



NTIA

Malpractice and Whistleblowing
Policy

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Malpractice and Whistleblowing Policy

Purpose and Scope

This procedure sets out the steps NTIA will take to investigate and address issues surrounding Malpractice and Maladministration.

1.0 Introduction

1.1 This policy is for all NTIA staff to use as a basis for NTIA internal malpractice policy.

Aimed at our customers, including learners, who are delivering or are registered on NTIA programmes or courses, approved qualifications or units who are involved in suspected or actual malpractice/maladministration. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

1.2 It sets out the steps that centres learners or others must follow when reporting suspected or actual cases of malpractice or maladministration and our responsibilities in dealing with such cases. It also sets out the procedural steps we will follow when reviewing the cases.

1.3 Maintaining the integrity of our centre is important to us and incidents of malpractice and maladministration can adversely affect learners and damage our credibility, public confidence in the delivery and service our centre provides. For this reason, we take malpractice and maladministration incidents very seriously and we will investigate all allegations we receive as fully as possible.

- Disciplinary and penalties being imposed on those found to be responsible: see 6.5
- Exclusion from delivery of NTIA qualifications (for staff) and disentitlement (for learners) *for the duration of the investigation.*

1.4 NTIA will comply with the regulatory criteria set by the UK qualification regulators (Ofqual) that requires us to investigate and manage the effects of malpractice and maladministration. Our investigation team will investigate instances of:

- Non-compliance with JCQ regulations
- Non-compliance with qualification specification and delivery requirements
- Other allegations or suspected instances which may constitute maladministration and malpractice

1.5 NTIA investigation team (Sector specific assessor or IQA, Curriculum Manager and Lead Curriculum Manager) is independent and objective in their workings and has the independence to review matters throughout NTIA and within any staff, customers or learners associated with our centre.

2. Definitions of malpractice and maladministration

2.1 JCQ defines 'Malpractice', which includes maladministration, as any act, default or practice which:

- Compromises, or attempts to compromise the process of assessment, the integrity of a qualification, or the validity of a result or certificate
- Damage the authority, reputation or credibility of any awarding organisation or centre or any officer, employee or agent of any awarding organisation or centre.

2.2 For NTIA maladministration and malpractice is defined as:

- **Maladministration:** Any actions, neglect, default or other practice that compromises the accreditation or quality assurance process including the integrity of the assessment qualifications, the validity of any certificates, or the reputation and credibility of the assessment centre.
- **Malpractice:** Any deliberate actions, neglect, default or other practice that compromises the assessment or quality assurance process including the integrity of assessment qualification, the validity of the certificates, or the reputation and credibility of the assessment centre.

2.3 NTIA will require cases of malpractice/maladministration to be reported to the qualification regulators, accreditation centres within **24 and up to 48 hours** where we believe an adverse effect may have occurred. An Adverse Effect includes situations in which learners are disadvantaged; an assessment centre is unable to develop, deliver or award its certification appropriately; the delivery of an assessment centre is adversely affected; or public confidence in service delivery is undermined.

2.4 For this policy the term also covers misconduct and forms of unnecessary discrimination or bias towards learner(s).

2.5 NTIA has policies and procedures in place to minimise the possibility of malpractice or maladministration occurring within the assessment centre.

3.0 Centre's responsibilities

3.1 It is the Head of Centre's responsibility to ensure that measures have been taken to prevent and identify learner's malpractice in internally assessed units and the work submitted is the learner's own and has been accurately assessed.

3.2 NTIA will follow rigour process to ensure we can reduce learners malpractice in ways such as:

- Using the induction process and learner's handbook to tell learners about our policy on malpractice and the penalties for attempting and actual incidents of malpractice.
- Showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Learner's will not be discouraged from conducting research; evidence of relevant research often contributes to the achievement of higher grades. However, the submitted work must show evidence that the learner has interpreted and understood appropriate information and has acknowledged any sources used.
- NTIA will check that the access controls are installed to stop learners from accessing and using other people's work.

- NTIA will be vigilant by checking that learners do not take prohibited materials into external assessment tests.
 - NTIA will ensure processes are followed for assessing work in a way that it reduces or identifies malpractices such as plagiarism, collusion or cheating.
 - NTIA have procedures that include:
 - a. Supervised sessions during which evidence for assignments/takes/coursework is produced by the learner
 - b. Altering assessment assignments/tasks/tools on a regular basis
 - c. Alternating the assessor assessing work for a single assignment/task in a single session for the complete cohort of learners.
 - d. Using Digital Voice Recording (DVR) for oral questions with learners to check their understanding of the work.
 - e. Assessors getting to know their learner's styles and abilities
- 3.3 It is important that our staff involved in the management, assessment and quality assurance of our qualifications, and our learners, are fully aware of the contents of the policy and that our centre has arrangements in place to prevent and investigate instances of malpractice and maladministration.
- 3.4 A failure to report suspected or actual malpractice/maladministration cases or have in place effective arrangements to prevent such cases, could lead to sanctions being imposed on our centre.
- 4.0 Review arrangements
- 4.1 We will review the policy annually as part of our annual self-evaluation arrangements every 12 months and revise it as and when necessary in response to customer or learner feedback:
- Cases of suspected learner's malpractice relating to internal assessed units
 - Where learners are suspected of malpractice in relation to external assessment units
 - Any allegation or suspected malpractice by centre staff
 - Changes in our practices, actions from the qualifications regulators, changes in legislation, or trends identified from previous cases.
- 4.2 In addition, this policy may be updated considering operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective.
- 5.0 Confidentiality and whistleblowing
- 5.1 Whistleblowing is a term used to refer to an individual who discloses information relating to actual malpractice or maladministration and/or the covering up of such practices.
- 5.2 Malpractice or maladministration is often committed by the individual's employer, although this is not necessarily the case. Whistle-blowers have protection in law under the Public Interest Disclosure Act in certain circumstances.

- 5.3 Ofqual has published guidance on this which can be found at <http://www.ofqual.gov.uk/files/2011-10-31-ofqual-whistleblowing-policy.pdf>
In this guidance, Ofqual states that centre staff who wish to make a whistleblowing disclosure to someone outside their organisation should normally do so to the relevant awarding organisation. If the issue is about the awarding organisation itself, the disclosure should be directly to Ofqual.
- 6.0 Responsibility for the investigation
- 6.1 NTIA investigate all suspected or alleged cases of maladministration or malpractice will be examined promptly by NTIA to establish if there are reasonable grounds for the suspicion or allegation.
- 6.2 NTIA will carry out an independent investigation in full under any circumstances of alleged malpractice or maladministration relating to a customer, learners, assessors, tutors, invigilators, internal verifiers, or anyone assigned to the assessment centre.
- 6.3 NTIA Lead Curriculum Manager will carry out internal/external investigation across all suspected or allegations of malpractice or maladministration.
- 6.4 As part of the investigation the Lead Curriculum Manager will have the authority to:
- Involve the learner and others in the investigation process
 - Contact learner's representatives and learners directly
 - Contact staff members directly
- 6.5 Where a member of our staff is under investigation we may suspend or move them to other duties until the investigation is complete.
- 7.0 Investigation report
- 7.1 After an investigation, NTIA shall produce a draft report within 14 days for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and us. We shall make the final report available to the parties concerned and to the regulators and other external agencies as required within 21 days.
- 7.2 If it is an internal investigation against a member of our staff the report will be agreed by the managing director with the relevant internal managers and HR. If appropriate, internal disciplinary procedures will be implemented.