



Malpractice & Maladministration Policy

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Blue Whale Training aims to ensure that we follow a robust and fair fact find and investigation process when we or other parties identify situations that give us rise for concern.

What is malpractice?

Malpractice is essentially any activity or practice that is unethical or illegal which deliberately breaches regulations and compromises or could compromise the integrity of the assessment process, the qualification, the validity of certificates, the reputation of Blue Whale Training &/ or the wider education sector. Malpractice can occur at centre level, centre staff level or candidate level. An incident may give rise to alleged malpractice in the first instance and then may be proven or not proven as a result of an investigation. Alternatively, the incident may prove that malpractice has actually occurred which would lead to an investigation. We aim to work with learners, all staff and employers to prevent issues of malpractice occurring. And we are committed to dealing with issues of Malpractice in a swift and fair manner to ensure the impact to all parties is minimal.

What is maladministration?

Maladministration refers to any activity or practice that results in unintended or intended non – compliance of our centre rules and regulations, with specific reference to processes and procedural documentation identified and required by Awarding Bodies, our contracting partners, SFA and Ofqual. Recurring instances of maladministration, may be considered serious enough to be treated as per the guidance relating to Malpractice. Maladministration may occur at centre level, staff level or learner level.

This policy relates to anyone who believes they have identified an issue that constitutes alleged or actual maladministration. This may include:

- Centre staff
- Employers
- Learners
- Awarding body or partner organisation staff
- Parents/Guardians
- Whistleblowers or anonymous informants

They should document the information relating to the Maladministration issue, and provide any evidence they have to support their case, and forward this to the Director Ben Hayes, who will take the necessary steps to investigate the claim and reply within 28 days, detailing his findings. If it is the case that we receive allegations of maladministration from a person who wishes to remain anonymous and does not therefore, disclose any contact details, we will still investigate the allegation and record the findings, but we will be unable to take the case any further. NB: Any findings of Maladministration, following an anonymous contact will still be dealt with as per our guidelines and that of the awarding bodies and partnership organisations.

Procedures:

The following will apply for all Malpractice and /or Maladministration issues brought to our attention:

- All claimants will be requested to document fully the Malpractice / Maladministration issue. Evidence, if available will be requested.
- In the first instance, all cases should be addressed to the Director Ben Hayes. If it is the case that an issue of Malpractice / Maladministration, is relating to the Director Ben Hayes, then documented information and subsequent evidence should be sent to Ben Hayes Director.
- A full investigation of the claim will be made and all parties involved will be contacted and asked to complete a written report in relation to the case.
- Where appropriate all evidence will be collated and recorded and documented by the Director.
- If an issue of Malpractice and/or Maladministration is identified subsequent steps may be taken, depending upon the nature of the issue:
- Issue relating to staff – a formal warning will be issued and monitoring of the staff member will take place for a period of at least 6 months.
- Depending upon the seriousness of the findings, relating to a staff member, instant dismissal may be instigated as per our staff handbook and company procedures.
- All Malpractice / Maladministration will be reported to the appropriate Awarding Bodies, partner organisation and where necessary appropriate authorities.
- The claimant will be notified within 28 days of the finding and the course of action being undertaken.

We are committed to ensuring that we prevent malpractice & maladministration, however, if they do occur and there are reasonable grounds for suspicion or allegation, then we will investigate each individual case and bring them to a satisfactory conclusion. In ensuring that we meet the conditions of the Awarding Bodies, Education and Skills Funding Agency and our other partners we are committed to following the policy processes of the awarding bodies and the above-mentioned organisations. All our staff, learners, employers have access the awarding body malpractice policies as these are available in the support materials section of the eportfolio.

Signed:

A handwritten signature in black ink, appearing to read 'Ben Hayes', with a stylized flourish at the end.

Ben Hayes - Company Director - August '22

Review Date: August '23