

Centre Compliance In Practice

Your questions answered





On a scale of 1-10 how confident would you say you are in being able to identify, report, and manage instances of Malpractice/Maladministration and Centre Conflicts of Interest?

- ⓘ The Slido app must be installed on every computer you're presenting from

Centre Conflicts of Interest

A conflict of interest exists when an organisation or an individual has competing interests, which might impair its or their ability to make objective, unbiased decisions.

A conflict of interest can be personal, organisational, financial, non-financial, perceived, potential or actual.



Condition A4 within Ofqual's Conditions of Recognition requires all awarding organisations to effectively monitor and manage any such conflict to ensure that any adverse effect is either avoided or mitigated where unavoidable.

An adverse effect is considered an act, omission, event, incident, or circumstance which gives rise to prejudice to Learners or potential Learners.

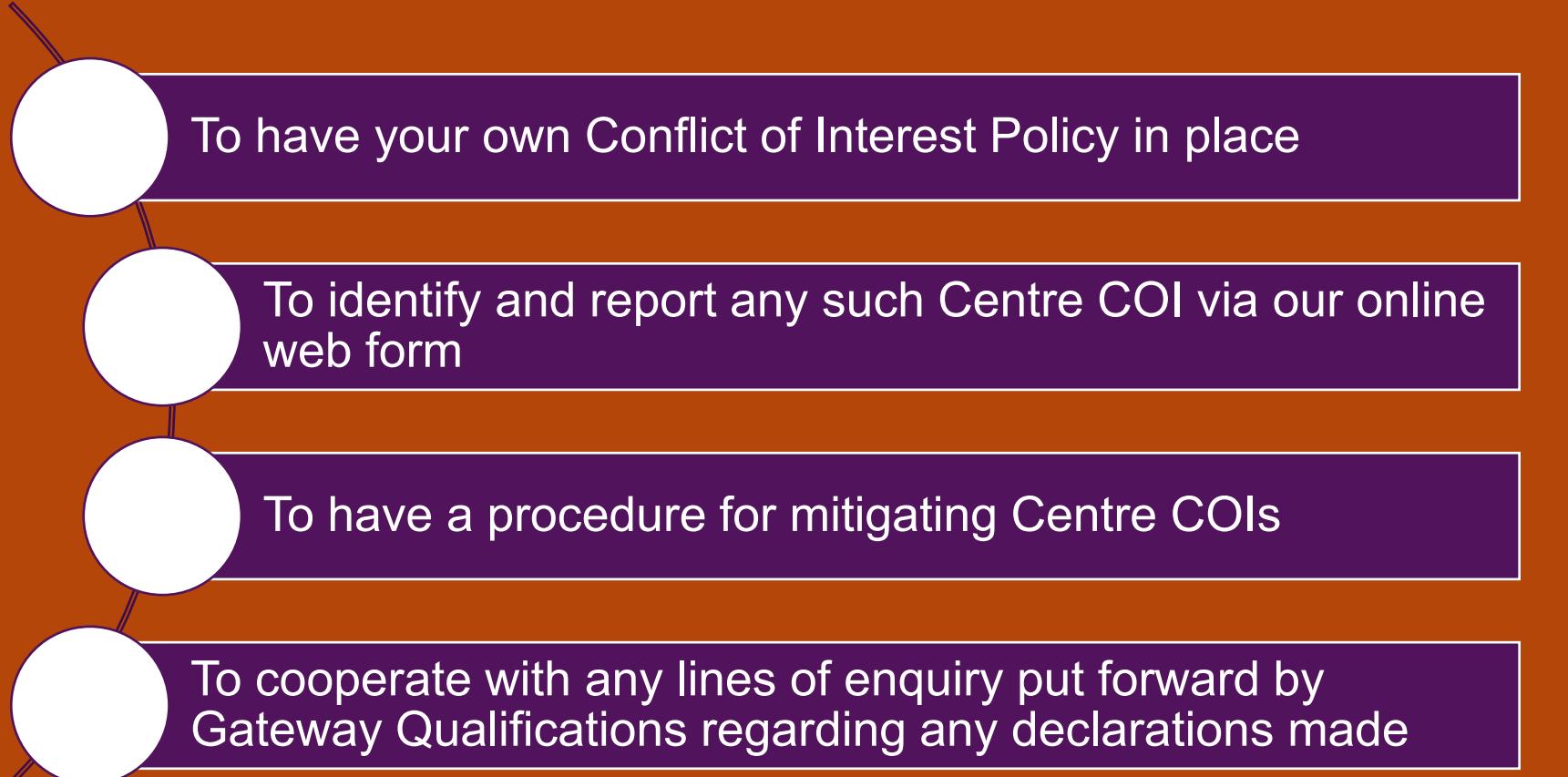
Centre Obligations

To have your own Conflict of Interest Policy in place

To identify and report any such Centre COI via our online web form

To have a procedure for mitigating Centre COIs

To cooperate with any lines of enquiry put forward by Gateway Qualifications regarding any declarations made



Conflict of Interest Policy and Procedure

Introduction

This Policy and Procedure sets out Gateway Qualifications' approach to identifying, managing and mitigating potential or actual conflicts of interest whilst ensuring compliance with regulatory requirements.

Generally, conflicts of interest occur where an organisation or an individual has competing interests which might impair or threaten their ability to make objective, unbiased decisions which may arise within a Recognised Centre ('Centre') or with Gateway Qualifications. This Policy sets out how Gateway Qualifications identifies and monitors conflicts of interest through processes to manage, mitigate and/or remove any identified conflict in order that the integrity of its qualifications and regulatory compliance is maintained.

Management of conflicts of interest can also reduce risks at strategic and operational levels, heighten awareness of potential risks and associated risks and promote good management and organisational practices.

This Policy should be read alongside Gateway Qualifications' terms and conditions (Centre agreement) and the following Gateway Qualifications policies:

- Malpractice and Maladministration Policy and Procedure
- Sanctions Policy

Scope

This Policy applies to all stakeholders involved in the development, delivery and awarding of all Gateway Qualifications provisions, including:

- Centres – including all Centre staff, associates, freelance staff and contractors
- Gateway Qualifications' Board of Trustees and Committee members
- Gateway Qualifications' staff
- Gateway Qualifications' wider workforce – including consultants, qualification developers, assessment associates, Principals/Subject Specialist External Quality Assessors (EQA), Centre and Subject Specialist, Independent End Point Assessors (IEPA), Internal Quality Assessors (IQA)

Definition of a conflict of interest

A conflict of interest is a situation that occurs when an individual's personal interests, loyalties or relationships may compromise or appear to compromise the individual's professional judgement or behaviour.

Version 7.2

Centre Declaration of Interest

Name*
First Last

Job title/role in organisation*

Your organisation*

Your email address*

We will email you confirmation of this submission.

Your phone number*

Type of conflict*
 Centre Staff seeking to take qualification

Examples of Centre Conflicts of Interest

- A member of Centre staff pursues a qualification offered by the Centre, which Gateway Qualifications has made available to them
- A member of Centre staff has a partnership or subcontracting agreement with a third party in which both parties have an interest
- Staff and third parties who have access to confidential assessment information have a family member, friend or colleague who is due to take those assessments

Examples of Mitigations

Potential Conflict A:

- A Learner who has a tutor or IQA/moderator who is a family member

Possible suitable mitigations:

- Explore the possibility of using another provider
- Another tutor or IQA/moderator undertakes delivery/moderating who has no such relationship
- 100% IQA activity takes place on the portfolio
- The learner's portfolio must then be sampled by a Gateway Qualifications' EQA prior to any claim being processed.

Potential Conflict B:

- Centre staff member seeking to take a qualification at their associated Centre

Possible suitable mitigations:

- The staff member should be registered and assessed at another Centre.
- Centre Staff member does not have access to any unauthorised materials or systems
- Their portfolio must be sampled by a Gateway Qualifications' EQA before any awarding takes place

Management and Mitigations

Where a COI is unavoidable, the Centre Compliance Team is responsible for ensuring there are sufficient mitigations and controls in place by the Centre to lessen the conflict as much as possible

Once mitigations have been agreed, the Centre Compliance Team will confirm this with the Centre and make an internal record.

The Centre Compliance Team monitors all ongoing COIs and will conduct regular check-ins with the Centre throughout, until the conflict is closed.

Guidance Locations

- Conflict of Interest Policy
- Centre Guidance for Conflicts of Interest
- Centre Declaration of Interest Form

These documents can be located via our website:

Home

Centre
Support

Quality
Assurance

Centre
Handbook

Quality &
Compliance

Conflicts of
Interest

Your Questions Answered

 01206 911 211

 @GatewayQuals

 www.gatewayqualifications.org.uk

 enquiries@gatewayqualifications.org.uk



Malpractice and Maladministration

- Two distinct but related concepts
- Maladministration generally covers mistakes or poor processes. It may involve some degree of incompetence or ineptitude, carelessness or inexperience
- Malpractice generally involves some form of intent, though it can also include where an individual has been negligent or reckless as to their consequences
- The line between the two can sometimes be blurred. Sometimes, whether a particular incident is best classified as maladministration or malpractice will depend on the content, severity and reaching impact of the event

Centre Obligations

To have your own Malpractice and Maladministration Policy in place

Have a reporting practice to notify us of any suspected maladministration or malpractice event at the earliest opportunity via our online web-form

To have a procedure for mitigating malpractice and maladministration events

To cooperate with any lines of enquiry put forward by Gateway Qualifications regarding any suspected cases raised

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Definition of a conflict

A conflict of interest is a situation where an individual's personal interests, or those of their organisation, are in conflict with their professional obligations. A conflict of interest could compromise or appear to compromise the individual's professional judgement.

Version 7.2

Suspected Malpractice or Maladministration Form

Are you reporting a suspected malpractice or maladministration?

Malpractice Maladministration

Your name*
First Last

Your email address*
We may need to contact you about the incident.

Your role/job title
Centre name*

Qualification(s)
Qualification Name Level Qualification No.

Please add details about the qualifications affected. Add additional rows if required.

Examples of Maladministration and Malpractice

- Mistakes arising from inattention
- Inadequate procedures
- Failure to follow correct procedures
- Poor record keeping
- Inadvertent failure to take action
- Poor communication

Maladministration

Malpractice

- Learner plagiarism, collusion, misuse of AI
- Breach of assessment material
- Failure to meet approval requirements
- Failure to operate the required policy and procedures
- Falsifying learner evidence or records

It's important to note that repeat instances of maladministration may also result in a record of malpractice.

Best Practice Tips for avoiding Malpractice and Maladministration

Ensure your Malpractice and Maladministration policy is clear, regularly reviewed and shared appropriately with colleagues.

Ensure your administrative processes are robust

Ensure your enrolment process for new employees covers malpractice and maladministration

If in doubt, reach out.

Our Obligations

- **Review:** Conduct an initial assessment to determine if this is likely to be maladministration or maladministration
- **Notify:** The Centre and WWF which may include precautionary sanctions and risk rating increases whilst the case is ongoing
- **Enquire:** to ascertain the scope of the concern and the reason for the occurrence
- **Action:** To mitigate an occurrence
- **Review:** the action responses to ensure sufficient mitigations and we review the case again the initial assessment.
- **Conclude:** which may include extending, applying or closing sanctions and risk ratings

Possible Outcomes

Allegation Unfounded

Maladministration Confirmed

Malpractice Confirmed

No standing in the concern raised

Concern has been founded

Concern has been founded

Human Error

Adverse Effect

Less of an impact

Wider impact reach

No intent found

Intent

Disregard for due process

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Our Policies

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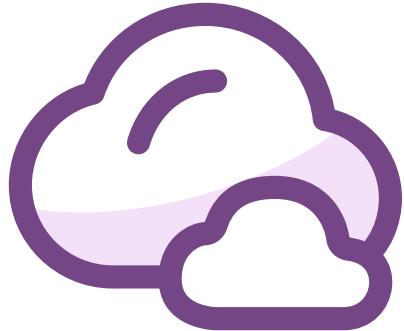
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After attending this session, on a scale of 1-10 how confident would you say you are in being able to identify, report and manage instances of Malpractice/Maladministration and Centre Conflicts of Interest?

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What are your key takeaways from today's session?

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Contact us



<https://www.gatewayqualifications.org.uk/>



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Centre.Compliance@gatewayqualifications.org.uk



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[Gateway Qualifications](https://www.linkedin.com/company/gateway-qualifications/)



LEARNER OF THE YEAR

FAB 2024 AWARDS

AWARD WINNER



QUALIFICATION OF THE YEAR

FAB 2024 AWARDS

AWARD WINNER