidence in qualifications.

Review

IOSH will review this policy on an ongoing basis as part of our continuous improvement activities and revise it as and when necessary, in response to customer and learner feedback, changes in our practices or the outcome of investigations.

In addition, we may update this policy in light of operational feedback to make sure our arrangements remain effective.

Version Control

V	Last amended	Author	Reason for amendment	Review date
V0.1	04/01/2021	Kevin Hickman	First Draft	08/11/2021
V1.0	09/11/2021	K Bevan	Final Version	09/11/2022
V1.0	21/11/2022	K Bevan	Brand Update and Annual Review	21/11/2023
V1.0	21/11/2022	R Wilson	Annual Review - No changes	11/10/2024
V1.1	15/01/2025	A Feneley-Lamb	Annual Review – changes to naming	15/01/2026

Policy document information

Policy owner	Head of Awarding Organisation	Policy contact	Operations and Quality Manager
Related operational policies/business rules	AO Conflict of Interest Declaration form AO Conflict of Interest register		
Relevant legislation and standards	A1 Senior Officers – suitability checks – voluntary disclosure, role profile A4 Conflicts of Interest		