

Conflict of Interest Policy and Procedure

This policy refers to qualifications that are regulated through Ofqual, Qualifications Wales and CCEA (the regulators). The purpose of the Conflict of Interest Policy and Procedure is to ensure the identification and resolution of conflicts of interest arising from the involvement of The London Institute of Banking & Finance members of staff, or any third parties with whom The London Institute of Banking & Finance, in the design, development, delivery, assessment, award and quality assurance of its qualifications.

The London Institute of Banking & Finance ensures that it addresses and monitors:¹

- all identified conflicts of interest, and
- any scenarios in which it is reasonably foreseeable that these conflicts of interest will arise in the future

Through this process, The London Institute of Banking & Finance ensures that:

- the integrity and confidentiality of assessments are not compromised,
- the quality of work undertaken by and for The London Institute of Banking & Finance is maintained, and
- the reputation of The London Institute of Banking & Finance is maintained.

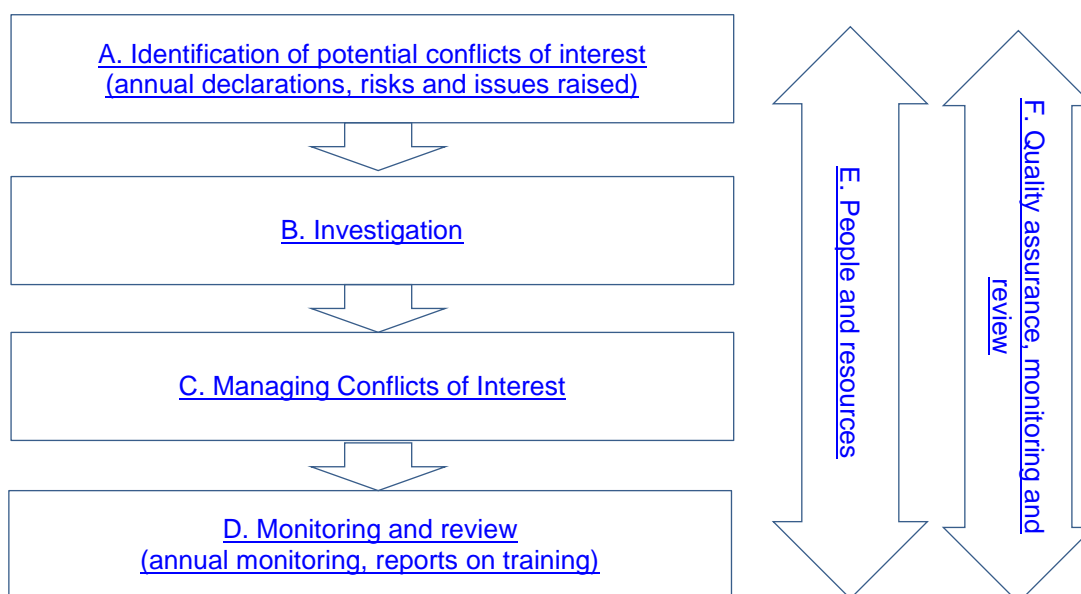
Summary of policy

For the purpose of this policy and procedure, The London Institute of Banking & Finance uses the regulator's definition of a conflict of interest being where

- (a) 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 in the development, delivery and award of qualifications in accordance with its Conditions of Recognition,
- (b) 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
- (c) an informed and reasonable observer would conclude that either of these situations was the case.²

¹ Ofqual, *General Conditions of Recognition*, A4.

The key steps in the process of identifying and resolving conflicts of interest are set out in the diagram below.



Section A – Identification of potential conflicts of interest

1.1 Conflicts of interest may relate to staff, consultants, collaborative partners and other stakeholders.

Potential conflicts of interest may include (but not be limited to):

- One or more activities of The London Institute of Banking & Finance affecting, or being perceived to affect, another activity of The London Institute of Banking & Finance;
- An individual taking a qualification that The London Institute of Banking & Finance offers; it is permissible for staff to take such qualifications in line with the Qualification Support Policy, but must be managed appropriately;
- A close family member of a staff member taking a qualification that The London Institute of Banking & Finance offers;
- Ownership or substantial shares in a provider or potential provider of services to The London Institute of Banking & Finance, or a family member having such a relationship with a provider;
- teaching or training in relation to a qualification that The London Institute of Banking & Finance offers, or a related subject;
- an individual publicly expressing values and beliefs contrary to those of The London Institute of Banking & Finance in such a way that may reasonably be perceived as representative of the organisation; or
- an external individual working for multiple stakeholders and finding it difficult to be impartial.

² Ofqual, *General Conditions of Recognition*, A4.1

- 1.2 These are *potential* conflicts of interest and, therefore, mitigating actions in many circumstances will remove or reduce satisfactorily the risk of these becoming a conflict of interest.
- 1.3 Where a member of staff makes an application to study for a qualification, the responsible Line Manager must ensure a conflict of interest declaration form is completed and returned to the Course Director for recording.
- 1.4 Annually and whenever new contracts are issued, the Qualification Manager(s) will ask consultants to declare whether or not they have or have had any potential conflicts of interest.
- 1.5 At a portfolio level the Course Director will review the declared interests to identify any cross-cutting sources of conflicts of interest.
- 1.6 At any time all members of staff are encouraged to identify other sources of potential conflict of interest in their own areas of work or elsewhere. For example, this may be identified by a line manager for a new member of staff.
- 1.7 All declarations will be treated supportively and sensitively and declaring a risk should not be seen as a negative action. Personal data will be treated in line with the [Data Protection Statement](#).

Section B – Investigation

- 2.1 When a risk of conflict of interest is identified for which an immediate decision cannot be made based on existing controls or contingency plans this will require further investigation. The Operating Committee would review options on how the conflict could be managed. The circumstances of the disclosure may dictate requirements for additional attendees who are not part of the Operating Committee but would have relevant knowledge surrounding the identified conflict. The individual raising the possibility of a conflict will take part in the discussion, if this is appropriate and any personal details will be treated sensitively. Additionally, members of the Operating Committee who could be involved in the declared potential or actual conflict of interest or close to the disclosure would be excluded from the discussions. The outcome of the Operating Committee decision will be reported to the appropriate Managing Director.
- 2.2 Prior to this discussion the line manager, or point of contact in the case of a consultant, will consider what evidence or further information will be required for a full discussion and provide it to the group.

Section C – Managing Conflicts of Interest

- 3.1 The London Institute of Banking & Finance takes all reasonable steps to ensure that no conflict of interest which relates to it has an Adverse Effect as defined by [Section J](#) of the GCR.
- 3.2 Where a conflict of interest has the potential to create an Adverse Effect, The London Institute of Banking & Finance will take all reasonable steps to mitigate the Adverse Effect, and as far as possible, correct it.

- 3.3 In determining the potential for mitigating an Adverse Effect, a number of outcomes are possible depending upon the circumstances of the potential conflict of interest. These will primarily include the following:
- Activities and / or key functions may be reorganised so that the potential conflict is mitigated. For example, staff and consultants who have seen an assessment will not be used to deliver or present at training for teachers of that assessed course.
 - Where teachers are used within the pool of qualification examiners, they will not be able to mark the work of students from within their own Centre or chain of centres.
 - An undertaking may be required from the individual or key stakeholder to conduct their responsibilities in such a way that the integrity of The London Institute of Banking & Finance and their own integrity are maintained.
- 3.4 In committee meetings, an individual with a perceived conflict of interest may be asked to exclude themselves from discussions and decisions relating to the area of conflict of interest. If none of the above steps is possible, another solution must be agreed by the discussion group. The solution should be in proportion to the nature of the conflict; in extreme circumstances, activities may need to be monitored or even restricted. The group's decision as to how the conflict is to be managed is final.
- 3.3 The declared or identified potential conflict of interest will be logged on the Conflict of Interest Log maintained by the Operating Committee. If appropriate, this should also be noted on the appropriate level of risk register.

Section D – Monitoring and review of actions

- 4.1 Decisions and actions will be reviewed. The log will be reviewed periodically to make sure that actions forming part of the resolution have been implemented.

Section E – People and resources

- 5.1 It is the responsibility of all individuals involved in the design, development, delivery, assessment or award of The London Institute of Banking & Finance qualifications, and other associated activities, to meet the obligations of The London Institute of Banking & Finance's charter, its strategy and policies and procedures. To this end, they will:
- conduct their activities so that the aims of The London Institute of Banking & Finance's policies and procedures are implemented;
 - ensure that they make their role clear and take appropriate steps to separate their role from other functions with which they may potentially be in conflict, as far as is possible;
 - maintain the integrity and reputation of The London Institute of Banking & Finance;
 - recognise and report any potential or existing conflict.

- 5.2 Training needs for individuals or teams will be considered where resolutions or resulting actions require clear structured explanation in order to be implemented effectively.

Section F – Quality assurance, monitoring and review

- 6.1 Records of all issues or potential issues raised relating to a conflict of interest are maintained by The London Institute of Banking & Finance for a period of at least five years.
- 6.2 The policy is subject to regular monitoring and review by The London Institute of Banking & Finance to maintain the highest possible standards of consistency and quality.
- 6.3 The policy is formally approved by the Managing Directors.
- 6.4 The policy has been developed to comply with all relevant legislation, the *General Conditions of Recognition* and other relevant regulatory guidance.
- 6.5 The London Institute of Banking & Finance is subject to regulation by the qualifications regulatory authorities, Ofqual, Qualifications Wales and CCEA.