

# Whistleblowing: maladministration and malpractice

Policy and procedures

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## Whistleblowing policy: maladministration and malpractice

Effective from:	September 2023
For the attention of:	All learners and centre staff

Policy owner	Policy approver
Compliance Manager	Head: Quality and Qualifications

Review history		
Date	Version	Reviewed by
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# 1 Introduction

This whistleblowing policy is aimed at learners, tutors/assessors, centre staff including managers and administrators or other members of the public who may become aware of a potential instance of malpractice or maladministration in relation to an ASDAN qualification. Information about ASDAN may be found on our website: [asdan.org.uk](https://asdan.org.uk)

A separate policy exists for ASDAN staff and associates who are asked to consult the ASDAN Staff handbook or the ASDAN SharePoint site. All those accessing/reading/using this policy should be mindful of the national regulators' requirements (Ofqual, Qualifications Wales, CCEA) which may be readily found at:

[gov.uk/government/organisations/ofqual/about/complaints-procedure](https://gov.uk/government/organisations/ofqual/about/complaints-procedure)

(This link also provides a further link to Ofqual's Privacy Notice)

[qualificationswales.org/english/our-work/our-regulatory-documents/policies/](https://qualificationswales.org/english/our-work/our-regulatory-documents/policies/)

[cea.org.uk/about\\_us/policies/fraud](https://cea.org.uk/about_us/policies/fraud)

# 2 Definitions

## 2.1 Whistleblowing (Ofqual)

Whistleblowing is a term used when an individual raises a genuine concern about suspected malpractice or wrongdoing and/or the covering up of malpractice or wrongdoing that they become aware of through their work. The malpractice often affects others, for example customers or members of the public. Whistleblowing is distinct from both complaints and employment disputes or grievances that an individual may have.

## 2.2 Malpractice

The breach of any published regulation or Code of Practice and actions which would damage the reputation and worth of ASDAN qualifications if not addressed and which might include:

- A criminal offence such as bribery to influence assessment results
- Cheating in set assessment conditions
- Copying the work of others and claiming it as original work (plagiarism) whether sourced from individuals or sources of the work of others such as the Internet and where there is no acknowledgement of the use of such sources
- Altering or otherwise falsifying assessment records to deliberately change the achievements of learners

### **Note: Complaints and appeals**

Whistleblowing does not apply to either making a complaint or an appeal. A complaint is usually a grievance and could relate to poor administration or customer service. Appeals are generally made against the outcomes of assessment where it is felt that the gap between the expected and actual result is far greater than was anticipated.

Appeals against external moderation decisions must be made through ASDAN's Policy and Procedures for Enquiries and Appeals.

(For internally assessed, externally moderated qualifications ASDAN expects that the vast majority of appeals made by learners will be resolved within the centre making the assessments and in which the external moderation is applied. Centres are required to have a complaints handling procedure or appeals process in place for all ASDAN qualifications.)

Guidance on Centre Appeals Processes and/or making a complaint may be obtained through contacting ASDAN at [info@asdan.org.uk](mailto:info@asdan.org.uk) or the ASDAN website: [asdan.org.uk](http://asdan.org.uk)

# 3 Whistleblowing procedure

## 3.1 Raising a concern

### Stage 1

Whatever the circumstance, where there is a concern that malpractice has taken place in relation to ASDAN qualifications, normal practice is to raise it through the line management of the organisation concerned. For a learner/candidate the first point of contact would be their main tutor or assessor.

### Stage 2

If your concerns are not addressed at this stage, or you feel it is not possible to raise concerns internally then you should contact and address your concerns direct to ASDAN's Compliance Manager via the **ASDAN Whistleblowing form** which is attached here as Appendix A (page 7) and which may also be found separately on the website: [asdan.org.uk](https://www.asdan.org.uk)

## 3.2 ASDAN response procedure

### Stage 3

ASDAN will evaluate your concern and may ask you for more evidence/information using the contact details you provided on the ASDAN Whistleblowing form.

ASDAN will decide whether and how to pursue the issue expressed by you. You will receive an update on any course of action taken by ASDAN within 5 working days of receiving your concern.

ASDAN will inform the regulator/s of the issue raised, as appropriate, and the course of action to be taken.

Upon conclusion of any investigation, ASDAN will provide you with a summary update of outcomes given the need to protect confidentiality. This will be done within ten working days of the conclusion of the investigation.

Where any serious issues are proven, the regulator/s will be provided with full details of the investigation/evaluation and other awarding organisations offering the same or similar qualifications will also be informed.

### Important note: key points

- 1 Having raised a concern with ASDAN you may not contact them on a daily or otherwise regular basis for constant updates. ASDAN has a responsibility to all concerned with respect to confidentiality.
- 2 At all stages of the matter being investigated, ASDAN will take all possible steps to protect your identity given the details/context expressed in the next section of this document under 'Confidentiality'.
- 3 ASDAN will consider each disclosure of information sensitively and carefully, and decide upon an appropriate response. Information received in a disclosure may be shared with third parties where considered necessary.

# 3 Whistleblowing procedure

## Confidentiality

ASDAN will always endeavour to keep a whistle-blower's identity confidential where asked to do so, although by law and by regulation, we may need to disclose your identity to:

- the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud);
- the courts (in connection with court proceedings);
- another person to whom we are required by law to disclose your identity;
- The national regulator responsible for the standards of the qualification(s) concerned.

A whistle-blower should also be aware that he or she may be identifiable by others due to the nature or circumstances of the disclosure.

## How to contact us

The best method for ASDAN to receive your whistleblowing disclosures is by sending a completed ASDAN whistleblowing form to [compliance@asdan.org.uk](mailto:compliance@asdan.org.uk)

Whistleblowing disclosures can also be made through our general enquiries line (0117 941 1126) between the hours of 8.30am to 5pm Monday to Friday and by post to:

ASDAN Compliance Manager – Confidential  
Wainbrook House  
Hudds Vale Road  
St George  
Bristol BS5 7HY

# Appendix 1 ASDAN whistleblowing form

## ASDAN Whistleblowing form

### 1. Contact information

Title:	
Surname:	
First name:	
Name of centre/organisation:	
Telephone number:	Email:

### 2. Whistleblowing concern details

Qualification(s) affected:
Number of learners affected:
Issue details:

Complete this form and send it to: [compliance@asdan.org.uk](mailto:compliance@asdan.org.uk)



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Wainbrook House, Hudds Vale Road, St George, Bristol BS5 7HY  
t: 0117 941 1126 | e: [info@asdان.org.uk](mailto:info@asdان.org.uk) | [f](#) [x](#) [@](#) @ASDANeducation