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## 1. Introduction

- This policy aims to protect the integrity, reliability and reputation of Van Elle as a CITB approved training organisation (ATO) and the related products;
- This policy relates to Van Elle's delivery/administration staff and to candidates and learners;
- This policy sets out the process for reporting and any investigation;
- This document is an amplification of the CITB ATO contract requirements.

## 2. Scope of the policy

- CITB Approved Training Organisation (ATO) contract and supplementary terms;
- CITB guidance - requirements for Approved Training Organisations.

## 3. Policy aims and objectives

The policy sets out the process Van Elle needs to follow to report cases of alleged fraud (including bribery), malpractice and maladministration.

The policy will detail how alleged cases should be reported and the time scales in which Van Elle / CITB will investigate and act upon its findings.

The policy will also layout how Van Elle / CITB will deal with alleged cases if the allegations are proven.

## 4. Access to the policy

Van Elle will ensure that the policy is communicated and understood by training staff through its Training Manager. The Training Manager will answer any questions relating to the policy.

The policy is available on the Van Elle Intranet & website for all to access. Additional guidance can also be obtained from the Training Manager and the CITB quality assurance department.

## 5. Definitions

Malpractice/maladministration is a deliberate or reckless act of an individual or business to dishonestly claim learning outcomes and or certificates for candidates, delegates and learners. Furthermore malpractice/maladministration is an act that does not comply with Van Elle policies and procedures, CITB or regulatory authority's conditions and brings the authenticity, reliability and integrity of a qualification or learning outcome into question.

Fraud is a criminal activity defined as an act of deception intended for personal gain or to cause loss to another person or party. This can include theft, the misuse of funds or resources, failure to disclose information, false representation or abuse of a position of trust.

As well as the above, the term “fraud” is also used to describe acts such as deception, bribery, forgery, extortion, corruption, conspiracy, embezzlement, misappropriation, money laundering and collusion. Fraud can affect individuals, businesses, charities, the treasury or the industry as a whole.

Corruption is the abuse of entrusted power for personal gain. This can involve a party being influenced in exchange for a reward or a promise or the expectation of a reward to unreasonably use their position to gain some advantage to another. In this context, reward need not be financial.

Examples of malpractice/maladministration/fraud could be, but are not limited to:

- Delegate/candidate malpractice/maladministration/fraud
  - plagiarism of work; forgery of candidate/delegate evidence; forgery of signatures.
- Van Elle (ATO) malpractice/maladministration/fraud
  - failure to follow CITB requirements for ATO/centre approval including action plans;
  - failure to allow the CITB senior quality consultant or authorised regulator access to centre, records and candidates when requested without good reason;
  - unqualified trainers, assessor and quality assurance staff claiming learning outcomes;
  - fraudulent claims for certificates or course completion with possible links to grant payments;
  - absence of quality management systems as required by CITB and/or standards;
  - failure to follow invigilation guidelines or other externally set requirements from CITB/awarding organisations/regulators;
  - failure to input candidates/delegate information in a timely manner or intentionally adding incorrect details on to the Construction Training Register;
  - knowingly adding incorrect details to the Construction Training Directory;
  - sharing of confidential passwords to CITB systems, i.e. Construction Training Register.
- Training and assessment staff malpractice/maladministration/fraud
  - forgery or tampering with assessments and training records;
  - forgery of signatures;
  - forgery or tampering candidate/delegate evidence.

## **6. Reporting process**

Anyone involved in the training delivery process for Van Elle as an ATOs and approved CITB centre that have had an instance of alleged malpractice/maladministration/fraud brought to their attention, is duty bound to report it to CITB. Every reasonable effort will be made to protect the identity of the person making the report.

CITB will accept any written report or letter that sets out the details of the alleged malpractice/maladministration the correspondence must be sufficiently detailed to allow an investigation to commence.

CITB also has its own fraud email address: [report.it@citb.co.uk](mailto:report.it@citb.co.uk).

Please ensure that the following information is included in any correspondence:

- ATO/centre name, address and number;
- reporting person's name, job title and address (if different from ATO/centre address);
- candidate/delegate name(s) and number(s) of those affected or involved;
- individuals involved;
- programme details (i.e. qualification involved);
- the details of the allegation including dates, times and venues.

## **7. Reporting process for recognised qualifications**

For qualifications that are awarded via other awarding organisations (AO), the relevant malpractice/maladministration policy must be followed by the centre (as identified by the AO).

Van Elle are required to make CITB aware of any instances of alleged malpractice/maladministration as part of the ongoing approval status. Failure to do so could affect the ongoing approval status when brought to CITB's attention.

CITB reserve the right to take any reasonable action to safeguard candidates/delegates/employers interests.

## **8. Investigation process for assured and approved CITB products**

Upon receipt of this information, the CITB will confirm receipt in writing and detail the process for investigating the alleged malpractice/maladministration within 10 working days.

The investigators will where practical carry out the investigation remotely and the process will be concluded within 28 working days. However if further enquiries are required, then arrangements will be made for the centre to be visited and interviews conducted with the people involved.

Wherever possible, we will aim to complete the investigation in 40 working days. However, on occasions the investigation may take longer. CITB reserves the right to extend the amount of time to conclude an investigation to ensure thorough and appropriate action can be taken.

Following the investigation, we will detail our findings in a letter to the authorised representative along with any remedial action required by Van Elle. This report will be sent within five working days following the completion of the investigation.

There is an expectation that all parties that are involved in the investigation process co-operate with CITB staff. Failure to cooperate at any stage of the investigation process will result in sanctions being applied to Van Elle. Where relevant, third party organisations will be made aware of suspected malpractice/maladministration/fraud.

From time to time, the investigation will require additional information to be supplied. CITB will be clear on what is required, the format and the deadline to supply the additional information.

CITB reserves the right to interview anyone involved in the delivery process that may be able to provide evidence about the suspected malpractice/maladministration/fraud. If the investigation requires a visit, this will be arranged. The date given to Van Elle will normally have a short lead time.

CITB will use their staff who have an understanding of Van Elle to guide investigators. The investigation and findings will be conducted by impartial staff.

Van Elle will be given the name of the investigators prior to the investigation. It is Van Elle's responsibility to inform CITB in writing if there is a conflict of interest before the investigation commences.

## **9. Investigation findings**

CITB will make an informed decision based on the investigations findings. CITB will exercise due diligence when formalising its decision, using the evidence gathered during the investigation.

For candidate/delegate and Van Elle Training malpractice/maladministration/fraud, CITB findings will be presented to Van Elle's authorised representative, either face to face or by written letter.

Van Elle's representative will be involved with setting the action plan before it is put in place. As required, the CITB quality assurance department will provide guidance on the actions plan and how to meet any given points.

## **10. ATO/centre malpractice, maladministration or fraud**

If malpractice/maladministration/fraud has been identified at Van Elle Training, or with anyone employed by Van Elle Training, the sanctions that are applied will be in accordance with the published tariff of sanction and CITB contract.

CITB will work with Van Elle to ensure remedial actions are followed.

### 11. Candidate malpractice, maladministration or fraud

If the malpractice/maladministration is at a candidate/delegate level, the individual(s) may be removed from the training programme or have their achievement removed from the Construction Training Register (if listed as achieved).

Van Elle will be given an action plan to prevent further occurrences of candidate/delegate malpractice/maladministration/fraud. However, this may still be viewed as a break down of the ATO/centre's management systems.

CITB will keep any relevant regulatory authorities apprised of the investigation, findings and conclusion. In line with this, CITB will if required, remove achievements to protect the integrity of the Construction Training Register.

### 12. Appeals

If you do not agree with the findings of the investigation, you can appeal.

CITB has an appeals procedure that must be followed - this can be found on the CITB website.

The appeal must be made within 10 working days of the date of the correspondence to the ATO/centre's authorised representative.

Further guidance of the appeals procedure can also be found in the CITB requirements for Approved Training Organisations.



Signed  
Mark Cutler - Chief Executive Officer

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