

## Examinations conflict of interest policy

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### **I Overview**

- 1.1 The purpose of this policy is to protect the integrity of both the activities of the Royal Academy of Dance (RAD) in delivering and awarding regulated qualifications, and other awards and assessments; and that of employees, contracted workers, and those in a voluntary role (including Trustees) at the RAD, whose work is related to examinations, thereby ensuring the integrity of the RAD's qualifications and continued regulatory compliance.
- 1.2 Employees of the RAD, contracted workers and those undertaking roles in a voluntary capacity must be free from conflicts of interest that could adversely influence their objectivity, judgement or loyalty when dealing with RAD examinations or activities. Where this is not the case, conflicts of interest must be reported and logged, and will be mitigated as set out in the policy.
- 1.3 It is recognised that some employees, contracted workers and/or those in a voluntary role may take part in legitimate financial, business, charitable and/or other activities outside their work related to RAD examinations. However, any potential conflict of interest raised by those activities must be disclosed at the point of engagement or promptly as and when they arise.

### **2 Definition of conflicts of interest**

- 2.1 A conflict of interest exists when:
  - (a) any activity undertaken by someone on behalf of the RAD has the potential to lead him or her to act contrary to the RAD's interests in the development, delivery and award of qualifications
  - (b) a person who is connected to the development, delivery or award of qualifications by the RAD has interests in any other activity (including activities related to other areas of the RAD), which have the potential to lead that person to act contrary to his or her interests in that development, delivery or award
  - (c) an informed and reasonable observer would conclude that either of these situations was the case.

### **3 Identifying and monitoring conflicts of interest**

- 3.1 The RAD will continuously monitor operations and employees, contracted workers and volunteers to ensure that any conflicts of interest are identified and mitigated as soon as possible.
- 3.2 In order to achieve this, the RAD will ensure, through monitoring, that activities undertaken by employees, contracted workers and/or those in a voluntary role do not conflict with the delivery and award of qualifications.
- 3.3 Any conflicts identified must be reported to the Examinations Business Compliance Manager. The Examinations Business Compliance Manager is responsible for logging such conflicts on the Conflict of Interest Register and ensuring that they are dealt with as soon as possible, in liaison with the Chief Examiner, Director of Examinations and other staff as appropriate.

## 4 Areas of potential conflict of interest

### 4.1 Operational

- 4.1.1 The RAD Examinations Board is a separate entity within the Royal Academy of Dance. It is led by the Director of Examinations who is responsible to the Board of Trustees via the Artistic and Examinations sub-Committee for the Examinations Board's activities.
- 4.1.2 RAD examinations use an objective, criteria-referenced assessment model. Assessment is carried out on strictly neutral lines, both with respect to the work of examiners and the post-examination results moderation processes. Examiners receive comprehensive monitoring and training, as set out in the Reliability of Results Policy, and are instructed to apply the same criteria-based judgements to all candidates they examine, wherever the examinations may take place, whoever has entered the candidates for examination, and whoever the candidates are. Results are analysed and moderated by identified RAD employees who normally have no interest in the result of any candidate (see 4.5.2 below).
- 4.1.3 Procedures for entry to RAD examinations are outlined in the Specifications. The applicant, irrespective of any association with the RAD, is responsible for the submission of accurate information at the time of entry.
- 4.1.4 Where possible, procedures are in place to check the accuracy of examination results entered during results processing, so that the risk of any employee altering an examination result due to having an interest in that result is mitigated. Where this is not possible, staff involved in processing examination results are required to sign a statement on an annual basis (by 31<sup>st</sup> January each year for continuously employed or continuing staff or within a month of commencement of employment for temporary staff) confirming that they are not aware of any conflict of interest in respect of results which they have processed or are likely to process within twelve months of the date of the statement (see Appendix I).

### 4.2 Employees

- 4.2.1 As part of the recruitment process, applications will be checked by appropriate senior staff, in order to identify any possible conflicts of interest. Where uncertainty remains, these will be explored as part of the interview process.
- 4.2.2 On appointment, employees are issued with either a temporary or permanent contract of employment and are required to declare any known or potential conflict of interest. They must also disclose any new potential conflicts of interest that arise during the period of their employment. Records are stored by the Human Resources department, according to the RAD's Records Retention Schedule.
- 4.2.3 Pursuant to the above, all RAD employees are required to sign a contract of employment which includes the following clause:

*You will not during your employment with the Academy (except with prior written consent of the Academy) belong to or have any financial or other interest in any business or organisation which gives rise or may give rise to a conflict of interest. You must notify the Academy as soon as possible if you become aware that such a conflict exists or may exist or if there is any potential for such a conflict of interest arising.*

4.2.4 RAD examinations staff are required to inform their line manager immediately of any personal conflicts of interest that arise at any given point, who in turn must report all instances to the Examinations Business Compliance Manager as soon as possible.

4.2.5 On conclusion or termination of a contract, employees are bound by the Confidentiality Agreement signed upon their engagement. The terms of this agreement are dependent on the role.

### 4.3 Examiners

4.3.1 Upon appointment to the Panel, examiners are issued with a contract (renewable every 3 years) and an annual letter of engagement that requires the declaration of any known or potential conflict of interest. They are also required to inform the Panel of Examiners Manager of any new conflicts of interest that arise which may affect their ability to examine in the immediate future. Records covering their current teaching commitments and that of the previous three years are kept on the Examiner Conflict of Interest spreadsheet, monitored by the Panel of Examiners Manager and stored according to the RAD's Record Retention Schedule.

4.3.2 Pursuant to the above, the Conditions of Appointment for examiners includes the following clause:

*You will not at any time during the period of your appointment to the Panel without the prior written consent of the Academy:*

- *have any interest (whether financial, organisational or personal) in any third party which may create a conflict between the interests of the Academy and the interests of the third party (if you become aware of any circumstances where a conflict of interest may arise you must notify the Academy as soon as possible); or*
- *make any press, radio, television or online statement or submit for publication or publish any letter, article or statement relating directly or indirectly to the business or affairs of the Academy or its students or its examinees without the prior written consent of the Academy; or*
- *devise, produce or deliver, or be involved in devising, producing or delivering, any distinctive resource, publication or course, whether or not for financial gain, which relates directly to any examination or qualification offered by the Academy, without first notifying the Academy (except where you are contracted by the Academy or by RAD Enterprises Ltd. in respect of official resources, publications or courses offered by the Academy). (For the avoidance of doubt this does not include any ordinary or routine teaching or coaching activities related to the Academy's syllabus or examinations)..*

4.3.3 As per the Examiner Allocation Policy, examiners will not normally be allocated examination tours in areas where they are likely to examine their own pupils; where they have disclosed that they know or have taught any student in the previous two years; or where they have carried out examining in the previous two years. This principle is only altered in exceptional circumstances, e.g. in an emergency where to follow it would mean cancelling examinations or otherwise disadvantaging learners. In such cases, results are subject to particular scrutiny in the monitoring process.

4.3.4 Where examiners are engaged to teach RAD student classes/courses or judge bursaries or competitions, they are asked to check their examining commitment to make sure there is no conflict of interest (ie. that there is no likelihood they will be required to examine candidates who they have previously taught or coached in a class or on a course).

- 4.3.5 Examiners are required to declare an interest in any candidates they examine who are known to them personally (see extract below from *Code of Conduct for Examiners of the Royal Academy of Dance*):

*Examiners have a duty to candidates and to the Royal Academy of Dance to ensure that the objectivity of the examination process is neither compromised nor appears to be compromised. The examiner should not examine his/her own pupils, relatives or any student the examiner has taught two years prior to the examination. Should the examiner become aware of such a situation prior to a tour commencing, or during a tour but before the examination takes place, they should immediately seek guidance from the Royal Academy of Dance. If the examiner is unaware of such a situation until the actual day of the examination or is unable to contact the Royal Academy of Dance before the examination, the examiner should continue with the examinations and then at the earliest opportunity advise the Director of Examinations as to the nature of the potential conflict.*

- 4.3.6 The Specifications provide for the postponement or re-scheduling of any examinations where a candidate is known personally to the examiner. Where it is unavoidable that an examiner examines a candidate that is known to them in any capacity, the Examinations Results Quality Assurance Manager is made aware of the circumstances so that particular scrutiny can be applied to the moderation of results. Any concerns raised at that stage will be investigated by the Examinations Business Compliance Manager.
- 4.3.7 A record of schools where examiners teach is maintained on the Conflict of Interest Log, so that any concerns about learners at those schools having access to confidential or privileged information can be investigated.
- 4.3.8 Particular scrutiny is applied to the moderation of results in respect of any examiner involved in the preparation of resources related to a qualification being assessed.

#### 4.4 **Senior officers (Trustees and members of the Executive Board)**

- 4.4.1 RAD Trustees are required to declare conflicts of interest at the start of each Board meeting and are also required to declare any circumstances which may disqualify them from carrying out their role as a Senior Officer in accordance with the Code of Conduct which they are required to sign after each Annual General Meeting.
- 4.4.2 The Director of Examinations carries out a check with all Directors (members of Executive Board) every three years to ensure that there are no circumstances which may disqualify them from carrying out their role as a Senior Officer.

### 5 **Conflict assessment and resulting actions**

- 5.1 Where a conflict of interest is declared or arises, which in the opinion of the Examinations Business and Compliance Manager is sufficiently serious to warrant it, it will be reported to the Examinations Regulatory and Standards Committee for discussion at its next meeting, for resolution, or outside of the meeting if the matter is urgent.
- 5.2 Under these circumstances, the member of staff declaring a conflict of interest may not be allowed to work for the organisation in the intervening period until the matter is resolved.
- 5.3 The Examinations Business Compliance Manager or the Examinations Regulatory and Standards Committee may impose such measures as seem to be necessary and proportionate in relation to

the resolution of a conflict of interest. For example, a data processor who is entering data relating to a candidate who is known to that data processor may be required to have their work checked and countersigned by their line manager.

- 5.4 Should any conflicts of interest be found as a result of ongoing monitoring, and particularly those which may lead to operations being compromised, disadvantage to learners, or any other Adverse Effect, these will be mitigated to ensure that there is the minimum amount of impact on learners, and steps taken to correct it. This may result in the application of a Special Consideration mark or, in some cases, re-examination. Impact on results and certification timescales will be monitored closely and where target dates are not met, learners informed accordingly.
- 5.5 Where a conflict of interest has had an Adverse Effect, an event notification will be raised with the relevant regulators.
- 5.6 Any action taken as a result of a conflict of interest must be reported to the Examinations Regulatory and Standards Committee.

## 6 Responsibilities

- 6.1 National Directors, National and Regional Managers, RAD Representatives, and Examinations Department Managers are responsible for identifying and monitoring conflicts of interest in their areas.
- 6.2 Employees of the RAD are responsible for identifying and reporting conflicts of interest related to examinations to their line manager, and, in the case of examiners, to the Panel of Examiners Manager.

## 7 Monitoring and review

- 7.1 The *Examinations conflict of interest policy* is reviewed annually and monitored on a regular basis by the Examinations Regulatory and Standards Committee.
- 7.2 The Director of Examinations is responsible for signing off the *Examinations conflict of interest policy*.

Policy sign-off: February 2019  
Policy review date: November 2019



Dr Andrew McBirnie  
Director of Examinations

Circulation list:

- National Directors, National and Regional Managers and RAD Representatives
- RAD examiners
- RAD websites

**APPENDIX I**



**Data processor conflict of interest statement**

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*This statement must be completed and signed by all examinations data processors worldwide whose work is not independently checked by another member of staff. It must be returned to the Examinations Business Compliance Manager at RAD HQ by 31<sup>st</sup> January each year for continuously employed or continuing staff or within a month of commencement of employment for temporary staff.*

If you are not able to sign the statement below as being true and accurate, please inform your line manager as to the reasons.

I, \_\_\_\_\_ [print name]

confirm that I was not involved in processing the results of any examination candidate in whom I have a personal interest (e.g. a friend or family member) during the twelve months prior to the date of this statement.

I further confirm that I have no knowledge of any examination candidates in whom I have a personal interest whose results I am likely to process during the twelve months following the date of this statement.

Signed \_\_\_\_\_

Date \_\_\_\_\_