

Malpractice and Maladministration Policy (April 2013)

Introduction

This policy is aimed at all administration staff, current registered approved ITEC tutors and learners who are involved in teaching, or studying ITEC approved qualifications either now or in the future at the School of Natural Therapies Ltd and within the UK.

The policy covers those who are:-

- Involved in;
- Suspected of;
- Actually involved in malpractice/maladministration;

Because this policy applies to all of the above, all malpractice/maladministration matters are dealt with in a consistent manner.

This document sets out the steps we follow when we receive notification, or a report of malpractice/maladministration and our responsibilities in dealing with such cases; it also sets out the steps we follow when reviewing these cases.

Our responsibilities

It is important that we make our staff and tutors aware of the management, assessment and quality assurance of the qualifications we offer and that our learners are also fully aware of the policy, in attempting to minimise the risk of and investigating actual instances of malpractice/maladministration and details of this policy are made available to all learners, via our students charter and on our school website, under the heading of **Policies and Procedures**.

Administration staff and tutors are also issued with a copy of this document.

We recognise that as a school involved in the delivery of ITEC approved course, that sanctions may be placed on us by ITEC as an awarding body, if the outcome of any investigation identifies consistent malpractice/maladministration, or where we have failed to take steps to ensure that any previous incidents and recommendations have not been complied with.

Our compliance with this policy and how we take reasonable steps to avoid or investigate instances and reports of maladministration/malpractice will be reviewed on an annual basis.

Definition of malpractice

Malpractice is essentially an activity or practice, which deliberately contravenes regulations and compromises the integrity of either internal or external assessment process and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- The assessment process
- The integrity of a regulated qualification
- The validity of a result or a certificate
- The reputation and credibility of both the School of Natural Therapies Ltd and ITEC as an awarding body
- The qualification or the wider qualifications community.

Examples of the above could include:

- Deliberate falsification of records in order to claim certificates
- Failure to maintain appropriate record systems
- Discrimination or bias towards certain groups of learners
- Misconduct of administration staff or tutors towards learners.

Malpractice can occur at:

- Centre level;
- Centre staff level or
- Candidate (Learner) level.

NB: This is not an exhaustive list.

Definition of Maladministration

This is defined as any activity or practice which results in:-

- Non-compliance with administrative regulations;
- Poor administration at our centre itself, eg- poor learner records
- Persistent mistakes;

NB: This is not an exhaustive list.

Examples of Malpractice and Maladministration may include:-

- Failure to carry out internal assessment, modification or verification in accordance with ITEC requirements;
- Allowing students to use inappropriate materials or equipment during an examination process, such as use of mobile phones, textbooks, etc.
- Collusion or allowing collusion to take place between staff and students, or between students
- Plagiarism or allowing plagiarism to take place between staff and students, or between students
- Fraudulent claims for certificates
- A breach of confidentiality between staff and students
- Persistent maladministration within the centre
- Intentionally withholding information from ITEC which is critical in maintaining the rigour of quality assurance and standards of qualification
- Loss, theft or breach of confidentiality of assessment materials.

- Misuse of logos and trademarks or misrepresentation of relationship between the School of Natural Therapies Ltd and ITEC.
- Inappropriate assistance to learners, such as helping them to pass a unit or qualification
- Unauthorised circulation of exam assessment papers or procedures, other than those which appear on the ITEC website for learners to access, eg: assessment criteria.

Centre's responsibilities

- Notify ITEC immediately if the centre/centre personnel or its Learner(s) identifies alleged or actual maladministration or malpractice.
- Inform a member of staff or candidate if they are suspected of malpractice that a fact finding exercise and/or investigation will be launched and that they have a right to reply and appeal against any sanction imposed on them.
- Comply with any ITEC requests for information in relation to the fact finding exercise within timescales agreed by ITEC and the School of Natural Therapies Ltd, to enable us to carry out and complete the fact find or investigation.
- Co-operate with ITEC during the investigation.
- Carry out a fact finding exercise or investigation using people who are independent of those involved in the maladministration or suspected or actual malpractice.
- Provide ITEC with a report of any fact finding or relevant part of the investigation. Inform centre staff and candidates affected of the implications of the actions and sanctions
- Inform centre staff and candidates affected of the implications of the actions and sanctions
- Take appropriate action to prevent the incident of maladministration or suspected or actual malpractice recurring.
- Respect the confidentiality of the information revealed during any investigative exercise.
- Retain records and documentation relating to the fact find or investigation for a period of time.

Who can identify an incident that may be a case of alleged or actual maladministration or malpractice?

- Anyone can come across an issue that they think could constitute alleged or actual maladministration or malpractice. This can include but is not restricted to:
 - ✓ ITEC staff who identify it through our own working relationship with a centre
 - ✓ Centre staff and tutors
 - ✓ Candidates
 - ✓ External agencies, eg Skills Funding Agency, OFSTED, qualifications regulator (Ofqual)
 - ✓ Whistleblowers (eg a person who works at a centre who wishes to disclose malpractice in the centre)
 - ✓ Anonymous informants

- In cases where we a third party reports an alleged or actual maladministration or malpractice, the school will establish whether or not they agree to us using their name.
- As part of our fact find or investigation, if they do not wish us to reveal their identity, eg a whistleblower, we will respect this.
- We will only disclose their name if we are legally required to do so. Nevertheless, we will still carry out the investigation; however, we will make the person who informed us aware that the extent of our investigation may be limited.

Process for making an allegation of malpractice or maladministration

Anybody who identifies or is made aware of any instances of malpractice/maladministration may do so by email, or in writing, promptly to:-

Marc Innes – School Principal

The best form of contact will be by email: - admin@schoolofnaturaltherapies.co.uk

Alternative forms of contact may be made in writing, to the school's administration address, which will be provided on initial contact by email, or by telephone to the administration office: - **0203 544 6544**.

In doing so, all reports and notification should include supporting material or evidence, in order to assist with the investigative process.

All allegations must include the following where appropriate, possible and relevant:-

- ✓ Learner/ITEC candidate number
- ✓ Staff/tutor name
- ✓ Details of the course/qualification affected, or nature of the service affected.
- ✓ Nature of suspected case, including dates(s)
- ✓ Details of any preliminary investigative process, including mitigating circumstances if relevant and conclusions drawn initially.
- ✓ A statement of facts and circumstances
- ✓ Written statements from all or any other staff concerned.
- ✓ Written statements from any learners concerned
- ✓ Extenuating circumstances, such as medical reports
- ✓ Copies of registers
- ✓ Copies of schemes of work or lesson plans.
- ✓ Details or copies of any unauthorised learning materials during assessment/examination processes.
- ✓ Mode of discovery
- ✓ Learners work if relevant
- ✓ Recommendations for action/resolution.

In an initial investigation by the school, prior to notifying ITEC, we will ensure that:-

- Staff investigating the nature of the allegation are competent to undertake the process
- Have no personal interest in the outcome of the investigation.
- We notify ITEC (operations manager) of details of:

- The initial investigative process, or
- The stage we are currently at, or
- The final outcome of the investigation, or
- Any recommendations made to ensure that such instances do not recur, or where steps have been taken to minimise risk.

Investigation, timelines and summary processes

The School of Natural Therapies Principal, who will investigate the process will endeavour to:

- Acknowledge receipt of any notification of maladministration or malpractice, within 2 working days of receipt, whether it is received by post or by email.
- Review the report and carry out the fact finding/investigative processes within 10 working days of receipt of the notification.
- It should be noted that in some cases the investigation may take longer; for example, if a centre visit is required by ITEC for example. In such instances, we'll advise all parties concerned of the likely revised timescale.
- Notify the complainant of the outcome of our fact find within 2 working days of making our conclusions and any steps taken to ensure the incident does not recur, if and where appropriate and relevant
- Notify ITEC (operations manager) of the outcome of the whole investigation and steps taken to ensure future compliance with nay policies/procedures and steps taken to minimise risk to prevent future recurrences of the relevant matter.
- Where reports of malpractice or maladministration are reported to the school and are relevant to the actions of the principal, or their administration team, details and ALL relevant paperwork and documentation will be forwarded on to the operations manager at ITEC for external investigation.

Principles of investigation into malpractice/maladministration

The school recognises that the principal of all investigations is to ensure that:-

- All investigations should be conducted in a reasonable, fair and legal manner
- All evidence should be considered if relevant and without bias.
- All facts should be established to determine any irregularities and build a picture of what has occurred.
- The scale of the irregularities is established.
- Any whistleblowers and anyone who notifies the school of any relevant information has the right to privacy and anonymity in accordance with relevant legislation.
- Any identification of inadequate systems, patterns or trends leading up to the identified incident are reviewed and any remedial action or change in systems required is implemented as soon as is reasonably possible.
- Any changes to systems or processes should seek to ensure that future recurrence of identified malpractice/maladministration is minimised or eradicated, where reasonable steps can be taken.
- Risk to students, or the integrity of the qualification is paramount to all investigative processes and associated actions taken to effect change.

- All paperwork, relevant to all or any cases of malpractice/maladministration will be kept for a minimum period of 5 years in accordance with legal requirements.

For any queries about the contents of this policy, please contact Marc Innes on 0203 544 6544