

NCTJ Conflicts of Interest Policy and Procedures

Purpose

This policy aims to draw attention to the possibility of conflicts, minimise or prevent a conflict occurring and manage conflicts that have arisen.

Definition of a conflict of interest

For the purposes of this policy we have adopted the definition used by the regulatory authorities in relation to conflict of interests. In essence a conflict of interest exists in relation to the NCTJ where:

- its interests in any activity undertaken by it, on its behalf, or by a member of its staff have the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications and end-point assessments in accordance with the requirements of the regulator's conditions of recognition
- a person who is connected to the development, delivery or award of qualifications or end-point assessments at the NCTJ 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 and impact on our compliance with the requirements of the regulator's conditions of recognition
- an informed and reasonable observer would conclude that either of these situations was the case

Introduction

Key stakeholders, and the individuals who work for them, are involved in a range of activities and have a range of functions with the NCTJ. The NCTJ recognises the need to prevent or minimise potential conflicts, identify and manage conflicts of interest to maintain the integrity of its qualifications, end-point assessments and awarding organisation/end-point assessment organisation (EPAO) functions.

Conflicts may occur where:

- NCTJ interests in any activity undertaken by it, on its behalf, or by a member of it, have the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications or end-point assessments in accordance with the NCTJ's conditions of recognition
- A person who is connected to the development, delivery or award of qualifications or end-point assessments by the NCTJ 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 NCTJ's conditions of recognition
- An informed and reasonable observer would conclude that either of the above situations have arisen

It may from time to time be provided to the regulators upon request to satisfy them of our ability to comply with their requirements in relation to conflicts of interest and to prevent such conflict becoming 'Adverse Effects' (as defined by the regulators).

Relevance

This policy is relevant to all key stakeholders including employers, trainers, course providers, tutors, examiners, exam setters, external consultants, NCTJ staff and board members. If a conflict or potential conflict is identified by any one individual working for the NCTJ, they must always disclose it to the chief executive even if they are in doubt about whether it represents a conflict of interest.

Review arrangements

This policy will be reviewed annually as part of our self-evaluation arrangements and by the Quality Assurance and Standards Committee. However, a review will be commissioned earlier should an issue arise in relation to an actual or potential conflict of interest and/or in response to customer, learner or regulatory feedback.

Minimising and preventing conflicts

The NCTJ recognises the potential for conflict between its awarding organisation/EPAO functions and training provider role. To negate potential conflicts, the awarding organisational/EPAO structure is designed to ensure there is a 'firewall' between responsibilities for these two functions.

By adhering to the principles of openness and fairness, conflict can be avoided or managed without compromising the integrity of the NCTJ's qualifications/end-point assessments development plan, the individual or staff teams. This can be achieved by:

- Open and regular dialogue between the teams within the NCTJ
- Avoiding the use of trainers with a role in the development of NCTJ qualifications or end-point assessments
- The role of the NCTJ's Journalism Qualifications Board includes providing external guidance, advice and oversight of the syllabuses, assessments and awards of the NCTJ. It will consider and advise on the dependability of the assessments and assist in maintaining the credibility and relevance of NCTJ qualifications, end-point assessments and awards i.e. to be proactive in administering a policy of risk management. It also has a duty to ensure access and equality of opportunity in the provision of assessments while safeguarding the integrity of the qualifications and end-point assessments.
- The role of the NCTJ's Quality Assurance and Standards Committee includes reviewing and comparing monitoring activities to ensure the delivery of NCTJ qualifications and end-point assessments is fair, open and transparent and agrees the implementation of any changes, if required. It will also review the management of potential conflicts of interest in relation to the delivery of qualifications and end-point assessments. It also includes the review of the NCTJ's malpractice/maladministration policy and cases ensuring the fair, open and transparent delivery of its qualifications and end-point assessments.
- The role of the NCTJ's Accreditation Board includes reviewing the customer service monitoring activities ensuring the fair, open and transparent delivery of its qualifications and end-point assessments by approved centres.

Interests in assessment

The NCTJ is responsible for ensuring assessments are not undertaken by any person who has a personal interest in the result of the assessment (e.g. someone assessing the work of a family member; or someone whose pay is influenced by positive assessment results).

Guidance to centres on how to manage and prevent conflicts of interest from occurring in assessments undertaken at the centre will be provided and the NCTJ states that centres are not permitted to offer financial reward for any of its staff involved in the assessment of candidates in respect of the assessment outcomes of those candidates (other than normal pay associated with the role of assessors, etc.) that may lead to doubts about the integrity of their decisions. Such a practice, where it is found or suspected, may be treated as malpractice and dealt with through NCTJ's malpractice and maladministration policy.

Tutor involvement in developing assessments

The NCTJ is responsible for ensuring that, where centre tutors are involved in the development of examinations and assessment materials, it takes all reasonable steps to mitigate the risks to confidentiality to which this gives rise, and that appropriate safeguards are in place to ensure compliance to the regulator's conditions of recognition.

The NCTJ has robust controls in place to minimise the risk of malpractice by tutors involved in the development of assessment materials, to maintain public confidence in NCTJ qualifications and assessments. This includes an annual declaration which requires tutors to confirm that they will comply with their obligations to protect the confidentiality of assessment materials. If a breach in confidentiality is found or suspected, this will be treated as malpractice and dealt with through the NCTJ's malpractice and maladministration policy.

Identifying conflicts

The NCTJ acknowledges that it is not always possible to anticipate when a conflict of interest is likely to occur and this policy cannot cover every eventuality. But if an individual's interest conflicts with the NCTJ's strategy to develop, deliver and award valid qualifications and end-point assessments that are fit for purpose and meet the needs of the media industry, then there will be a conflict of interest.

As an organisation that keeps all aspects of its business under review, individual staff are expected to identify and inform the chief executive of any actual/potential conflicts of interest that could impact the NCTJ and which are not already identified in its potential conflicts table.

In addition, they are required to manage and monitor any identified conflicts of interest that relate to their area of operations. Should the status of any identified conflict, or the associated controls change, then the manager for the team should inform the chief executive and update its potential conflicts table.

Overall the NCTJ's compliance with regard to identifying and managing any conflicts of interest will be reviewed regularly by the management team and annually by the Quality Assurance and Standards Committee.

Responsibilities

It is the responsibility of all persons, when involved in the development, delivery or awarding of NCTJ qualifications and end-point assessments, to:

- conduct their activities in line with the NCTJ's aims and objectives to develop, deliver and award valid qualifications and end-point assessments that meet the needs of the industry and are fit for purpose
- ensure they understand their role and separate this from any other functions they may conduct
- monitor their activities to maintain the integrity of the NCTJ and its qualifications/end-point assessments
- recognise and report any potential or existing conflicts to the chief executive

In implementing our approach to identifying and managing actual/potential conflicts of interest, staff are required to abide by the following principles:

- all managers and staff must commit to identifying and managing all actual/potential conflicts of interest that may affect NCTJ and in doing so raise possible conflicts of interest with the chief executive if in doubt
- staff must be proactive in the identification and management of conflicts of interest that may affect our effectiveness, level of regulatory compliance and/or reputation
- staff must be open about the nature of any potential/actual conflicts of interest and not try to hide or present them in a better light – managing conflicts of interest is about preventing issues from occurring that may impact on our operational effectiveness and/or regulatory compliance
- strive to identify and deal with conflicts of interest sooner rather than later
- controls to managing any potential conflicts of interest must be proportionate to the risks associated with the identified conflict(s)

The possibility of a conflict or potential conflict of interest may be declared by any key stakeholder.

Managing conflicts

The NCTJ will take all reasonable steps to ensure that no conflict of interest which relates to it has an adverse effect. Where such a conflict has had an adverse effect, the NCTJ will take all reasonable steps to mitigate the adverse effect as far as possible and correct it.

If the breach is classified as a potential or actual adverse effect then the head of awarding must promptly inform Ofqual (and/or other regulators, as required) in accordance with our procedure for dealing with adverse effects. In doing so they will inform the regulator(s) of the reasonable steps that we have taken or intend to take to prevent, correct or mitigate the adverse effect, including a detail of any reviews we are/will carry out.

It is envisaged that simple measures will be enough to manage conflicts of interest in most cases. An activity may be able to be managed differently so that conflicts of interest are avoided. Only in extreme circumstances where the conflict of interest may be totally unmanageable, will an individual be prevented from undertaking specific activities.

Conflicts of interest procedures

1 Declare interest

An individual or stakeholder will declare an identified potential or actual conflict to the chief executive.

2 Resolution of conflict

The NCTJ chief executive (unless they are under investigation, in which case the investigation would be led by the chairman or if required an alternative member of staff or external party will be appointed to carry out the review), will discuss the conflict or potential conflict with the relevant staff to reach a decision on how the conflict/potential conflict should be managed.

The circumstance of the disclosure will dictate who else is involved in the discussion. The individual raising the possible conflict of interest will also take part in the discussion, if appropriate. The chief executive will make the decision on who is involved at this stage.

3 The decision

Once a solution has been agreed the following steps will be taken:

- reorganise activities and/or key functions so that the conflict or potential conflict is mitigated
- gain an undertaking from the individual or stakeholder to conduct their responsibilities so that the integrity of the NCTJ and its qualifications is maintained
- continue to monitor the situation and related activities to ensure the conflict or potential conflict no longer has or may have an adverse effect

If the above steps are not possible, another solution must be agreed by the discussion group and, in this case, an independent person may join the group at the request of the chief executive. In extreme circumstances, activities may need to be restricted. The chief executive's decision as to how the conflict or potential conflict is managed is final.

4 Recording and reporting the conflict and resolution

All identified potential or actual conflicts of interest, including how the conflict will be mitigated, whether the conflict was broken and the details of any corresponding investigation(s), will be recorded on the NCTJ's conflict of interest log in Creatio. This is the responsibility of the NCTJ head of awarding, overseen by the chief executive. Actual or potential conflicts recorded on the Creatio log will remain 'open' for the lifetime of the conflict. The log is monitored and reviewed by the NCTJ management team at quarterly management meetings and annually by the Quality Assurance and Standards Committee. Any updates are the responsibility of the head of awarding.

The NCTJ also maintains a table of potential conflict of interest scenarios which is completed each time a scenario is identified and recognised. The table is monitored and reviewed by the NCTJ management team at quarterly management meetings and annually by the Quality Assurance and Standards Committee. Any updates are the responsibility of the head of awarding.