

# **CMI Awarding Body**

Conflict of Interest Policy and Procedure  
(Qualifications) - V10

# CMI Awarding Body

CMI Conflict of Interest Policy and Procedure (Qualifications)

AB/POL/0001 - January 2026 - V10

## History

<b>Date</b>	<b>Amendments Made</b>
January 2026 - V10	<ul style="list-style-type: none"><li>• Incorporating CMI Partner Connect processes.</li><li>• Input policy into the new policy template.</li><li>• Change in SQA Accreditation to Qualifications Scotland Accreditation.</li></ul>
October 2024 - V9	<ul style="list-style-type: none"><li>• Complete revision of the document.</li></ul>
September 2021 - V8	<ul style="list-style-type: none"><li>• SQA principles update</li></ul>
January 2021 - V7	<ul style="list-style-type: none"><li>• Amended to make more distinct the responsibilities of both the CMI awarding body and of the CMI Centre and to include the updated GCoR Nov 2020</li></ul>
December 2020 - V6	<ul style="list-style-type: none"><li>• Revision of policy to address changes to the General Conditions of Recognition</li></ul>
September 2019 - V5	<ul style="list-style-type: none"><li>• Revision of policy to address Ofqual Consultation on changes to the General Conditions of Recognition</li><li>• Inclusion of a recording template (Conflict of Interest Policy and Procedure Template)</li><li>• Review and amendment of potential conflict scenarios</li></ul>

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## Intended Audience

- CMI Quality Managers
- CMI Markers and Moderators
- CMI Partner Relationship Managers
- CMI Partner Engagement Managers
- CMI Awarding Body Support Team
- CMI Centres
- CMI Regulatory Compliance Committee (RCC)
- CMI Board of Trustees

All of CMI's policies are published on the [CMI Policies Webpage](#)

## Purpose

The integrity of CMI qualifications and assessments depends on the trust, professionalism and diligence of CMI Centres and Learners.

This policy sets out the principles and procedures for identifying, monitoring and managing actual, potential or perceived personal interest and conflicts of interest related to the design, development, delivery or assessment and awarding of CMI qualifications.

At CMI Centres, this includes all aspects of qualification delivery, internal quality assurance and external moderation.

The document may also be used as a template by Centres wishing to develop their own policy in line with CMI requirements. By submitting a customised version of this policy, Centres acknowledge their responsibility to identify, minimise and where possible eliminate any conflicts of interest.

## Scope

This policy applies to all CMI Awarding Body staff (including contractors), the CMI Regulatory Compliance Committee (RCC), the CMI Board of Trustees, and all CMI Approved and Registered Centre staff and Learners.

# Regulatory Requirements

This policy meets the regulatory requirements set out by our regulators: Ofqual, CCEA Regulation, Qualifications Wales, and Qualifications Scotland Accreditation.

[Ofqual - General Conditions of Recognition](#)

[Qualifications Wales - Standard Conditions of Recognition](#)

[CCEA Regulation- General Conditions of Recognition](#)

[Qualifications Scotland Accreditation - Regulatory Principles \(2021\)](#)

Regulator or Relevant Regulatory Body	Reference Details	Legislation/Regulatory Reference
Ofqual	General Conditions of Recognition	Condition No: A4. Conflicts of Interest Condition No: A8. Malpractice and maladministration Condition No: C1. Arrangements with third parties Condition No: C2. Arrangements with Centres Condition No: G4. Maintaining confidentiality of assessment materials Condition No: I1. Appeals process
Qualification Wales	Standard Conditions of Recognition	Condition No: A4. Conflicts of Interest
CCEA Regulation	General Conditions of Recognition	Condition No: A4. Conflicts of Interest
Qualifications Scotland Accreditation	Regulatory Principles 2021	Principle 1. The awarding body must have an accountable officer and demonstrate that it has clearly defined and effective government arrangements.  Principle 13. The awarding body and its providers must ensure that they have systems and

		processes which ensure the effective quality assurance of accredited qualifications.
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## Definition of Conflict of Interest

Ofqual, CCEA Regulation, and Qualifications Wales define a conflict of interest as follows:

### Condition J1.8 - Definitions

A conflict of interest 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 in the development, delivery and award of qualifications in a way that complies 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 a way that complies 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.

This applies to CMI Centres delivering and/or assessing and internal quality assuring CMI qualifications. CMI Centres are required to identify and manage any conflicts of and/or personal interests with Centre staff and must also comply with the requirements of this policy.

This policy supports CMI in ensuring that working relationships with colleagues, stakeholders, and partners do not conflict with CMI's requirement to engage in business relationships in a legal, transparent, ethical and responsible manner.

## Potential Conflicts

The regulators require the Awarding Organisation to identify and monitor all conflicts of interest and/or personal interests which relate to it and to identify “*any scenario in which it is reasonably foreseeable that any such conflict of interest will arise in the future*”. This section of the policy sets out the types of conflict and some potential scenarios.

Types of conflict of interest might be -

- Actual conflicts which relate to CMI as an organisation – that is, situations where activities carried out by the awarding organisation itself (or on its behalf, or by a related company) might impair its ability to make objective, unbiased decisions about how best to develop, deliver or award its qualifications.
- Actual conflicts which relate to individuals (a '**personal interest**') connected to any part of the development, delivery or award of CMI qualifications. *“That is, situations where a particular individual's interests might impair their ability to make the objective, unbiased decisions that are necessary to ensure the awarding organisation can develop, deliver and award its qualifications in line with the Conditions”*. This will include:
  - Internal conflicts ( includes all CMI staff and contractors acting in any capacity for CMI).
  - External conflicts (include staff of CMI Approved and Registered Centres, whether full-time, part-time, contracted staff or in any other capacity involved in CMI qualifications).
- Perceived conflicts (which may relate to either CMI or individuals) are when an observer perceives that an awarding organisation or individual has such a competing interest.

### Personal Interest

**Note:** A 'personal interest' is a conflict of interest that relates to a particular individual rather than the awarding organisation itself. This typically includes:

- Close family members (for example, spouse, partner, children, parents, siblings).
- Business associates (including individuals with whom the person has a significant financial or professional relationship).
- Entities or organisations (an individual has a controlling interest or influence, such as a director, shareholder or holds a Trustee role).

## Examples of foreseeable Conflicts of Interest.

### Learner Assessment

- A member of CMI Centre staff undertaking a CMI qualification at that Centre, and their work is being assessed and internally quality assured by another member of the Centre staff. This includes staff who are employed in other areas/departments within the CMI Centre. For example, members of staff from other departments are undertaking a CMI qualification as part of their CPD.

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- A member of CMI Centre staff has a close personal relationship (or one that could be reasonably perceived as such) with a Learner who is undertaking a CMI qualification with the CMI Centre at which they work.
  - A member of CMI staff has a close personal relationship (or one that could reasonably be perceived as such) with a Learner who is undertaking a CMI qualification with a CMI Centre at which they have been asked to undertake CMI activity.
  - A member of CMI Centre staff assessing and/or internally quality assuring the work of a friend, acquaintance or family member undertaking a CMI qualification with the CMI Centre.
  - A member of CMI staff marking or moderating the work of a friend, acquaintance or family member undertaking a CMI qualification with a CMI Centre.
  - A member of CMI staff acting in an assessment or quality assurance role for a CMI Centre (for example, IQA), as well as acting in an assessment, quality assurance, or moderation role for CMI for that Centre.
  - A member of CMI staff with access to Learner records has a close personal relationship (or one that could reasonably be perceived as such) with a Learner who is undertaking a CMI qualification at a CMI Centre and can access Centre and Learner records and data, for example, assessment records.
  - A member of CMI staff undertaking CMI qualifications, which will be marked and/or moderated by another member of CMI staff.
  - A member of the CMI Executive Leadership Team, Senior Leadership Team or Operational Management person with a personal interest in a Learner or CMI Centre.

Conditions [A4.6](#) and [A4.7](#) require awarding organisations to take all reasonable steps to avoid Learners being assessed by anyone with a personal interest in the outcome of the assessment, and – where it is unavoidable – to ensure any part of the assessment they do conduct is scrutinised by someone else who does not have such an interest.

#### **Internal quality assurance**

- There is only one Internal Quality Assurer at a CMI Approved Centre who also has a role as a tutor/deliverer.
- The relationship between the internal quality assurance staff and the assessors in a CMI-approved Centre lacks independence and objectivity.

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## External quality assurance

- The CMI staff involved in external quality assurance for a CMI Centre (for example, moderation, marking, quality management/audits) have previously been employed by the CMI Centre.

## CMI investigations, for example, malpractice or maladministration

- A member of CMI staff has a potential conflict and/or personal interest in a CMI Centre where they have been asked to carry out an investigation, for example, for malpractice, maladministration, suspected or alleged breaches of confidentiality and decisions on appeals.

## Employment terms and conditions or financial aspects

- A member of CMI Centre staff having sole responsibility for the appointment, supervision, promotion or performance review of a person with whom they have close ties (for example, a friend, or family member) and where assessment or internal quality assurance results have an impact on the process.
- A member of CMI Centre staff whose pay is influenced by positive assessment results.
- A member of CMI Centre staff who has a financial interest in the CMI Centre, and where assessment results can impact the financial interest. For example, the Managing Director/owner/CEO or similar of the CMI Centre is also involved in the assessment or quality assurance of CMI qualifications, or employs the internal quality assurer(s).
- A member of CMI staff who has a personal financial interest in a Centre, for example, owns shares in the company which is a CMI Centre.
- A member of CMI staff has a close personal or familial relationship with a member of CMI Centre staff.

## Personal interest involving competitor organisations

- A member of CMI Centre staff working with/for another employer (including another Awarding Organisation) that is in direct competition with the CMI Centre.
- A member of CMI staff working with/for another employer (including another Awarding Organisation) that is in direct competition with a CMI Centre at which they have been asked to carry out work.

- A member of CMI staff works for a CMI Centre, and the activities carried out for CMI create potential conflicts with other CMI Centres.
- A member of CMI Centre staff who is both employed by the CMI Centre and an employer whose Learners they teach or assess.

#### **Personal interest involving Learner work or data**

- A member of CMI staff or CMI Centre staff using Learner work for commercial gain or advantage (which may include personal advantage, the advantage of the CMI Centre at which the Learner is registered or the advantage of a competitor organisation).
- A member of CMI staff or CMI Centre staff using non-public data for personal gain.

## **Identification of the Conflict**

All stakeholders are required to declare any actual, potential or perceived conflicts of interest or personal interests as soon as they are identified. This may happen during recruitment, upon contract renewal, or at any point thereafter when a conflict arises or becomes apparent. Regular team or formal meetings may also provide appropriate opportunities to declare potential conflicts.

Where there is any uncertainty about whether a situation constitutes a potential conflict of interest, it is recommended that the matter be declared and assessed.

### **CMI**

Conflicts of interest for CMI staff, contractors and CMI committee members can be identified through

- Minutes of meetings.
- Individual annual declarations.
- Individual declarations upon contract renewal.

### **CMI Centres**

CMI Centres must also require their staff and contractors to declare any potential or actual conflicts and/or personal interests. CMI Centres will also need to maintain their own record of conflicts and how they have been/are managed/mitigated at the Centre level. See the Recording Conflicts section.

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Decisions will be taken by the 'relevant person'. For CMI, this will be a member of staff with the authority to make such a decision. For a CMI Centre, the 'relevant person' will be the Programme Director or their appointed nominee(s). The 'relevant person' will then -

Assess the nature of the conflict.

- Assess the risk or threat to the organisation's functions.
- Decide whether the conflict warrants further action/mitigation to be taken.
- Decide what steps to take to avoid or manage the conflict or adverse effect.

There may need to be a discussion between the person notifying the potential conflict and the 'relevant person'. The purpose of the discussion is to establish if an actual conflict exists (and whether there is potential for an 'adverse effect') and, if so, to decide on how the conflict will be managed.

At CMI Centres, where the conflict potentially involves the 'relevant person,' for example, the Centre Programme Director, further advice should be sought from their allocated CMI Quality Manager.

It is good practice for CMI Centres to ensure staff complete an annual conflict of interest declaration.

## Managing the Conflict

Where a conflict of interest or personal interest has been identified, the next step is to analyse whether this could have an 'Adverse Effect'. An 'Adverse Effect' is defined by Ofqual, CCEA Regulation and Qualifications Wales as:

*"An act, omission, event, incident, or circumstance has an Adverse Effect if it –*

*(a) gives rise to prejudice to Learners or potential Learners, or*

*(b) adversely affects –*

*(i) the ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition,*

*(ii) the standards of qualifications which the awarding organisation makes available or proposes to make available, or*

*(iii) public confidence in qualifications."*

Where an 'Adverse Effect' could reasonably be expected to occur, all reasonable steps must be taken to mitigate the Effect as far as possible and to correct it.

This may be achieved by:

- Reorganising activities and/or key functions, where reasonable, so that the Adverse Effect is mitigated.

OR

- Gaining an undertaking from the individual(s) concerned to conduct their responsibilities so that the integrity of CMI qualifications is maintained, as well as their own professional integrity.

If neither of the above steps is possible, another solution must be found. The solution should be in proportion to the nature of the conflict. In extreme circumstances, assessment and internal quality assurance activities may need to be monitored or even restricted.

### **Interests in assessment**

CMI must take all reasonable steps to avoid any part of the assessment of a Learner (including by way of Centre Assessment Standards Scrutiny) being undertaken by any person who has a personal interest in the result of the assessment.

The first step will be to try to eliminate the 'Adverse Effect', for example, by assigning another member of staff to undertake the activity. Doing so reduces the risk of assessments being compromised and ultimately assessments being voided. Where elimination is not possible due to financial and/or resource implications, measures should be put in place which can demonstrate that the conflict is being managed effectively so as not to compromise the outcome of the assessment. The key principles here are transparency and mitigation.

All reasonable steps must be taken to avoid any part of the assessment of a Learner (including marking, quality assurance or moderation) being undertaken by any person who has a personal interest in the result of the assessment. Where, having taken all such reasonable steps, an assessment by such a person cannot be avoided, arrangements must be made for the relevant part of the assessment to be subject to additional scrutiny by another person. This may be, for example, a second marker/assessor, or 100% internal quality assurance sampling or assessed/quality assured by someone outside of the direct responsibility/team/chain of command of the individual.

### **Centre Staff undertaking a CMI Qualification**

In cases where a member of staff of a CMI Centre is undertaking a CMI qualification, they effectively become a CMI Learner; see Conditions [4.6](#) and [4.7](#) (above). 'CMI Centre staff' should be interpreted as all those who work for the organisation, which is the CMI Centre (not just the part of the organisation which delivers the CMI qualifications). This includes staff of any approved satellite/multisite Centres or other departments within the Centre. The CMI Centre must ensure that there is a level of independence demonstrated and should consider these questions -

- Does the assessor/marker and internal quality assurer work in a separate and unconnected

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- team/department/faculty to the member of staff wanting to undertake the CMI qualification?
  - Is the assessor/marker independent of the member of staff wanting to undertake the CMI qualification?
  - Is the internal quality assurer independent of the member of staff wanting to undertake the CMI qualification?

For CMI Approved Centres, there are certain mitigations which could be considered:

- Could the work be 100% second-marked/assessed and/or quality-assured by an independent person within the CMI Centre and then submitted to CMI for moderation? Centres **must** ensure that when claiming for Learners, where a conflict of interest exists, they select the conflict of interest box on the CMI moderation system. Failure to select this box will be classed as maladministration.
- Could the work be marked/assessed by a person independent of the member of staff undertaking the CMI qualification, for example, an independent contractor employed (subject to having received prior approval from CMI and added to the CMI Centre staff records)?
- Could the work be marked by the CMI marking service? (Fees will apply)
- Could the member of staff wanting to undertake the CMI qualification be registered at another CMI Centre?

### Where CMI will direct the Centre to use CMI's Marking Service

The Centre may be directed to use the CMI Marking Service where there is an actual Conflict of Interest or Personal Interest in the assessment or internal quality assurance decision which **cannot reasonably be mitigated**. For example, the member of the CMI Centre staff undertaking the CMI qualification is the IQA or assessor for another CMI qualification(s) delivered at the Centre. Another example is where a member of staff at the Centre who is undertaking a CMI qualification is the line manager of the CMI Centre assessor and/or IQA staff, responsible for making the final assessment or internal quality assurance judgement.

### Declaring conflicts of interest

The CMI Centre must identify the most effective method of mitigation and disclose any conflicts of interest by completing the Conflicts of Interest Reporting Form, which is available on CMI Partner Connect. In all cases, the conflict of interest must be declared using this form **before** the member of staff is registered on and commences the CMI qualification.

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## **Additional Qualification Risk Controls - Conflicts of Interest/Personal Interest - (Centre Assessment Standards Scrutiny (CASS))**

There may be occurrences where Centre Staff are involved in the assessment and internal quality assurance of CMI qualifications, but are also owners/part-owners/directors or have a financial interest within the Centre. This may be perceived as the individual having a personal interest in the result of the assessment. This is where a particular individual's interests might impair their ability to make the objective, unbiased decisions that are necessary to ensure that CMI can deliver and award its qualifications in line with the conditions set out by the regulators.

As an awarding organisation, CMI must take all reasonable steps to avoid any part of the assessment being undertaken by any person who may have a personal interest in the result of the assessment. It is, however, understood that this may be unavoidable at smaller CMI Centres. Where, having taken all such reasonable steps, an assessment by such a person cannot be avoided, CMI must make arrangements for the assessment to be subject to a higher level of scrutiny. This will be via an increased sampling of the Centre's assessment and quality assurance judgements during moderation.

Where Owners/Part Owners/Directors are involved in the assessment and/or internal quality assurance and the organisation has less than 5 employees involved in the process, then CMI will apply a minimum of a 'Medium Risk' moderation sampling approach on all qualifications in line with our moderation strategy indicated in the [CMI Quality Assurance Handbook](#).

### **Owners/Part-owners/Directors of CMI Centres**

From April 2023, Owners/Part-owners/Directors of CMI Centres were not allowed to be contracted to work as part of the CMI's internal marking, moderation or mapping teams if 'peer bias' could not be mitigated. Peer bias relates to bias associated with working alongside other contractors who may be making assessment, moderation or appeal decisions for the Centre they own.

## **Recording and Reporting Conflicts**

### **CMI - Awarding Organisation**

CMI, as an awarding organisation, must establish and maintain an up-to-date record of all conflicts/personal interests which relate to it.

CMI staff and contractors are required to declare conflicts quarterly to ensure the Conflict of Interest register is accurate and up to date. However, staff are also required to declare any other potential conflict of interest as it is identified.

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They should complete the form even if there are no conflicts of interest to declare. The register includes any actions needed to mitigate the potential for any risk.

The Head of the Awarding Organisation, Head of Quality, the Senior Quality Manager and the Awarding Body Support and Development Manager ensure conflicts are recorded and reviewed.

At team or other meetings where Learner assessment or IQA discussions are discussed, declarations of conflict of interest by staff/committee members attending will be recorded in the minutes for that meeting. Members may be required to leave the meeting when the area of conflict is being discussed.

### **CMI Centres**

Good practice is that a record is kept for all CMI qualification delivery, assessment and quality assurance staff, or anybody within the Centre that has access to CMI learner assessment and IQA records, even if no conflicts or personal interests exist.

Centre Conflict of Interest records should contain at a minimum:

- Full name of the staff member
- The role of the staff member
- The CMI Qualification(s) / Apprenticeship(s) the staff member is involved with
- The Learner(s) / Apprentice(s) where the conflict of interest exists
- The nature of the Conflict of Interest
- How the Centre is currently managing the Conflict of Interest in line with the Centre's policy

### **Reporting potential or actual conflict and or personal interests to CMI**

Where a potential or actual conflict and or personal interest is identified, the CMI Centre must identify the most effective mitigation method and declare any conflicts of interest to the CMI using the Conflicts of Interest Reporting Form, available on CMI Partner Connect.

**NOTE:** The information provided will be processed in accordance with data protection principles as set out in the relevant data protection legislation. Data will be processed only for the purpose set out in this policy and not for any other purpose.

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## Monitoring and Reviewing of Conflicts

CMI and CMI Centres are responsible for maintaining, monitoring and reviewing a register of conflicts of interest and must -

- Record in the register all conflicts of interest and personal interest.
- Make the register of conflicts available to any CMI or any regulatory body at any time for audit purposes.
- Maintain and review any actions taken to manage/mitigate a conflict of interest.

At each Centre quality assurance activity, the Quality Manager will review the Centre's procedure around conflicts of interest. This may include a review of the conflicts of interest log/register, and will note any recommendations or improvements on the Centre Quality Assurance Activity Report.

## Investigations - Conflicts of Interest

Where investigations are conducted by CMI for malpractice, maladministration, breach of confidentiality, appeals or complaints, all reasonable steps will be taken to avoid those under investigation being investigated by anyone with a personal interest in the outcome of the investigation, and – where it is unavoidable – ensure any part of the investigation they do conduct is scrutinised by someone else who does not have such an interest.

Progress of all cases of suspected malpractice or maladministration will be monitored by the Quality Managers, Senior Quality Manager, and Head of Quality and the Head of the Awarding Organisation, Director of Awarding Body and Compliance at the monthly meetings. Progress reports will be provided to the Regulation Compliance Committee (RCC) for review.

## Monitoring and Review

This policy will be reviewed in line with CMI's Document Control Policy.