



BSCIC Malpractice and Maladministration Policy- Training Services

This document details the BSCIC's policy for Malpractice and Maladministration. The policy

1. Details the process that BSCIC must follow to investigate allegations and incidents
2. Understands the range of sanctions that BSCIC can apply if incidents and allegations of malpractice or maladministration are proven.

The policy applies to all at BSCIC HQ, BSCIC Dubai Branch, Tutors and Marketing Subcontractors (MSB). BSCIC will investigate all suspected and actual cases of malpractice or maladministration.

Where cases are proven, BSCIC will apply appropriate sanctions and if necessary, Terminate Employment/ Agreements.

1. Definitions

1.1 Malpractice

Malpractice means “any deliberate activity, neglect, default or other practice that compromises or could compromise the assessment process, the integrity of a BSCIC and CQI and IRCA Certified Course of BSCIC, the validity of a result or certificate, or the reputation and credibility of the BSCIC and CQI, CQI and IRCA Certified Courses of BSCIC”.

Malpractice includes issues such as deliberate falsification of records in order to claim certification, cheating in examinations and unethical conduct by BSCIC/ Branch/ MSB Staff and Tutors.

Malpractice also includes failure by the Branch/ MSB Staff and Tutors to:

1. Investigate allegations and suspected malpractice and notify BSCIC promptly
2. Co-operate with BSCIC's investigations

1.2 Maladministration

Maladministration means “any actions, neglect, default or other practice that result in BSCIC/ Branch/ MSB Staff and Tutors not complying with the BSCIC's and CQI's ATP criteria.

This could be due to mismanagement, incompetence or inefficiency.

Maladministration by BSCIC/ Branch/ MSB Staff and Tutors shall be considered from the processes which are normally defined through in BSCIC MOA, documented system BSCIC QMTSM/ Forms-Records/ Email Bulletin, however maladministration will be different from normal nonconformities or CARs required in routine course of time or from MSB's Remote Audit/ Other Self Assessments, and these maladministration findings shall be specifically focused on meeting the BSCIC, CQI and IRCA ATP criteria.

Following points are included in Malpractice and Maladministration policy as BSCIC executive responsibilities.

BSCIC Technical Assessors'/ Lead Tutors' responsibilities for reporting malpractice



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BSCIC's Technical Assessors/ Lead Tutor who suspect malpractice in an examination must immediately report their concerns to the BSCIC's Training Team Manager.

2. BSCIC's procedures for dealing with allegations of malpractice and maladministration

2.1. The allegation

Suspected malpractice or maladministration may be identified by:

1. The MSB's routine monitoring activity of BSCIC e.g. Regular Checks through Annexure MCC, Through Training Manager checks of examination scripts
2. MSB's own Self-Assessment and Remote Audit process
3. A learner or tutor
4. A third party or whistleblower

If the suspected case of malpractice or maladministration is brought to the BSCIC's attention by a third party or whistleblower, BSCIC will check the authenticity of the alleged case including seeking permission to use the whistleblower's name to communicate details of the allegation. If the whistleblower refuses permission to use his/her name and the allegation is valid, BSCIC will advise the whistleblower that the investigation may be impaired and that BSCIC will take all reasonable steps not to disclose the identity of the whistleblower.

BSCIC will protect the identity of the informant if this is requested, unless BSCIC is legally obliged to disclose the identity.

2.2 The response

BSCIC will review the allegation and decide one of the following options:

1. Take no further action
2. Ask Branch/ MSB Staff and Tutors to conduct a full investigation into the alleged incident and submit a written report
3. Investigate the matter directly

In the case of 2) or 3), BSCIC will notify the Branch/ MSB Staff and Tutors and any affected learners that an allegation of malpractice and/or maladministration has been made.

2.3 The investigation

The main purpose of the investigation is to establish the facts relating to the allegation to determine if any non-conformances relating to BSCIC's requirements have occurred, or if the BSCIC and CQI and IRCA brand and reputation have been put at risk.

The investigation will aim to establish the details, circumstances and scale of alleged malpractice or maladministration, and any wider implications for the management and delivery of BSCIC's CQI and IRCA course provision.

The investigation will:

1. Identify those involved and the root cause of any irregularities
2. Identify and if necessary, act to minimize the risk to current learners
3. Review any action already taken by the Branch/MSB/ Tutor



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4. Review whether remedial action is required to reduce the risk to current learners and to preserve the integrity of BSCIC & CQI and IRCA Certified Courses
5. Ascertain whether any action is required in respect of certificates already issued
6. Obtain evidence to support any sanctions to be applied to Branch/MSB/ Tutor
7. Identify any patterns or trends
8. Identify any changes to policy or procedure that need to be made by the BSCIC, and/or the Branch/MSB/ Tutor.

Depending on the scale and severity of the allegation, it may be necessary to suspend the Branch/MSB/ Tutor from conducting and delivering any further CQI and IRCA courses of BSCIC while the investigation is being undertaken. On conclusion of the investigation, the suspension will be reviewed.

The investigation may include interviewing staff working for MSBs, their Branches and Tutors as appropriate to the allegation. It may also include interviewing learners. Individuals being interviewed have the right to have another individual present during the interview. However, the person accompanying the interviewee must not take an active part in the interview and cannot answer questions on the interviewee's behalf.

When an individual is accused of malpractice, they must:

1. Be informed in writing of the allegation made against him/her
2. Know what evidence there is to support the allegation
3. Have the opportunity to respond to the allegation
4. Have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)

2.4 The report

BSCIC will produce a report on its investigation of the allegation which will identify any areas of nonconformance against BSCIC and CQI's ATP criteria and requirements and any reputational risks to BSCIC and CQI's brand. The report will identify any corrective actions that need to be addressed, and any sanctions to be applied.

3. Imposition of sanctions in cases of proven malpractice or maladministration

BSCIC reserves the right to apply sanctions in proven cases of malpractice or maladministration. The type of sanction applied will depend upon the severity of the act and the context.

Examples of possible sanctions are provided below. The list is not exhaustive and the BSCIC and CQI reserve the right to apply other sanctions if justified by the nature of the malpractice incident.

2.1 Sanctions relating to malpractice or maladministration by learners

1. A written warning to the learner about their conduct in examinations
2. Loss of marks for a defined section of the relevant examination. This may lead to the learner having to retake the whole examination
3. Loss of marks for the entire examination, resulting the learner in having to retake the whole examination
4. Withdrawal of the learner's CQI and IRCA Certificate of Achievement

Note: Malpractice by a learner who is also a CQI member or an IRCA Certificated Auditor may breach the BSCIC and CQI and IRCA Code of Conduct, depending on the nature of the malpractice. As a result, BSCIC may request the CQI to withdraw CQI membership and/or remove the learner from the IRCA Register

3.2 Sanctions relating to malpractice or maladministration by individual staff or tutors, branches or MSBs

- 1) BSCIC will send written warning about the conduct to the responsible person i.e. tutor or member of staff
- 2) Requirement for the tutor or member of staff to undergo specific training or mentoring within a
- 3) particular period of time and for the ATP to review the individual's performance to check they are
- 4) meeting the competence requirements for the role
- 5) Suspension of the tutor or member of staff from delivering, assessing or administering training and
- 6) examinations for particular CQI and IRCA Certified Courses of BSCIC either for a period of time or permanently

Note: Malpractice by a tutor or individual who is also a CQI member or an IRCA certificated auditor may breach the BSCIC and CQI and IRCA Code of Conduct, depending on the nature of the malpractice. As a result, BSCIC may request CQI to withdraw CQI membership and/or remove the individual from the IRCA Register

3.3. Sanctions relating to malpractice or maladministration by MSBs

1. MSB receives a written warning (including the investigation report) advising of the breach of the BSCIC's CQI's requirements and is informed that further action may be taken, should there be a recurrence of this breach or subsequent breaches
2. MSB receives the investigation report with required corrective actions to be addressed by a set date
3. BSCIC increases (at the MSB's expense) the level of monitoring activity that will take place in relation to particular Certified Courses and/or processes e.g. additional audit visits or sampling of examinations scripts
4. BSCIC withdraws the organization's MSB status. The organization can no longer offer CQI and IRCA Certified Courses of BSCIC

3.4 Right of appeal against a BSCIC sanction

The individual(s) or MSB concerned have the right to appeal against a sanction imposed by BSCIC. An appeal must be made in writing to the Chief Executive and Training Manager within 30 working days from receipt of the written notification of sanction from the BSCIC.

An appeal will only be considered if the individual or MSB can show that the BSCIC did not apply procedures consistently during the original investigation, that procedures were not followed properly and fairly or if new evidence comes to light.