

Malpractice, Maladministration, Complaints and Appeals

Policy Statement

MTCS take any potential malpractice, maladministration, complaints or appeals seriously and will review and investigate these promptly to reach a resolution in a timely manner. This policy applies to all staff, and anyone involved in any capacity with MTCS (UK) Ltd, within or outside the UK, who identifies or suspects any potential malpractice, maladministration, complaints or appeal. The objectives of our malpractice, maladministration, complaints and appeals policy and procedures are to:

- Ensure everyone knows how potential malpractice, maladministration, complaints or appeals will be handled
- Ensure that potential malpractice, maladministration, complaints or appeals are dealt with consistently and fairly

We will

- Report any malpractice or maladministration cases as and when required
- Keep all stakeholders informed and updated on the progress of any investigation
- Make decisions in a fair, consistent and transparent manner outlining any actions to be taken
- Review findings from any potential malpractice, maladministration, complaints or appeals with a view to continual improvement
- Require staff and third parties to read, understand and comply with this policy and its procedures

Maladministration

Maladministration is any activity, neglect, default or other practice that results in MTCS, staff, candidate or anyone involved in any capacity with MTCS (UK) Ltd, within or outside the UK, not complying with the specified requirements for the delivery of products or services.

Examples of maladministration may include, but are not limited to:

- Late/incorrect Certificate issue or late/incorrect enrolment
- Incorrect /misspelling of information on Certificate issued
- Uploading incomplete evidence required
- Failure to keep learner data secure
- Negligent or uninformed destruction of assessment or qualification records

Malpractice

Malpractice means any act, default or practice which compromises, or attempts to compromise the process of assessment and integrity of any MTCS qualification, thus causing damage and loss of credibility for MTCS as an awarding body. The role of the learner is to generate appropriate evidence, which your assessor will assess to ensure is valid, authentic and sufficient. Examples of malpractice include but are not limited to:

- Collusion: working collaboratively with others, beyond what is permitted. Theft of another candidate's work or allowing work to be copied
- Making a false declaration of authenticity in relation to product evidence and assessment activities
- Learners allowing others to assist in the production of evidence that they claim as their own work
- Assisting learners in the production of evidence to the extent that the evidence is not authentic and not representative of the learner's own ability or achievement
- Failure to cooperate with investigations. Lying to and/or misleading investigators during this process
- Failure to notify MTCS of suspected Malpractice
- Submission of an untrue or misleading conflict of interest

Rights of the individual

When an incident of suspected malpractice, maladministration, complaint or appeal is reported to MTCS, those involved or implicated must:

- Be informed of the allegation made against them
- Know what evidence there is to support the allegation
- Know the possible consequences should any allegation be proven
- Have the opportunity to consider their response and submit a written statement (normally within 20 working days)
- Be informed of the appeals procedure, should a decision be made against them

MTCS have the right to withdraw certification from any individual candidate, assessor or organisation found guilty of malpractice.

Procedure

There are three stages in the process following receipt of any potential malpractice, maladministration, complaints or appeal.

1. **An initial review.** Initial fact finding and information gathering in discussion with all involved and affected parties. This will deal with specific case by case instances where no adverse effects have been identified, based on the information received. A suitable resolution may be reached and agreed by the relevant manager and involved parties.
2. **Formal investigation.** If the initial investigation identifies the need for a formal investigation this will be undertaken by a relevant manager. A suitable resolution may be reached and agreed by the relevant manager and involved parties at this stage. If the matter has the potential of an adverse effect on staff, anyone involved in any capacity with MTCS, compliance with regulatory bodies, reputation, integrity or damage to credibility of MTCS then this is referred for formal review and decision.
3. **Formal review and decision.** Each case is considered and judged on an individual basis by a panel lead by the Managing Director. Consideration will be given to whether malpractice or maladministration has occurred and if a sanction should be applied. If an adverse effect has been identified MTCS will promptly take all reasonable steps to prevent or mitigate such effects as necessary.

Complaints

Complaints can be registered with MTCS via email, submission of completed details below or by telephone and can include, but are not limited to, the following:

- Access to assessment
- Process of assessment
- The handling of an appeal
- Administrative issues, e.g. failure to register / apply for certification
- Any difficulty using your assessment documentation / media

Complaints must be made within 20 working days of the issue arising. The three stages of the Procedure outlined previously will then be followed.

Appeals

You can appeal against the decision of any assessment that has taken place by MTCS on activities carried out by you when working towards your grade/ qualification or any decision to impose sanctions as a result of the identification of Malpractice.

Appeals must be made within 20 working days of the issue arising. The three stages of the Procedure outlined previously will then be followed.

Data Privacy

Any personal data received during any potential malpractice, maladministration, complaints or appeal case will be held securely and only used to address the specific case. Confidentiality will be maintained however, it may not always be possible to preserve confidentiality in some circumstances, for example, where relevant legislation is applied, or allegations are made, that involve the conduct of third parties.

Contact Details

Tel: +44 15394 40200

Email: enquiries@mtcs.info

Candidate name:

Date:

Candidate signature:

Certification applied for:

Summary of appeal/complaint (*including times, dates and names where applicable*) :