

## Malpractice and Maladministration Policy [30/09/2015]

### 1. Scope

[Essex Cricket] is committed to the prevention, mitigation or management of malpractice and maladministration in the management of the organisation and in the delivery of qualifications. [Essex Cricket] is recognised as a centre with 1st4sport Qualifications and also with the England and Wales Cricket Board.

1st4sport Qualifications is an awarding organisation recognised and regulated in England by the *Office of Qualifications and Examinations Regulation (Ofqual)*, who also regulate vocational qualifications in Northern Ireland. 1st4sport are further regulated in Wales by *The Welsh Government* and in Scotland by SQA Accreditation.

The England and Wales Cricket Board (ECB) is the single national governing body for all cricket qualifications in England and Wales, established to create a unified body responsible for the management and development of every form of cricket for men and women.

In operating as a recognised centre for the above organisations [Essex Cricket] is approved to deliver the following qualifications:

1st4sport Awarded Qualifications	ECB Awarded Qualifications
<ul style="list-style-type: none"> <li>• Level 2 Certificate in Coaching Children's Cricket (QCF)</li> <li>• Level 2 Certificate in Coaching Young People and Adults Cricket (QCF)</li> <li>• Level 3 Certificate in Coaching Cricket (QCF)</li> </ul>	<ul style="list-style-type: none"> <li>• Cricket Activator</li> <li>• Coach Support Worker</li> <li>• ECB Game Based Learning for Children</li> <li>• ECB Creating the Learning Climate for Children</li> <li>• ECB Skill Development for Children</li> <li>• Cricket for Teachers: Primary</li> <li>• Coaching in Primary Schools</li> <li>• Cricket for Teachers: Secondary</li> <li>• Coaching in Secondary Schools</li> <li>• ECB Coaching Teams</li> <li>• ECB Training Interventions and Methods</li> <li>• ECB Performance and Video Analysis</li> <li>• Disability Inclusion Training</li> </ul>

[Insert name of CCB] have established this policy to ensure the highest standards of probity and the elimination of malpractice and maladministration in the management of the organisation and in the delivery of listed qualifications. This policy is deployed in accordance with the definitions below and is relevant to all sub-contracted services, staff, learners and any relevant third parties.

Term	Definition
<b>Malpractice</b>	<b>Malpractice</b> is defined as any <b>deliberate</b> activity, neglect, default or other practice that is unethical or unlawful, which breaches regulations or conditions placed upon us by awarding organisations. Such <b>deliberate</b> activity, neglect, default or other practices may compromise the integrity of the organisational statuses, financial stability, reputation, the reputation of stakeholders and approved qualifications, courses and workshops. This includes deliberate non-compliance with any [Essex Cricket] policy, procedure, guidance.
<b>Maladministration</b>	<b>Maladministration</b> is defined as any activity which is <b>not deliberate</b> , but which neglects, defaults on regulation, conditions placed upon us by awarding organisations or compromises the integrity of our organisational statuses, financial stability, reputation, the reputation of stakeholders and approved qualifications, courses or workshops. This includes accidental non-compliance with any Essex Cricket] policy, procedure or guidance.

Any enquiries related to malpractice or maladministration in the deployment of this policy should be directed to the Malpractice/Maladministration Officer.

<b>[Insert name CCB] Malpractice/Maladministration Officer</b>
Dan Feist <a href="mailto:dan.feist@essexcricket.org.uk">dan.feist@essexcricket.org.uk</a>

## 2. Statement

### 2.1 Compliance commitment

[Essex Cricket] operate in accordance with all relevant legislation, regulations, 1st4sport, ECB and [Essex Cricket] policy, procedure and related guidance arrangements. In doing so, [Essex Cricket] are able to prevent, mitigate or manage the occurrence of any alleged malpractice or maladministration.

Arrangements are in place to ensure all individuals have a safe, ethical and accessible environment in which to fulfil their role within the organisation. Where this is compromised, this policy ensures a safe and accessible procedure for reporting allegations of malpractice or maladministration in a confidential manner. As a result, [Essex Cricket] takes appropriate steps to ensure that individuals reporting allegations are not penalised are protected and that individuals accused are also protected against false, malicious or anonymous accusations.

[Essex Cricket] is keen to encourage all individuals to report allegations without fear and will ensure that any disclosure is treated with the utmost confidentiality. Therefore in the deployment of this policy all relevant individuals' are required to report any allegation of malpractice or maladministration. Cases of malpractice being withheld or confirmed may result in the imposition of sanctions, penalties or disciplinary procedures on relevant individuals and on learners.

All allegations related to both 1st4sport qualifications and/or ECB courses must be submitted for investigation to 1st4sport Qualifications in line with the standardised systematic process established to ensure objectivity and conflict mitigation.

Anonymous allegations will only be considered if they are of a serious nature and the evidence is sufficient to warrant an investigation and for appropriate action to be taken.

## 2.2 Malpractice and maladministration prevention

[Essex Cricket] is committed pursuing the highest standards of probity and prevention of malpractice and maladministration in the management of our organisation and in the delivery of qualifications. In support of this statement clear and transparent operating rules must be complied with and are clearly outlined below. Failure to do so instigates investigation and will result in corrective action which serves to prevent, mitigate and/or manage any adverse effects.

Stakeholder	Operating rules
<p><b>Recognised centre partners, consortia or subcontracted services</b></p>	<p><b>Partners and Consortia</b> Partners and consortia are required to operate in accordance with a current signed Agreement which clearly outlines each partner or consortia’s role and responsibilities.</p> <p><b>Sub-contacted Staff</b> Staff – Where staff are subcontracted they are required to operate in line with a current signed <i>Supply of Service Agreement</i> detailing the terms and conditions related to their specific roles and responsibilities. They must also comply with a signed <i>Code of Conduct</i>.</p> <p><b>Sub-contracted organisations</b> Where organisations are subcontracted they are required to operate in line with a current signed <i>Supply of Service Agreement</i> detailing the terms and conditions related to their specific roles and responsibilities.</p> <p><b>Sub-contracted venues</b> Where venues are subcontracted they are required to operate in line with a current signed <i>Venue Hire Agreement</i> detailing the terms and conditions related to their specific roles and responsibilities.</p>
<p><b>Recognised Centre Staff</b></p>	<p>Recognised centre staff are required operate in accordance with all <i>1st4sport Centre Recognition Conditions and 1st4sport and ECB Qualification Approval Conditions</i>. In doing so they must also comply with their own policies and procedures, job description and signed <i>Code of Conduct</i>.</p>
<p><b>Learners</b></p>	<p>Learners must comply with established [Essex Cricket] policies and procedures. In addition to this they must ensure that they comply with all relevant qualification approval conditions which are made clear via the 1st4sport and ECB qualification documentation. Finally, learners must also be required to operate in accordance with a learning agreement which details expectations related to conduct.</p>

In addition to the above operating rules, all stakeholders are required to comply with legislation, regulatory conditions and principles<sup>1</sup>, 1st4sport, ECB and [Essex Cricket] policy, procedure and conditions.

### **2.3 Malpractice and maladministration reporting**

It is confirmed that the awarding organisation 1st4sport manage all allegations of malpractice or maladministration 1st4sport qualifications and also as a service provided to the ECB for ECB awarded qualifications. Therefore all allegations of suspected malpractice or maladministration in the delivery of 1st4sport or ECB qualifications must be reported to the *1st4sport Risk Manager* using the *Malpractice/Maladministration Report Form*.

To source this form access the *About us* section of the *1st4sport Website*. Then select *Malpractice, Maladministration and Sanctions* clicking to open, complete and submit the *Malpractice Report*.

Any related evidence should be sent via email to [imanagement@1st4sportqualifications.com](mailto:imanagement@1st4sportqualifications.com) to enable thorough evaluation of evidence and/or investigations to be conducted. The st4sport Risks manage will then liaise with the CCB Malpractice and Maladministration Officer in order to conduct a thorough investigation.

When reporting any allegation, care must be taken to include:

- a detailed account of the circumstances surrounding the suspicions and allegations
- details of any consequent actions/investigations carried out by recognised centre personnel (if this is available)
- any extenuating circumstances (e.g. medical reports)
- any unauthorised material found during the assessment process (if this is available)
- where applicable, statements signed and dated by any people involved

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<sup>1</sup> Ofqual and Welsh Government General Conditions of Recognition and SQA Accreditation Principles.

## 2.4 Malpractice and maladministration handling

Malpractice and maladministration which occurs in the delivery of 1st4sport and ECB awarded qualifications is effectively handled in accordance with the 1st4sport *Incident Management Process*. Incident reports are derived from a number of mechanisms and not solely resultant of malpractice or maladministration reporting. Any reported incident may infer alleged malpractice or maladministration in the first instance and then may be proven or not proven as a result of a fact find or investigation. Alternatively, any reported incident may prove that malpractice or maladministration did occur and will lead to implementation of corrective actions.

Where any malpractice or maladministration is confirmed in the development, delivery or award of any qualifications, course or workshop, 1st4sport, supported by the ECB promptly take all reasonable steps to prevent reoccurrence and take appropriate action against those responsible which is proportionate to the gravity and scope of the occurrence. Cooperation of third parties in taking such action may be sought.

Where there is any cause to believe that an occurrence of malpractice, maladministration, or any connected occurrence may affect another recognised centre in the delivery of a qualification we inform that recognised centre immediately. Furthermore, where such an occurrence may affect another awarding organisation, notifications are sent to the awarding organisation, the ECB and the regulators.

## 2.5 Malpractice or maladministration confirmation

Stakeholder	Outcomes
<b>Coachwise and 1st4sport</b>	Confirmed malpractice or maladministration on the part of Coachwise or 1st4sport staff will be reported directly to the <i>Head of Personnel and Office Management</i> which will then initiate disciplinary action proportionate to the offence.
<b>ECB</b>	Confirmed malpractice or maladministration on the part of ECB staff will be reported directly to the <i>Head of Personnel (or equivalent)</i> which will then initiate disciplinary action proportionate to the offence.
<b>External Verifiers</b>	Confirmed malpractice or maladministration on the part of external verifiers will be reported directly to the 1st4sport Business Excellence Working Group which will then initiate decision making and actions proportionate to the offence.
<b>Recognised Centres</b>	<p>Confirmed malpractice or maladministration on the part of CCBs as recognised centres<sup>2</sup> will be mapped to the relevant centre recognition and qualification approval condition by the <i>1st4sport Risk Manager</i>. This will then be reported directly to the 1st4sport Business Excellence Working Group for decision making on sanctions proportionate to the offence.</p> <p>Confirmed malpractice or maladministration on the part of recognised centre staff will be reported directly to the 1st4sport Business Excellence Working Group for decision making on penalties proportionate to the offence which include retraining, temporary suspension, working only under supervision or permanent exclusion from the:</p> <ul style="list-style-type: none"> <li>• management of the centre</li> <li>• administration of the centre</li> <li>• financial management of the centre</li> <li>• from the delivery of qualification(s)</li> <li>• from the assessment of qualification (s)</li> <li>• from the internal verification/moderation of qualification(s)</li> </ul>
<b>Learners</b>	<p>Confirmed malpractice or maladministration on the part of a learner will be reported directly to the 1st4sport Business Excellence Working Group for decision making on penalties proportionate to the offence which may include:</p> <ul style="list-style-type: none"> <li>• written warning (if further non-compliance is identified, this will result in disqualification from the whole qualification)</li> <li>• disqualification from entering one or more (re)assessment</li> <li>• disqualification from the whole qualification.</li> <li>• disqualification from entering into any 1st4sport or ECB qualification.</li> </ul>

<sup>2</sup> Recognised centre partners, consortia and subcontracted service are all covered under recognised centre as the centre is ultimately accountable for these arrangements.

### **3. Monitoring and review**

[Essex Cricket] have in place a standardised and systematic monitoring process to ensure the relevance of this policy. In addition any data which is collected with relates to the implementation of this policy will be used to inform the ongoing management of our organisation and delivery of qualifications.

This policy will be reviewed on [30/09/2017] unless legislation changes or supporting data identifies that a review is required sooner.