

# ETT Maladministration Policy

**Signed:** Charlotte Bamber

**Position:** Chief Executive

**Date:** November 2022

**Review Date:** November 2023

## Review & Amendment History



DATE	AMEND REF NO	SECT/ PG NO.	NEW ISSUE	REASON	AUTH BY
28/11/2022	1	All	3	Change in organisational structure	CB

## **Introduction**

The term 'maladministration' covers any activity, neglect, default or other practice that results in ETT or the learner not complying with the specified requirements for delivery of the qualifications as set out in the relevant codes of practice, where applicable.

### **Centre's responsibility**

It is important that all staff involved in the management, assessment and quality assurance of our qualifications, and learners, are fully aware of the contents of the policy and we have arrangements in place to prevent and investigate instances of maladministration.

### **Definition of maladministration**

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

#### **Examples of maladministration**

- Persistent failure to adhere to our learner registration and certification procedures
- Persistent failure to adhere to our centre recognition and/or qualification requirements and/or associated actions assigned to the centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding of information, by deliberate act or omission

### **Process for making an allegation of maladministration**

Anybody who identifies or is made aware of suspected or actual cases of maladministration at any time must immediately notify the ETT Head of Centre for C&G/ EAL / LCL. For all suspected or alleged instances of maladministration regarding EAL qualifications, these must be reported directly to the awarding body by email or letter including details of the findings or suspicions.

- All allegations must include (where possible):
- Learner's name and registration number
- Staff members name and job role - if they are involved in the case

- Details of the course/qualification affected or nature of the service affected
- Nature of the suspected or actual maladministration, associated dates details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances

### **Confidentiality and whistle blowing**

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. It is nevertheless preferable to disclose your identity and contact details to us. While we are prepared to investigate issues which are reported to us anonymously we shall always try to confirm an allegation by means of a separate investigation before taking up the matter with those the allegation relates.

### **Responsibility for the investigation**

In accordance with regulatory requirements all suspected cases of maladministration will be examined promptly by ETT to establish if maladministration has occurred and will take all reasonable steps to prevent any adverse effect from the occurrence.

Our Head of Centre will be responsible for ensuring the investigation is carried out in a prompt and effective manner, to establish whether or not the maladministration has occurred, and review any supporting evidence received or gathered.

### **Notifying relevant parties**

The Head of Centre will inform the awarding body if we believe there has been an incident of maladministration.

### **Investigation timelines and summary process**

We aim to action and resolve all stages of the investigation within 10 working days of receipt of the allegation.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be based around the following broad objectives:

- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities.
- To evaluate any action already taken
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of ETT and the qualification.

- To identify any adverse patterns or trends.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, we will:

- Ensure all material collected as part of an investigation must be kept secure
- If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us

Either at notification of a suspected or actual case of maladministration and/or at any time during the investigation, we reserve the right to withhold a learner's, and/or cohort's, results. Where a member of ETT's staff is under investigation we may suspend them or move them

### **Investigation outcomes**

If the investigation confirms that maladministration has taken place we will consider what action to take in order to:

- Minimise the risk to the integrity of certification now and in the future
- Maintain public confidence in the delivery and awarding of qualifications
- Discourage others from carrying out similar instances of maladministration
- Ensure there has been no gain from compromising our standards

The action we take may include:

- Imposing actions in order to address the instance of maladministration and to prevent it from reoccurring
- In cases where certificates are deemed to be invalid, inform the Awarding Organisation concerned and the regulatory authorities why they're invalid and any action to be taken for reassessment and/or for the withdrawal of the certificates. We'll also let the affected learners know the action we're taking and that their original certificates are invalid and ask – where possible – to return the invalid certificates
- Informing relevant third parties (e.g. funding bodies) of our findings in case they need to take relevant action in relation to the centre