

NATD

National Association of Teachers of Dancing

Conflicts of Interest Policy

1. Definition of conflicts of interest:

A conflict of interest¹ exists in relation to an awarding organisation 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 of 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.

Conflicts of interest can also be identified more widely in the context of the organisation as a whole². The most common forms of conflict of interest are:

- Where an individual enters into a financial or operational agreement with an organisation or individual in which there is a vested interest.
- Where the interests of one job held by an individual contradicts another job held by that same individual (e.g. a person working for two competing organisations)
- Where a spouse, child, or other close relative of an individual is employed (or applies for employment) by the organisation.
- Where goods or services are purchased from a relative of an individual or a firm controlled by a relative.
- Accepting gifts from others to promote their interests within the organisation.

2. Identification of conflicts of interest

All members of the Council of Management, Examiners, members of staff and consultants are actively encouraged to declare any potential conflicts of interest regardless of whether they deem these to be such. Potential conflicts of interest could include:

- Directorships of other companies for Council of Management members
- Directors who are also Examiners and/or teachers
- Examiners who are teachers
- Personal interests which may conflict with those of the organisation (as defined in Section 1).
- Financial interests which may conflict with those of the organisation (as defined in Section 1).

¹ As defined in the *General Conditions of Regulation* 2011 published by Ofqual

² As defined by the Charities Commission

- A conflict involving close relatives which may conflict with their status as a Director, Examiner or member of staff (as defined in Section 1).

All members of the Council of Management, Examiners, members of staff and consultants must declare any interests which will be added to the Register of Interests by the Chief Executive.

Interests are declared via the annual declaration form which is issued to Council of Management members, Examiners and consultants. These forms are issued and retained by Head Office. Members of staff are required to declare any conflicts of interest directly to the Chief Executive.

Once added to the Register, potential conflicts will be examined by the Chief Executive who will make a decision on whether the conflict warrants further action to be taken or escalation to the Council of Management.

3. Managing conflicts of interest

In addition to the annual declaration of interest and the Register, NATD will also implement a number of processes for managing any on-going potential conflicts of interest where these are identified in the annual declarations.

This includes the following measures:

a) For all staff involved in assessment

- As part of the applications process for all Examiners, CVs will be checked by the Quality Assurance Manager to identify any possible conflicts of interest. Where the Examiner is an existing member of the organisation, the Quality Assurance Manager will check records to see if any potential conflict exists. Where uncertainty remains, these will be explored as part of the interview process.

b) For Directors and consultants

- Directors and consultants are actively encouraged to register any interests which may be a potential conflict with their activities with NATD, regardless of whether the individual deems the interest to be a potential conflict. Directors and consultants must complete and return a declaration of interests form. NATD will carry out independent checks on the status of Directors and consultants (e.g. Companies House).

4. Main potential areas of conflict that have been identified

Potential conflicts of interest have been identified by NATD which concern a number of individuals working within the organisation. The following outlines these and details the strategies in place to manage them.

a) Director/Examiner conflict

- A number of members of the Council of Management also act as Examiners for NATD as they are specialists in particular genres and have substantial experience in teaching and examining the syllabi. On examination of this as a potential conflict of interest, NATD considers this to be a strength as Council members have experience of detailed operational aspects of the organisation and as such

will be able to challenge and question matters of compliance from a position of authority and experience.

- There may be instances in which an individual's status as both Director and Examiner comes into conflict, for example if there was a discussion at the Council of Management about making changes to a particular genre in which they have an interest. In such cases, the Director would absent themselves from this discussion and any vote taken.

b) Directors who declare directorships of other organisations

- Any member of the Council of Management who is a director of another organisation must declare this in their annual declaration. NATD would not view directorships of other organisations as a high risk conflict if:
 - They were listed as a Director of their own dance school (which would bring a direct link to operational aspects of teaching to the Council meetings) ; or
 - They were appointed as a Director of a dance organisation such as the British Dance Council as a representative of NATD (which enables NATD to have a voice in the organisation of national and international dance events).
- In both cases Directors must declare such an interest but this will not be regarded as a conflict of interest unless there is a specific matter under discussion at Council relating their particular interest in which case the Director concerned would absent themselves from that particular discussion and vote.

c) Examiner interests in assessment

- **Rule 21** of the Constitution clearly states that "an examiner shall not conduct the examination of his/her own pupil or student at any school or establishment, with which the examiner is directly or indirectly connected. Upon appointment, every examiner, shall by written notice, declare the nature of his interest in and particulars of any such school or establishment".
- Examiner interests must be declared where they have an impact on this rule. This would fall into three main categories:
 - An examiner who is related to a candidate or teacher.
 - An examiner who has taught a candidate or teacher.
 - An examiner who has trained with a teacher or who has trained a teacher.
- Examiners will never carry out examinations on their relations. This will always be prohibited and any personal relationships with other member of NATD, candidate or teachers **MUST** be declared. This will be logged on the Register for future examiner allocation.
- In the latter two circumstances an Examiner must declare any professional relationships, but it would only be judged as a conflict of interest if the examiner was carrying out an examination for which they had taught or trained that individual candidate and the length of time which has elapsed (at least 12 months) between the teaching or training taking place and the examination being conducted. Any instance will be logged on the Register for future allocation. Timescales would be agreed on a case by case basis but would not be less than 12 months.
- Examiners must contact the Quality Assurance Manager if they have any doubts about examining candidates known to them in other circumstances (for example if the teacher is a colleague or

personal friend). In these cases any issues must be raised as soon as the Examiner is allocated to the teacher/school. It will be placed on the Register and logged for future examiner allocation.

5. Reporting conflicts of interest and roles and responsibilities

All declarations are formally reported to the Council of Management along with recommendations for action to be taken. The Chief Executive is responsible for reporting conflicts of interest to the Council of Management.

Where a serious conflict arises that would need immediate resolution, the Chief Executive would contact members of the Council of Management and request a resolution by proxy of the matter, or convene an Extraordinary meeting of the Council to resolve the matter.

Serious conflicts of interest could include:

- A conflict which could have legal or regulatory implications for NATD.
- A conflict of loyalty where the organisation is in a significant dispute with another organisation and a Director has a significant involvement with both organisations
- A conflict of interest that has an external impact on NATD.
- A conflict that brings into question the ability of the individual to clearly demonstrate or explain that their decision has been made independently of any private interest or competing duty.
- A conflict which could be damaging to the organisation's interest and reputation.

6. Monitoring of conflicts of interest

NATD will carry out continuous monitoring of operations and personnel to ensure that any conflicts of interest in relation either to the organisation's activities or to the activities of personnel working for NATD are identified and mitigated as soon as possible.

Monitoring will be carried out on an annual basis via the declarations of interests and via background checks. Any issues will be flagged with the Chief Executive who will report to the Council of Management on any actions to be taken.