

Definition

A conflict of interest may generally be defined as a conflict between the official responsibilities of an HT Training Director or freelance trainer and any other interests the particular individual may have and as such could compromise or appear to compromise their decisions.

For ILM endorsed courses condition A4 in the Ofqual General Conditions of Recognition 2011 states that a conflict of interest exists in relation to an Awarding Organisation where:

- The organisations 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
- 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 organisations conditions of recognition
- An informed and reasonable observer would conclude that either of the above situations was the case

Examples of Conflicts of Interests

It is not possible to provide a definitive list of examples of conflicts of interests, but the following are examples of situations that could lead to actual or perceived conflicts of interest:

- Tutors and assessors working with a business outside of the approved ILM centre or ILM recognised provider that is in direct competition with them
- Tutors and assessors participating in the appointment, promotion, supervision or evaluation of a person with whom the person, has close or familial ties
- Tutors and assessors having a close or familial relationship with an ILM registered learner, or learners' family whilst being involved in decisions about the outcome of their qualification

- Tutors and assessors using non public ILM information or ILM learner data for personal gain or advantage
- Tutors and assessors involved in the ILM Centre approval processes, who own business consultancies offering ILM qualifications or programmes.

The existence of such interests as those outlined above, does not necessarily imply conflict, but is likely to give an appearance of conflict and as such should be declared.

It is the duty of all tutors and assessors to disclose any actual or potential conflict of interest, and the process for doing this is documented below:

- All tutors and assessors are issued with a conflict of interest form to complete on commencement with the organisation and it is a requirement of their contract that this is completed and updated on an annual basis.
- The information held on the conflict of interest form is then transferred to a register of interests document which is maintained by a designated person at the ILM approved centre or ILM recognised provider.
- If the individual concerned has any changes to their declared circumstances, they must inform their line manager immediately in writing, so that the conflict of interest can be evaluated, and the register updated
- The form is to be completed even when the individual has no conflict of interest to declare.
- The information submitted is then evaluated to identify if any further action is required and a written record of the outcome of the evaluation is kept.

Action

Most situations require no further action than the completion of the conflict of interest form. In some instances, however, the information declared on the form will require some follow up action, in order for the conflict of interest to be managed appropriately.

The approach agreed between the line manager and the tutor and assessor, will be documented and held with the conflict of interest forms.

Examples of actions that could be taken

- Individual not taking part in discussions or decisions of certain matters
- Referring certain matters for decision to others with no vested interest
- Agreeing not to be involved in a particular project or with a particular centre
- Declaring an interest when it is appropriate to do so
- Referring the matter to ILMRegulation@i-l-m.com for advice and guidance.

This policy shall be the subject of a three year review cycle or as necessary.