



MALPRACTICE AND MALADMINISTRATION POLICY

**VERSION 1.2
06/01/2023**




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DOCUMENT AMENDMENT RECORD

VERSION	DATE	AMENDMENT SUMMARY	AUTHOR	SIGNATURE
1.0	17/09/2021	Initial Release	BS	
1.1	30/11/2021	Updated reference documents	BS	
1.2	06/01/2023	Updated Head of Training	MB	

REFERENCE DOCUMENTS

VERSION	DATE	DOCUMENT TITLE	SOURCE
v7.0	N/A	TQUK Centre Handbook	Internal File Path: [00.01]
N/A	Accessed 17 September 2021	Government Whistleblowing for employees Website	.Gov Whistleblowing for employees
Ofqual/21/6827/2	August 2021	Ofqual Complaints Procedure	Ofqual/20/6683/1

1. INTRODUCTION

The aim of this policy is to outline the procedure by which Colena Ltd trading as, and herein referred to as heliguy[™], will handle allegations of malpractice or maladministration. As an organisation delivering regulated qualifications, heliguy[™] must take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery and award of qualifications. Allegations of malpractice or maladministration are harmful to the reputation of heliguy[™] and the qualification(s) which it offers. The heliguy[™] whistleblowing policy should be read in conjunction with this document.

2. DEFINITIONS

2.1 Malpractice

Malpractice can be defined as the intentional manipulation of a particular process, procedure or methodology to provide an untrue representation of circumstance. This can include, but is not limited to the following:

1. Cheating, or the facilitation of such;
2. Deviation from a defined process to provide an unfair advantage or disadvantage;
3. Falsification of records;
4. Plagiarism;
5. Impersonation of another person.

2.2 Maladministration

Maladministration can be defined as the unintentional errors or mistakes which can be attributed to lack of training, knowledge or experience with regards to a particular process, procedure or methodology. This can include, but is not limited to the following:

1. Failure to maintain contemporaneous records;
2. Unsatisfactory system processes;
3. Negligence towards the timely completion of an activity;

2.3 Adverse Effect

1. An adverse effect is the consequence of an occurrence of malpractice or maladministration. An adverse effect must be assessed for the scale of impact, further consequences (root cause analysis) and affected user base. This can include, but is not limited to:
 - a. Creates a prejudice to candidates;
 - b. An affect on the ability of heliguy™ to deliver training and assessment towards recognised qualifications according to defined processes and procedures;
 - c. A reduction in the standard of training and assessment delivery towards recognised qualifications;
 - d. A mistrust in the value of a regulated qualification.

3. OUR RESPONSIBILITY

heliguy™ must take all reasonable steps to prevent occurrences of malpractice and maladministration. Where occurrences are suspected or alleged to have taken place, heliguy™ must conduct an investigation to identify the cause of the occurrence and prevent further recurrences.

Allegations of malpractice or maladministration can be reported directly to heliguy™, the qualification regulator and/ or Civil Aviation Authority (CAA). When an allegation is received, the Head of Training must be notified at the earliest opportunity. The allegation will be assessed and the Head of Training will form assign suitably trained personnel that are/ has not been involved. This can consist of both company and non-company personnel to facilitate an impartial investigation.

4. SUBMITTING A REPORT

4.1 Direct Reporting

An allegation of malpractice or maladministration can be reported directly to heliguy™ using the malpractice or maladministration report form contained at Appendix A to this policy.

The allegation should include the following information as a minimum:

1. Complainant's name;
2. Complainant's contact information (both telephone and email);
3. Complainant's order reference number or unique candidate number (if applicable);
4. A description of the circumstances leading to the allegation;

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5. The name(s) of any personnel (employee(s) or candidate(s)) that have been involved in the circumstance.
 6. Any evidence which relates to the allegation.

Anonymous complaints are notoriously difficult to investigate, as circumstances cannot be corroborated without investigation therefore, the details of a complainant that is concerned about reprisal, must be treated as confidential.

4.2 In-direct/ Regulator Reporting

An allegation of malpractice or maladministration can be reported directly to the qualification regulator via the [Ofqual malpractice reporting procedure](#) and/ or the Civil Aviation Authority (CAA) via their [website](#).

5. INVESTIGATIVE PROCEDURE

When an allegation of malpractice or maladministration is reported, an investigation will ensue. The investigation will be conducted by the Head of Training to ensure that it is conducted in an efficient, effective and methodical manner resulting in the prompt resolution of the occurrence and mitigation of an adverse effect.

6. INVESTIGATION OUTCOME

When an investigation concludes that there has been no occurrence of malpractice or maladministration, the complainant will be informed of the outcome. Should they wish to appeal the decision, they may do so in accordance with the Appeals Policy.

When an investigation supports the occurrence of malpractice or maladministration, the complainant will be informed. They will be informed of the proposed action to rectify the situation and prevent further recurrences. This can include, but is not limited to:

1. Commencement of disciplinary action against a member of staff;
2. Review existing policies and procedures to prevent further occurrences;
3. Identify other candidates that may have been affected by the circumstance;
4. Take corrective action to reduce the effect of the circumstance.

In some cases, the complainant may not necessarily be informed of the precise action taken due to confidentiality, however, they must be notified that action has been taken. This ensures that they understand that the matter has been dealt with appropriately and that the matter is therefore closed.

Where the matter involves the conduct or result of any formal assessment, the candidate may be required to attend another assessment.

7. SUMMARY

Occurrences of malpractice or maladministration are unacceptable, and heliguy™ embraces all opportunities to mitigate such occurrences. When an allegation is made, it requires careful consideration and timely action, to prevent adverse effects.

Any questions relating to the content of this document should be directed to the undersigned in the first instance.



Mark Blaney
Head of Training
Colena Ltd t/a heliguy™

Appendix A - Malpractice and Maladministration Reporting Form

Complainant Personal Information

Your personal information will remain confidential and is only disclosable in accordance with the heliguy™ Whistleblowing Policy.

Title		First Name(s)		Surname	
Telephone Number		Email Address		Candidate Number	

Malpractice and Maladministration

Course/ Qualification		Candidates affected	
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Malpractice and Maladministration details

Free Text: Please provide specific detail regarding the circumstances. Who, What, When, Where and How

Involved Person(s)					
<i>Please provide any known details of any person to have involvement in the allegation</i>					
Person 1					
Title		First Name(s)		Surname	
Nickname		Status	Employee Candidate		
Telephone Number		Email Address		Candidate Number	
Involvement					

Person 2					
Title		First Name(s)		Surname	
Nickname		Status	Employee Candidate		
Telephone Number		Email Address		Candidate Number	
Involvement					

Supporting Evidence

Free Text: Please specify any accompanying evidence in support of the allegation.

I, the below named person, confirm that the information contained within this document is a true and accurate representation.

Signature

First Name(s)

Surname

Date