



NET Maladministration and Malpractice Policy

Document History

Version History

Issue Date	Author	Summary of changes	Date of next review
18/05/2019	W Lockyer	Review	18/05/2020



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1 Introduction

This policy applies to anyone involved in the development or assessment of NET products, who identifies or suspects potential malpractice/maladministration. The policy provides definitions and the process by which a suspected or alleged instance of malpractice or maladministration can be reported. It also describes individual responsibilities and the way NET will manage such cases to ensure that all malpractice and maladministration investigations are conducted in a consistent manner.

2 Definitions

Maladministration is any activity, neglect, default or other practice that results in the Centre staff or candidate not complying with the specified requirements of the assessments.

Examples of maladministration include, but are not limited to:

- Centre submitting incorrect results to NET for a candidate's assessment
- Failure to follow procedures when entering candidate data or correctly recording assessment decisions in line with NET procedures
- Inaccurate production of assessment records
- Negligent or uninformed destruction of Licenced Materials or assessment records
- Failure to keep NET assessment, mark schemes and documents secure
- Failure to keep candidate data secure
- Failure to declare a conflict of interest

Malpractice is any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process and/or the validity of certificates.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain individuals or groups of learners.

Examples of malpractice include but are not limited to:

- Criminal offences such as bribery or fraud
- Fraudulent claim for certificates
- Assisting candidates in the production of evidence, to such an extent that the evidence is not authentic (i.e. does not represent the candidates own achievement)
- Actions compromising the credibility of NET, its products and services
- Actions compromising the reputation of NET with respect to the regulators.
- Intentionally not abiding by the assessment process or Licence conditions

Where centres have made an error when claiming certificates, the incorrect certificates must be returned to NET with full details of how the error occurred, before replacement certificates can be reissued.

Payment for re-issue will be charged to the centre. All such errors will be logged as maladministration against the centre profile and the Centre's Lead TDM (IQA) will be informed.

3 Process for Reporting an Allegation of Suspected Malpractice or Maladministration

Malpractice/maladministration may be discovered or suspected by centres, NET staff (in particular Technical Development Managers) or by others involved in NET assessments, including candidates or members of the public. All suspected or alleged instances of malpractice/maladministration must be reported directly to NET through the Operations team either by phone 0207 250 8511; or via email: info@netservices.org.uk; or letter: National Electrotechnical Training, CAN Mezzanine, 49-51 East Road, London, N1 6AH and should include details of the findings or suspicions.

In order for NET to fully investigate, please provide as much information as possible.

Please note – NET may ask that you get in touch by email if your enquiry is complex or requires a more detailed response.

Depending upon the circumstances, NET may ask a centre to carry out their own internal investigation and submit a report to NET with details of their findings and a conclusion; including an action plan following their investigation. Guidance for carrying out an Internal Investigation can be found in the documents library of NET Management system. However, the centre must report suspected or alleged malpractice or maladministration in the first instance to NET, prior to deciding on this approach.

4 Centres' Responsibilities

As part of the Licence agreement centres must have their own policy/procedure in place for identifying and managing malpractice and maladministration. It is also the responsibility of centres to:

- Inform their staff and candidates involved in the management, assessment and quality assurance of NET assessments, of the contents of the centre's policy/procedure.
- Ensure there are arrangements in place to mitigate and investigate instances of maladministration and malpractice.
- Inform a member of the Centre staff, or candidate, if they are suspected of malpractice, that an investigation will be launched and that they may have the right to feedback and/or to appeal.
- Co-operate with NET at all times during an investigation.
- Respect the confidentiality of information that is handled surrounding and as part of an investigation.

A failure to report suspected or actual malpractice/maladministration cases or have in place ineffective arrangements to prevent such cases, may lead to Licence suspension and or withdrawal.

5 Re-occurring Instances of Maladministration

Repeated cases of maladministration within a 12-month period, relating to the same processes within a centre will be considered more seriously, as efforts to mitigate reoccurrence either have not been implemented or are deemed to be insufficient.

In the event that three cases of maladministration have been logged in respect of a centre which relate to the same cause or process failure, NET reserve the right to carry out a Centre visit in order to support you further and help ensure there are no future occurrences. If NET deems a maladministration support visit is necessary, the centre will be informed that this may incur a fee, and this will be communicated prior to the Centre visit.

Should a subsequent case of maladministration be identified following a centre visit, NET will consider this to be possible malpractice.

6 Investigation Stage

NET will acknowledge all allegations within 5 working days of receipt of the information and aim to action; resolve and conclude all stages of the investigation within 30 working days of receipt of the information. NET will then communicate the findings and outcome in writing within 10 of the conclusion of the investigation. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, NET will advise all parties concerned of the likely revised timescale.

All suspected cases of malpractice will be reviewed in accordance with NET procedures and regulatory requirements, ensuring the investigation is carried out in a prompt and effective manner and in accordance with this policy. All reasonable steps will be taken to prevent an adverse effect from occurring.

After an initial investigation, cases of malpractice which have a potential or proven Adverse Effect will be submitted to the Senior Management team for formal review and to enable formal notification to the regulator, where required. At all times we will ensure that NET personnel assigned to the investigation have the appropriate level of training and competence, and they have had no previous involvement or personal interest in the matter.

At any time during an investigation NET reserve the right to impose sanctions on a Centre in accordance with our Sanctions Policy; to withhold a candidates results, and/or suspend or void any assessment they are registered on; and/ or apply appropriate restrictions in order to protect the interests of candidates and the integrity of NET assessments.

In the event that NET staff are under investigation they may suspend until the investigation is complete.

Throughout the investigation NET Senior Management Team will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and that all relevant external parties are informed.

7 Investigation Outcomes and Reporting

Where malpractice has been proven, NET will consider whether the integrity of its assessments have been jeopardised and will take action to protect and ensure the integrity of assessments now and in the future. In accordance with the UK's EPAO regulatory requirements any action taken will be commensurate with the gravity of the malpractice.

An investigation report (if required) will be produced for the parties concerned to check the factual accuracy. Reports may be made available to the regulator(s) and other external agencies as required. In doing so NET may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty.

If there has been an internal investigation against a member of NET staff, the report will be agreed by NET Senior Management and the Board and appropriate internal procedures will be applied.

Following an investigation outcome, NET will consider one or all of the following:

- Offer advice on how to mitigate reoccurrence.
- Provide support from NET TDM(IQA)
- Maintain positive and productive lines of communication.
- Assist with necessary NET processes and administration.
- Review the issues raised, record any lessons learned and update policies and procedures as necessary with the aim of preventing further malpractice or maladministration.

NET reserves the right to charge the centre for any cases of malpractice / maladministration, assessment resits, reissuing of certificates and/or additional quality assurance visits.

NET will discuss and agree this with the Centre in advance of any charges being made.

If you wish to appeal against the NET decision to take action as recommended in the investigation report, please refer to NET Appeals Policy.

8 Notifying Relevant Parties

In all cases of suspected or actual malpractice/maladministration, NET will notify the Centre Manger and any Centre staff or candidates involved in the allegation. NET may withhold details of the person making the allegation(s) solely if to do so would breach a duty of confidentiality or any other legal duty.

In relation to suspected or actual cases of malpractice, NET will inform the appropriate regulator(s) of any investigation according to their requirements where there is evidence that a result or certificate may be invalid, or where an adverse effect is likely to occur.

9 Confidentiality and Whistle-blowing

When making an allegation of malpractice or maladministration, it is always preferable to reveal your identity and contact details to NET; however, if you wish to remain anonymous or are concerned about possible adverse consequences, you may request NET not to divulge your identity.

At all times NET will investigate such allegations from a whistle-blower in accordance with our current Whistle-blowing Policy.

10 Privacy Statement

It is necessary for NET to collect and hold personal information about you in order to investigate your concern(s) relating to malpractice and maladministration.

NET will hold the information you provide securely and use it to help investigate your concerns.

For more information please access our NET Privacy Policy

11 What Personal Data NET Collects and Who Has Access To It

NET will ask for your name and contact details. We may also ask you for your organisation's name, although these are not mandatory. If you are worried about being identified, you can make a disclosure to NET anonymously. Any anonymous disclosures are treated just as seriously as those made openly. However, if you do make a disclosure anonymously, NET may not be able to investigate your concerns as effectively.

NET will also ask for further information so that we can investigate your concerns, such as the assessments affected, Centres involved, number of candidates affected and your report of the incident, along with any supporting documents or evidence.

To ensure NET deals with your allegation equally and fairly, all disclosures, including those sent to other NET staff or board members, will be forwarded to the Senior Management Team for action.

Your information will be shared internally with limited NET staff in order that we can handle, investigate and respond to your disclosure.

NET may also share your information with other organisations, such as the regulators, government departments, enforcement agencies and the police if we think it is necessary to do so. There may also be certain circumstances where we are required, by law, to share your information.



12 Review Arrangements

NET will review this policy annually as part of our self-evaluation arrangements and revise it in line with any feedback from customers, learners, regulatory authorities or external agencies, or changes in our practices.

13 Contact Us

If you have any queries about the contents of this policy, please contact NET on 0207 250 8510 or via email to info@netservices.org.uk or submit in writing to NET, CAN Mezzanine, 49-51 East Road, London, N1 6AH

14 About NET

National Electrotechnical Training (NET) is an independent charity (Registered charity number: 1068863), which provides End Point Assessments for apprenticeship standards and assessments of occupational competence (AOC) in support of industry recognised qualifications utilised by the electrical installation, electrical maintenance and electrical engineering industries throughout the UK.

More information about NET and its activities can be found on our website, www.netservices.org.uk

15 Equality and Diversity

We are fully compliant with equal opportunities legislation and this is reflected in all activities under our control and in our published material. A copy of our equal opportunities policy statement is available on our website.