

Malpractice and Maladministration Policy

Introduction

The aim of this policy is to protect WSET students and safeguard the integrity of WSET qualifications by ensuring compliance with those policies and procedures through this Malpractice and Maladministration Policy, which gives a framework for both the awarding body and WSET School London to identify, report and manage, and sanction, if necessary, potential malpractice or maladministration.

Non-compliance with WSET Policies and Procedures can fall into two distinct, but related, categories:

1. **Maladministration**, where non-compliance is generally unintentional, or the result of mistakes, carelessness, or inexperience: and
2. **Malpractice** where the non-compliance is intentional or the result of negligent or reckless action without consideration of the consequences of the action.

The awarding body will determine whether an incident is maladministration and malpractice after an investigation. The awarding body understands that the context is important and the line between maladministration or malpractice is not always clear: for example, maladministration incidents may become malpractice (e.g., if you fail to implement corrective measures, repeat the same or similar incident, or attempt to misrepresent or hide information during an investigation); or the awarding body may find that an extenuating circumstance turns potential malpractice into maladministration. Though malpractice and maladministration are distinct concepts, they can shade into one another. Malpractice and maladministration are always case, context and fact specific. Both WSET School London and students can commit malpractice and maladministration.

There are many ways that malpractice or maladministration could occur, including new ways we have not seen yet. But some examples of malpractice or maladministration include

- Failure to adhere to the terms of Centre Agreement or WSET Policies and Procedures.
- Failure to comply with the Approved Programme Provider (APP) Code of Conduct.
- Failure to follow WSET requirements for course delivery or exam regulations.
- Failure to follow WSET's candidate registration and certification procedure.
- Late student registrations.
- Fraudulent claim for certificates/fraudulent use of certificates/reproduction or forgery of certificates.
- Withholding critical information from WSET quality assurance.
- Insecure storage of exam materials.
- Revealing or sharing confidential exam materials with candidates ahead of an exam.
- Submitting false or inaccurate information to gain a qualification.
- Cheating, or facilitating cheating, including the use of unauthorised devices or materials.
- Disruptive behaviour in an exam.
- Plagiarism of any nature by students.
- Impersonation (including forgery of signatures);
- Any action likely to lead to an adverse effect;
- Breach of confidentiality;
- Failure to disclose Conflict of Interest.

- Issues of incorrect exams/results/failure to issue results to students in a timely manner.
- Intentional attempt to manipulate exam results so that they do not reflect the candidate's actual exam performance.
- Unauthorised reading/amendment/copying/distribution of exam papers.
- Failure to report changes APP ownership/personnel/location/facilities.
- Denying the awarding body access to information, documentation, workforce, facilities.
- Failure to timely respond to WSET.
- Failure to return exam papers within the specified timeframe or to follow delivery and tracking regulations.
- Infringement of WSET copyright, trademarks, intellectual property rights and brand identity.
- Use of unqualified and/or unregistered educators or internal assessors.
- Misleading advertising/publicity.

In general, we also expect that both WSET staff and those representing WSET at or Approved Programme Providers (APP) should treat others and be always treated professionally and respectfully. We will treat inappropriate behaviour including verbal or physical abuse, persistent or unrealistic demands, or threats as misconduct and apply any sanctions as necessary, including permanent exclusion from WSET qualifications.

Responsibility of WSET School London

As an APP we must satisfy the sections of the Centre Agreement relating to Malpractice and Maladministration and the identification and management of risk by implementing systems and procedures – that are tailored to our business (e.g., size, nature, student demographic) – that will help you to ensure compliance with the WSET Policies and keep records of potential or actual malpractice or maladministration by our staff or students.

If we need assistance from the awarding body on how best to prevent, investigate and deal with allegations of malpractice or maladministration, please contact qa@wsetglobal.com

It is essential that WSET School London notifies the WSET awarding body immediately of any non-compliance issues.

The earlier they are made aware of potential incident(s), the better we can with you to put corrective or preventive measure in place or help mitigate any adverse effect.

Notifications should be sent to Quality Assurance: qa@wsetglobal.com

If an incident occurs while WSET offices are closed, please email us so that the notification will be waiting for us when our offices re-open. The awarding body will acknowledge our message by email – we should not consider the notification received until acknowledgement has been received.

If the non-compliance incident occurs during a WSET exam, the Exams Officer must notify WSET using the Notification of Malpractice Form.

All other notifications should be submitted in writing (email is accepted) and should include:

- A detailed account of the circumstances surrounding the suspicions and allegations;
- Details of any consequent actions or investigations we have taken;

- Any extenuating circumstances (e.g. medical reports);
- Details of any procedures followed for informing staff/students of consequences of malpractice and maladministration;
- Any unauthorised materials found during the exam.
- Written statements signed and dated by any individuals involved.

WSET Awards will acknowledge receipt of a non-compliance notification via email within **3 working days**.

Investigation by WSET awarding body

WSET will log the non-compliance incident and will assign a case officer to investigate. WSET will conclude the investigation within **30 working days** of acknowledging notification. In some cases, the investigation may take longer, for example, if an APP visit is required. In such instances all concerned parties will be advised of the revised timescale.

- If we suspect serious APP malpractice or maladministration, approval to offer WSET qualifications may be suspended until the investigation has been completed and any sanctions applied. Suspension of approval will only be imposed in cases of suspected major malpractice and will be authorised by either the CAPO and/or WSET's Chief Executive Officer.
- If we suspect malpractice or maladministration by a student, we may suspend the student's certificate until we have concluded the investigation and apply any sanctions.

During the investigation, WSET Awards may:

- Request further information from any party involved;
- Conduct interviews (face-to-face, online, written) with individuals;
- Require the Main Contact to carry out an internal investigation at the APP;
- Report the non-compliance to the Regulator if there is a risk of adverse effect;
- Arrange for WSET representatives to carry out a visit to the APP (including an unregistered location if the investigation involves potential WSET activities being carried out at that location). In that case, all costs of the visit will charge all costs of the visit to the APP.
- If our investigation identifies an adverse effect, cooperate with us to take actions to mitigate or correct the effect, or prevent it in the future.

Management of non-compliance

If we identify malpractice or maladministration, we will consider its impact and may apply sanctions. WSET will take all reasonable steps to ensure the sanctions do not disadvantage uninvolved students affected by malpractice or maladministration. However, in some cases, we may need to disallow or withhold results and/or certificates.



Potential sanctions may include:

Sanctions Applicable to APPs	
Sanction	Description
Written Warning	A letter informing the Main Contact of the non-compliance incident and stating that further action will be taken in case of recurrence/other non-compliance incidents.
Penalty Fees	Additional fees charged for specific maladministration offences. APPs should refer to the APP Price List for details.
Other Financial Penalties	The withdrawal of credit facilities and/or charging of interest on overdue amounts.
Suspension of Ordering Powers	Rejection of orders for materials or exams for a period of time or until a specific matter has been resolved.
Training	Training/re-training for APP staff, to be completed within a specified timeframe
Action Plan	A statement of specific actions to be implemented by the APP by a set date.
Special Measures for Assessment Tasks	WSET Awards may impose additional requirements for assessment tasks that are normally handled directly by the APP.
Additional Monitoring, Verification or Inspection	WSET Awards may increase the level of monitoring and/or verification or may carry out an unannounced visit to audit aspects of the APP's course and assessment delivery.
Re-approval Visit	A full re-approval visit. An APP may be suspended until that visit is carried out or may be allowed to continue operating under specific conditions.
Use of Independent Verifiers/Observers/Assessors/Invigilators	The appointment for a specified period of time, at the APP's expense, of independent verifiers/observers/assessors/Invigilators to ensure that delivery of courses and assessments is compliant with WSET Policies and Procedures.
Suspension of Candidate Registrations	WSET may, for a period of time or until a specific matter has been rectified, refuse to accept Candidate registrations from an APP.
Invalidation of Results/Suspension of Certification	WSET may declare an exam null and void. WSET may, for a period of time or until a specific matter has been rectified, refuse to issue certificates to candidates from an APP.
Suspension/Withdrawal of Satellite Site Approval	If malpractice or maladministration is linked to a specific Satellite Site, WSET may suspend or withdraw approval of that Satellite. Suspension may be for a period of time or until a specific matter has been resolved.
Suspension/Withdrawal of Approval to Run Specific WSET Qualification(s)	WSET may suspend or withdraw an APP's approval to offer one or more of its qualifications. Suspension may be for a period of time or until a specific matter has been resolved.
Suspension/withdrawal of APP status	WSET suspend or withdraw an APP's approval to offer WSET qualifications. Provisions for Withdrawal of Approval will come into effect. At the time of withdrawal, the APP will be informed of the earliest date at which it can reapply and any special measures it will need to take prior to this application.

We apply sanctions after consideration of all relevant information on a case-by-case basis, and balancing those facts against potential or actual effects, and balance the seriousness of the sanctions against those effects. We record all malpractice and maladministration incidents on your APP record. We consider cumulative or repeated non-compliance incidents, or failure to implement corrective or preventive measures, as more serious malpractice and may apply additional sanctions accordingly. We reserve the right to charge you with any additional costs incurred in the application of sanctions.

Sanctions Applicable to Students	
Sanction	Description
Written Warning	The student is issued with a written warning that if the offence is repeated within a set period of time then further specified sanctions will be applied.
Exam Result Declared Null and Void	A student's exam result is disallowed. This may include invalidation and recall of a certificate already issued.
Disqualification from a Qualification	The student is disqualified from participating in the concerned qualification with immediate effect and further excluded from participating in any further WSET qualifications for a period of 12 months. This includes access to WSET materials.
Student Disqualification	The learner is disqualified from participating in any courses or exams leading to WSET qualifications. This includes access to WSET materials.
Disqualification from use of WSET certified logos and postnominals	Actions bringing WSET into disrepute may result in the student or graduate being barred from use of WSET postnominals and WSET certified logos.

Appeals

If you or your students wish to appeal penalties or sanctions we have imposed under this policy, please follow the procedures laid out in WSET's Complaints Policy.