**Jam Youth Theatre**

**Malpractice or Maladministration**

**Introduction**

This document sets out JAM YOUTH THEATRE’s policy with respect to the management of suspected, alleged or actual malpractice or maladministration on the part of Learners, Staff, and/or any others involved in the services.

JAM YOUTH THEATRE will ensure that those who submit an allegation regarding Malpractice or Maladministration will not be disadvantaged in any way by doing so.

Malpractice is defined as any deliberate action or practice undertaken with the intention to compromise:

* The assessment process
* The integrity of a qualification
* The validity of a result or certificate
* The reputation and credibility of services
* The qualification or the wider qualifications community.

Failure by any party to notify, investigate and / or report any allegations of malpractice, or suspected malpractice to JAM YOUTH THEATRE, constitutes malpractice in itself. Maladministration is defined as any actions or practices which result in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration. This is usually the result of carelessness and / or inexperience.

**Identification**

Instances of Malpractice and Maladministration arise for a variety of reasons:

* Some are intentional actions which aim to give an unfair advantage in an assessment.
* Some arise due to a lack of knowledge or understanding of the regulations or carelessness in applying the regulation.
* Some occur as a direct result of circumstances which are beyond the control of those involved.

There are a number of ways JAM YOUTH THEATRE identifies cases of suspected malpractice and maladministration, including:

* Feedback and referrals from staff
* On-going quality assurance activity and monitoring
* Intelligence, complaints or feedback received
* Information provided by other organisations e.g. other Awarding Organisations or the Regulators.

Suspected malpractice and maladministration may be identified by:

* Internal or External Quality Assurance Staff
* Examiners
* Centre Coordinators
* Whistleblowers
* Learners
* Employees
* Other stakeholders e.g. Parents or members of the public.

Irrespective of the underlying cause, or the people involved in the allegation of malpractice or maladministration, JAM YOUTH THEATRE will conduct a full investigation and will take action with respect to the individual concerned, to maintain the integrity of qualifications and services.

**Reporting Procedure**

If an allegation of malpractice or maladministration is to be made, JAM YOUTH THEATRE should be contacted as soon as possible: Email: INSERT EMAIL Telephone: 07530055556

Receipt of the allegations will be acknowledged within three working days.

**Confidentiality**

JAM YOUTH THEATRE always encourages openness and accountability and as such the preference would be to reveal identity when reporting. Where there are concerns about possible adverse consequences however, anonymous claims can be made via the ???

Investigation Procedure Upon receipt of a report, an allegation, or evidence of suspected or actual malpractice or maladministration, JAM YOUTH THEATRE will allocate a relevant member of the team to the role of ‘Lead Investigator’ (LI). The LI will always be a person who has a suitable level of training, authority and has had no previous involvement or personal interest in the matter. We will aim to conclude all investigations within 15 working days, however where the case is more complex and this is not possible, updates will be provided at least every 15 working days until outcomes can be communicated. Malpractice or maladministration investigations will:

* Aim to establish the facts and identify whether malpractice or maladministration has occurred
* Be rigorous, fair, courteous, legal and will be carried out without bias or prejudice
* Be carried out in a manner that is sensitive to the effects on the reputation of those involved
* Collect evidence which will be stored securely for five years.

As part of the investigation, the LI may make contact with Learners, Centre Coordinators, Examiners to ask questions, or request evidence. All requests will be carefully considered to ensure they are reasonable, fair and effectively inform the investigation.

**Investigation outcomes**

If there is sufficient evidence to suggest that a centre/individual has committed malpractice or maladministration, JAM YOUTH THEATRE will:

* Inform the involved parties of the allegation and the evidence
* Provide them with a reasonable opportunity to consider and respond to the allegations.
* Consider responses and additional evidence received, prior to making final decisions.

If the investigation confirms that malpractice or maladministration took place, JAM YOUTH THEATRE will:

* Promptly apply reasonable steps to prevent, correct and mitigate the risk of Adverse Effects
* Take proportionate action against those responsible
* Inform relevant parties of the outcome and any Sanctions to be applied
* Provide those implicated with an opportunity to Appeal

Adverse effects are defined by Ofqual as ‘an act, omission, event, incident or circumstance that gives risk to prejudice to Learners or potential Learners; or adversely affects the ability of the awarding organisation to undertake the development, delivery or award of qualifications in a way that complies with its Conditions of Recognition, the standards of qualifications or public confidence in qualifications.’ Please note: Where allegations have been made by a third party, we will aim to provide updates and summaries of the outcomes, however, depending on the sensitivity of the case, this may not be possible.