



ORNAMENTAL AQUATIC TRADE ASSOCIATION LTD

"The voice of the ornamental fish industry"

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OATA Training Programme – Dealing with malpractice

What is considered malpractice

As defined by City & Guilds, malpractice is: *"an act or an instance of improper practice and includes maladministration. Malpractice is any activity, practice or omission which is either wilfully negligent or deliberately contravenes regulations and requirements and compromises the internal or external assessment process, integrity of a qualification, validity of a result or certificate, reputation and credibility of City & Guilds"*. In relation to maladministration, this is defined by City & Guilds as: *"any activity, practice or omission which results in centre or learner non-compliance with administrative regulations and requirements. For example, persistent mistakes or poor administration within a centre resulting in the failure to keep appropriate learner assessment records"*.¹

OATA Malpractice policy – Scope

OATA's malpractice policy is intended for those individuals both undertaking OATA training programmes and for staff within or contracted by OATA to deliver our OATA devised training programmes who are either suspected of or involved in actual malpractice.

OATA Malpractice policy – Purpose and Review

This OATA policy sets out the procedures which should be undertaken by candidates of OATA training programmes or OATA training delivery staff when reporting a suspected or actual incident of malpractice and OATA's obligations in dealing with such incidents as reported to OATA. This policy will be communicated to candidates when they receive joining instructions and will detail the review process during any investigations. Please note that OATA will act upon any reports of malpractice, both suspected and actual, that it receives which may detrimentally impact the reputation and integrity of OATA's training programmes and quality assurance systems.

This policy will be reviewed on an annual basis to ensure that OATA's procedures are consistent with current regulatory criteria and so that they may be applied fairly and in full accordance when arriving at a final decision.

OATA definition of malpractice

OATA will consider malpractice to be any act or activity, including professional misconduct, with compromises the integrity of our training programme assessments and/or the validity of any certificates. With direct reference to OATA training programmes, acts/activities which will be considered as malpractice include but are not limited to:

- The forgery of any evidence provided to OATA e.g. photographic identification documents, supporting documents submitted in relation to a request for Access arrangements/Special Consideration;

¹ Source: https://www.cityandguilds.com/~/_media/cityandguilds-site/documents/delivering-our-qualifications/cdl/policies-procedures/assessment-malpractice/investigation%20policy%20v2-1%20pdf.ashx

- Plagiarism in any form undertaken by candidates e.g. the direct copying of information from the internet, recommended reading, OATA course materials etc.
- The submission of assessments which are not undertaken by the candidate (except in those circumstances whereby access arrangements are sought and granted);
- The provision of false information in order to gain a certificate;
- The provision of false information in order to gain access arrangements or special consideration;
- Harassing and/or bullying behaviour and/or discrimination;
- Any breach of confidentiality;
- Professional misconduct;
- The intentional and deliberate falsifying of assessment records;

Reporting procedures to OATA

Anyone wishing to report a suspected or actual incident of malpractice should contact the OATA Chief Executive in the first instance. Any reports made via telephone will require confirmation in writing. Such confirmation should include: the title of the OATA training programme affected, the name of the candidate, the name of the OATA staff member if they are involved in the case, the date(s) of the suspected or actual malpractice incident, a comprehensive account of the nature of the suspected or actual malpractice. Written reports can be submitted either via email to: info@ornamentalfish.org or via post to: OATA Ltd, Wessex House, 40 Station Road, WESTBURY, Wiltshire BA13 3JN.

The process of dealing with reports of malpractice will be taken to start from the time that a written account is received from the complainant by the OATA Chief Executive. Once receipt is acknowledged, OATA will have 30 working days to complete their investigations and notify of the outcomes of their investigations. The review process will be undertaken by the OATA Chief Executive in consultation with OATA's Training Working Group. Please note that their decision will be final.

OATA's investigating procedure

The OATA Chief Executive and/or OATA Training Working Group during the process of their investigations may:

- Request further information from all parties involved;
- May request a face to face interview with all parties involved (this may either be in person or via Skype);
- Inform an accreditation body as appropriate

Decisions will be based on the information and evidence presented. OATA will protect the identity of the 'informant' and may share information with any other external party as deemed necessary.

OATA – Malpractice by learners

If, after its investigations, OATA concludes that malpractice has taken place by a learner, OATA reserves the right to take recourse on that individual. Recourse actions may include but are not limited to:

- Disqualification from the training programme/s with immediate effect and will not be permitted to re-register for OATA training programmes for a period of six months;
- To disallow all or part of the candidate's assessments (both written and verbal);
- To refuse to issue a certificate to the candidate (either full or Certificate of Attendance);

- To refuse to accept any further registrations for OATA training programmes for the candidate;
- To inform the Line Manager/HR department if the candidate is being sponsored by an employer.

Please note that for any incident of candidate malpractice which is identified and subsequently confirmed by OATA, and whereupon OATA takes action by way of one of the methods outlined but not limited to those above, the candidate/sponsoring employer/individual shall **not** be entitled to a refund of course fees already paid.

Candidates should therefore take note that in all cases where learner malpractice is proven, any certificate which has been issued (either full or Certificate of Attendance) by OATA should be considered to be null and void and must be returned to OATA so that it may be invalidated and subsequently destroyed. A record of any certificate invalidation made by OATA will be kept by OATA and made available to City & Guilds for their records.