



MALPRACTICE AND MALADMINISTRATION POLICY

1. INTRODUCTION

This policy applies to any and all participants in IFA Qualification(s). All learners, Centres, their staff and any additional site personnel will report any suspected or alleged malpractice or maladministration to the IFA and complete the form enclosed.

It is the Centres' responsibility to ensure all their staff, additional sites and learners are informed of the contents of this document.

2. DEFINITIONS

Malpractice – Any deliberate activity, improper, negligent professional behaviour, default or other such practices that compromise the integrity and validity of achievement and certification.

Maladministration – Any activity, mismanagement, inefficient, dishonest, deceitful, neglectful, default or other practice that results in noncompliance with requirements.

3. MALPRACTICE AND MALADMINISTRATION EXAMPLES

Malpractice Examples:

Below are some examples of malpractice which will result in either immediate suspension or withdrawal of approval.

- a) Cheating and/or Plagiarism
- b) Verbal abuse
- c) Violence
- d) Intentional/deliberate failure to adhere to, or to circumnavigate, the requirements of the IFA's Equal Opportunities and Diversity Policy
- e) Qualification(s) delivery inconsistent with IFA Qualification specifications
- f) Irregular internal assessment and evaluation e.g. mock examination not undertaken in examination environment
- g) Accepting learners who do not meet the prerequisite requirements for entry onto Qualification(s)
- h) Refusing access to premises (scheduled or otherwise)
- i) Poor premises hygiene
- j) Opening additional sites without proper registration and inspection
- k) Changing venue without notice or approval
- l) Lack of resources for delivering training
- m) Non-disclosure or withholding of information on application form
- n) Non-disclosure on annual conflict of interest form
- o) Failing to register teachers

- p) Failing to register appropriately qualified teachers
- q) Delivering IFA Qualification(s) without proper registration
- r) Inappropriate advertisement of approved status and/or logo
- s) Employing agents or sales representatives to encroach on other IFA Centres' area of business
- t) Unauthorised amendment, copying or distributing of examination papers or syllabi
- u) Fraud e.g. alteration of invoices, IFA correspondence or official documents
- v) Non-payment of fees

Maladministration Examples:

- a) Administration and vetting processes not fit for purpose or inefficient
- b) Failure to register learners at the appropriate time
- c) Entering learners into examinations prematurely before all coursework components have been completed
- d) Recognition of Prior Learning (RPL) applied or claimed in error due to ineffective processes
- e) Incorrect learner names provided on registration form and exam candidate list
- f) Unreasonable delays in responding to requests or communications from the IFA
- g) Poor record keeping

Please note this list is not exhaustive and as a general rule includes any such failings in obligations which result in non-compliance with IFA rules.

4. GUIDANCE

- a) We strongly recommend that all Centres ask any questions they may have at the initial inspection and throughout delivery of Qualification(s) and that learners also clarify any questions or expectations with their chosen Centre before enrolling on a course.
- b) The IFA aims to establish a culture of good communication and openness between the IFA and its Centres and expects Centres to be forthcoming about their promotional activities.
- c) The IFA aims to support Centres whose first language is not English through translated material and multilingual staff, however it is ultimately the Centres' responsibility to ensure they understand all the requirements before delivering Qualification(s) and speak to an IFA staff member before embarking on a course of action.

Language barriers will not be accepted as a reason for malpractice or maladministration having been committed.

- d) IFA Quality Assurance Assessors and IFA representatives will also ensure Centres are compliant with IFA rules during inspection visitations and monitoring activities.
- e) Dependent on the seriousness and nature of the suspected or reported malpractice, the IFA Operations Manager will write to the Centre Owner and may suspend or restrict services whilst an investigation is conducted with as little disruption as possible to enrolled learners.
- f) The IFA will work collaboratively with the Centre to reduce the impact of any breach.

5. REPORTING MALADMINISTRATION

When a Centre discovers it has applied Recognition of Prior Learning (RPL) in error (see Recognition of Prior Learning and Exemption Policy), or suspects a learner has provided evidence/portfolio that is not their original work for example, and the Qualification is therefore invalid the Centre will immediately notify the IFA. The Centre will provide an appropriate action plan to the IFA and a course of action will be agreed. At the next Quality Assurance visit the IFA will follow up on the action plan and ensure corrective measures have been implemented to prevent maladministration from recurring.

If the Centre applies for exemption on behalf of a learner with certificates which are found to be falsified in an attempt to circumnavigate IFA policy, the IFA will request that the Centre undertakes an investigation as to why the maladministration occurred and supply an action plan to ensure its vetting procedures are more robust. The IFA will verify all RPL qualification certificates before officially approving exemptions and will only issue examinations certificates and Qualification(s) once the learner has passed all examinations, following a visit from an IFA Quality Assurance Assessor to eliminate the likelihood of Qualification(s) being issued in error. Certificates are deemed invalid when the evidence provided is not the learner's own work (see Cheating and Plagiarism Policy). If the Centre asks for an examination certificate to be reissued the Centre must return the original certificate before it will be reissued.

The IFA Qualifications Officer will also report any instances of maladministration to the IFA's Operations Manager. Please note the maladministration in itself may initially be relatively minor, but may assume graver importance if it persists. Failure to cooperate with IFA rules will have a direct impact on the issuing of Qualification(s) and the future acceptance of entries.

Please note these examples are not exhaustive and include any such failings that invalidate Qualification(s) or impede learners e.g. delays in registering learners and therefore accessing supportive information for their studies and/or delays in scheduling examinations by supplying incorrect information and could cause a negative impact on the public perception of IFA Qualification(s).

6. REPORTING MALPRACTICE

The IFA take reports of malpractice very seriously. The IFA will take action in all instances of alleged or suspected malpractice to maintain the integrity of IFA Qualifications.

Centres who fail to declare malpractice within their Centre or additional sites face immediate suspension (perceived as purposefully attempting to circumnavigate IFA

rules) and the Centre may not have their approval status renewed after the investigation is completed.

Actions taken will be proportionate to the gravity of the malpractice committed.

7. ANONYMITY & WHISTLEBLOWING

If an individual reports malpractice or the cover up of malpractice in the work place this is officially known as 'making a disclosure in the public interest'; commonly termed as 'whistleblowing'. Malpractice is commonly committed by the individual's employer but is not necessarily limited to employers.

Raising a Concern

To raise a concern of malpractice in relation to IFA Qualification(s) the individual will first contact the Centre. If the Centre does not address the concern or the individual does not feel they can raise the concern with the Centre the individual will report it directly to the IFA's Operations Manager by completing the enclosed form. This form includes a signed written statement, request for supporting evidence, and disclosure of any personal interest the 'whistle-blower' may have in the outcome.

Please note, 'whistleblowing' is different from raising a complaint. Complaints are an expression of personal dissatisfaction, for instance, with a service, and should be pursued following the IFA Complaints Procedure, which can be found on the IFA website.

Depending on the nature of the concerns, it may not always possible for a whistle-blower to withdraw their concerns once raised.

We recommend you take advice before making an allegation and know your rights under the Act by visiting Public Concern at Work (www.pcaaw.co.uk) a registered charity and an independent authority on public interest whistle blowing.

Protecting Your Identity

The IFA cannot accept anonymous allegations and will not act upon anonymous allegations. The IFA will not reveal the whistle-blower's identity unless required to do so by the police, fraud and law enforcement agencies or in connection with court proceedings. The IFA will inform you if your identity needs to be revealed for the above purposes. Whistle-blowers should recognise however they may be identifiable by others due to the nature of their concern even though they are not named by the IFA. The Centre should also note that the IFA may not be able to disclose the source of information if an allegation of malpractice is raised against them.

Confidentiality

The IFA will consider all disclosures as sensitively, carefully and confidentially as possible to limit the damage caused to the Centre's business. The Centre should also treat all details of allegations of malpractice as confidential to avoid damaging their own reputation. Information received during the disclosure process may be shared with third parties e.g. Disciplinary & Complaints Committee. The whistle-blower will be informed of the investigation outcome, however please note limited information will be provided to the whistle-blower to protect the confidentiality of the Centre.

8. WHAT HAPPENS IN THE EVENT OF ALLEGED MALPRACTICE?

- a) In the first instance the IFA Operations Manager will write to the Centre owner outlining the allegation or information received against the Centre/learner and ask for a response.
- b) The Centre will confirm receipt of the allegation and immediately instigate an investigation.
- c) Interim measure: Dependent on the implications of the breach and the weight of evidence that supports it, the IFA may initially suspend the Centre for a maximum of forty two (42) days to allow the Disciplinary & Complaints Committee to meet and discuss the complaint and gather information in the intervening time.
- d) The IFA will only correspond with the Centre owner and will not accept correspondence directly from staff members. If the Centre owner is also the Principal Teacher, this will be acceptable.
- e) Equally if an allegation is regarding a Centre's additional site(s) the IFA will only correspond with the original 'parent site' owner who assumes full responsibility.
- f) All responses to allegations will be made in writing.
- g) The Centre will provide a full response within thirty (30) days from the date of receipt of the allegation, to allow an investigation to be completed. The response will address the areas of non-compliance and respond with a 'statement of accountability' (limited to four sides of A4 paper). The statement must include:
 - i. A timeline of events.
 - ii. The person(s) responsible.
 - iii. Action taken to comply and safeguard against future reoccurrence.
 - iv. Any mitigating factors.
 - v. Evidence that it has taken on board IFA suggestions (if any are given at complaint stage e.g. removal of marketing material in the public domain).
 - vi. Internal procedures (before and after).

Statements that rely on documentary evidence will be attached as appendices to the Centre's statement where appropriate, for example "I wrote to the learner with the attached letter see appendix 1".

For Centres whose first language is not English we require that you either have your 'statement of accountability' translated into English for expediency or the IFA can make arrangements to have this translated for you, but please be aware this will add additional time to resolving the complaint, and depending on length of the statement and appendices, a cost for translation may apply. If there is any ambiguity as to the interpretation of a word or phrase, the IFA will, in the first instance, confirm this with the Centre.

Please note: Although we understand it will be a stressful experience for you, please keep statements factual rather than emotional and allocate the necessary time needed to respond in full; including all the points you wish to make.

If at any stage during of the complaint the complainant wishes to be legally represented they must inform the IFA of this. The IFA reserves the right to be legally represented and to act upon legal advice.

- h) If anyone key to address the allegation is absent and the Centre is therefore unable to respond within the thirty (30) days, the Centre must contact the IFA Operations Manager immediately in order to obtain a revised timescale. If the IFA has cause to believe that the reasons for delay in response are inadequate then the Centre will be suspended until they are able to address the complaint appropriately and they will not be able to renew their approved status within this period or open additional sites until the matter is resolved.

9. INVESTIGATION

- a) Investigations will be conducted in a fair and reasonable manner ensuring that all evidence is considered without bias. In broad terms the Disciplinary and Complaints Committee will:

- i. Establish the facts and identify irregularities.
- ii. Identify the risk to learners.
- iii. Consider any mitigating factors.
- iv. Organise a visit to the Centre (if the allegation necessitates)
- v. Establish if the Centre has tried to resolve the problem and/or any such internal action taken.
- vi. Isolate the person or persons responsible and impose restrictions and/or sanctions where necessary.
- vii. Obtain clear evidence to support any sanctions to be applied to the Centre.
- viii. Request additional evidence from the Centre if necessary.

NB. The IFA may decide upon evidence or lack thereof to dismiss the allegation at any stage. The Centre and informer will be informed if this occurs. The emphasis of supplying evidence rests on the informant.

- b) The Centre and their dependents are reminded to conduct themselves professionally during an investigation and **only to** respond when requested to by the IFA to supply specific information. Excessive correspondence will delay matters from being resolved and, depending on the nature of the correspondence, could potentially bring into question the author's conduct. If the Centre or one of its dependents does send excessive and unnecessary correspondence they will be issued with a warning to desist (see unacceptable behaviour in the Centre Handbook).
- c) The Centre cannot use complaints raised against them as an opportunity to raise concerns regarding IFA policy and/or bring into question other Centres' conduct. If the Centre wishes to raise concerns about how the IFA implements its procedures they are advised to complete the Centre Feedback form. If the Centre wishes to raise concerns regarding other Centres' conduct they will complete the form enclosed. Complaints that are not submitted following the stipulated protocol will be disregarded.

10. OUTCOME

- a) On completion of the investigation the IFA will provide the Centre with a report of its findings. The report will include:
 - i. Origin of the complaint/allegation
 - ii. Drawn conclusions with clear reference to IFA rules and evidence that support it
 - iii. Recommendations for action and a resolution and/or which sanction it will apply (see Sanctions Policy)
- b) The IFA will fully document any and all investigations and retain records on its system as per the IFA's Data Retention and Disposal Policy.
- c) The IFA will aim to inform the Centre of the outcome of its investigation within sixty (60) days.
- d) Upon satisfactory conclusion the IFA will reinstate the Centre's approval and continue to accept learner registrants from the Centre. In cases where the conclusion is unsatisfactory, the Centre will have its approval withdrawn permanently.
 - i. If an investigation proves that malpractice has not taken place, but it is clear that a whistle-blower did not deliberately raise the concern to cause harm, then no action will be taken against the whistle-blower or the accused.
 - ii. If the investigation concludes an allegation was raised which the whistle-blower knew to be false then disciplinary action may be taken against the whistle-blower as an individual.

WHISTLEBLOWING FORM

Full Name		Membership No	
Address (for Correspondence)			
Role at the Centre			
Email			
Telephone			
Centre Name			
Please provide the following information accompanied by the relevant evidence			
Date of incident or when you became aware			
Name those who you feel were responsible			
Describe the incident and those affected			
Evidence	<input type="checkbox"/> Please attach any relevant evidence e.g. screen shots etc. to enable the IFA in their investigation.		
Signature		Dated	

The form must be completed in full and sent to office@ifaroma.org