



Key Website based Policies & Procedures for My Skills for Life Ltd

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1. Complaints & Appeals Procedures

Training Course Candidates Appeals and Complaints Procedures

Policy Statement

My Skills for Life Ltd (MSFL Ltd) (“the Company”) is committed to the principle of allowing any candidate who feels that they disagree with an assessment decision has the right to appeal. The MSFL Ltd Appeals Procedure is as follows:

In the first instance, please tell the course trainer if you are unhappy with the level of training you have received.

Should your complaint/appeal not be resolved, please contact the MSFL Ltd Offices by phone on 01249 463282, or in writing to MSFL Ltd, 42 Hardens Close, Chippenham, Wiltshire, SN15 3AA.

Failing this:

Contact each individual Awarding Organisations for their relevant Procedures a full list of contact details can be found on our website or contact the MSFL Ltd Office.

- QNUK
- Quallsafe
- E Learning
- IOSH
- RLSS

Candidate appeal against an assessment result

Candidates have a right to appeal, should they be dissatisfied with their final assessment. Candidates should write to the Course Director of MSFL Ltd within 28 days of the training course end date explaining the full details of the appeal. Any documentation pertaining to the appeal should also be sent to MSFL Ltd at this stage. Any complaint or appeal after the 28 days may not be considered.

The Course Director will acknowledge receipt of the appeal within 7 days. The Course Director will oversee all aspects of the appeal process and will ensure that reassessment is completed



where appropriate. Candidates should be aware that the outcome of any reassessment could result in a lower score being awarded.

Within 28 days, the Course Director will write to the Trainer of the course with regard to the outcome of the appeal. It is the responsibility of MSFL Ltd to communicate the outcome to the candidate in writing.

If the Trainer and/or candidate is/are not satisfied with the decision taken, a further appeal may be submitted no later than 14 days after receiving the outcome of the first appeal. The appeal should be made in writing to the Course Director requesting the appeal to be considered by the Course Director.

This decision is final and no further correspondence will be entered into.

Copies of all documents pertaining to candidate appeals should be retained by MSFL Ltd for three years.

Candidate appeals against a decision not to allow for reasonable adjustment

Candidates should refer to the Company's Reasonable Adjustments Policy and follow the appeals procedure above.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

The Company reserves the right to amend and update this Policy at any time.

2. Proof of Identity

When a course is booked with the client/candidate a confirmation letter is sent out to them. On the confirmation letter, it requests the need to produce a recognised proof of Identification. It is and that of our approved centres to ensure those undertaking our qualifications have proof of identity. (See below for recognised proof of ID)

All candidates are required to bring photographic identification to the course, all candidate identities will be checked prior to the commencement of an examination.

The MSFL Ltd will keep records of photographic identification provided by each of the candidates.

Acceptable types of I.D for regulated qualifications. The list below outlines acceptable forms of identification for learners undertaking a regulated qualification with our Awarding Organisations. Where proof is not shown, learners should not be allowed to undertake assessments and will not be awarded any qualification or credit. Ideally learners should provide at least 1 form of photo I.D. If photo I.D is not available, 2 forms of non-photographic I.D can be produced.

Acceptable forms of photographic I.D (1 required) are:

- Signed UK Photo card driving licence
- Signed passport (any nationality)
- Valid EU Photo identity card
- SIA security licence (with photo)
- Current and valid warrant card issued by HM forces or Police
- Current and valid Prison service card (with photo)



- Proof of age card
- Employee photo identification card
- Firearms license (with photo)

Acceptable forms of non-photographic I.D (2 required) are:

- Current driving license – paper version
 - Birth certificate
 - Marriage/civil partnership certificate
 - Mortgage statement (issued within past 12 months)
 - Bank or building society statement (issued within last 3 months)
 - Bank or building society account opening confirmation letter (issued within last 3 months)
 - Credit card statement (issued within last 3 months)
 - Pension or endowment financial statement (issued within last 12 months)
 - P45 or P60 statement (issued within last 12 months)
 - Council tax statement (issued within last 12 months)
 - Valid work permits or visa issue by UK government
 - Utility bill – excluding mobile phone bill (issued within last 3 months)
 - Benefit statement e.g. child benefit, pension (issued within last 3 months)
- Forms of identity that have been observed should be recorded on the learner registration form and cohort registration form. They should also be entered onto the online registration form.

3. Examination & Invigilation Policy

Introduction

These procedures for examination and assessment should be read in conjunction with sections 14, 16, 17, 18 & 19 in this document.

Each relevant Awarding Body has their own examination and Invigilation Policy, for these policies please refer to the relevant Awarding Bodies file located in the main MSFL Ltd.'s office.

Security of Assessment Materials Procedure

The sealed security bag containing the examination papers will not be opened until no more than 5 minutes before the commencement of the examination. Prior to this, the examination papers will be kept in a locked, secure place. Should the papers be taken to another site they will be transported in a secure locked container.

Storage of Examination/Assessment Papers

Examination/assessment papers once again must be stored securely.

If a safe is not available, a non-portable, lockable cabinet or other similar storage system must be used. The storage system must be within a secure room with restricted access.

If the papers are taken to another place, either before or after the examination/assessment, they must be transported in a case with a secure lock.

If it is considered that the security of the examination/ assessment papers has been compromised,

The relevant Awarding Bodies Examination Services should be contacted immediately

The relevant Awarding Body may conduct a full investigation, which may result in the affected examination/assessment papers being withdrawn from use.



The examination Room

The examination room should provide appropriate levels of heating, lighting and ventilation, and the type of seating should be suitable for the candidate's comfort. It should be as quiet as possible. If appropriate, a sign should be displayed outside the room to identify that it is being used for an examination.

Only candidates and examination personnel are permitted to enter the examination room.

The relevant Awarding Bodies and any of the regulatory bodies (for example Ofqual, DfES and CCEA) have a legal right of access to the examination room.

A board displaying the centre number, trainer number, the date and the start and finish times of the examination should be clearly visible to all candidates. There will also be a clock displaying the time and the invigilator will advise the learners when the examination is half way through the examination and when there is 15 minutes and then 5 minutes left.

The examination room must not contain displays of material that could be deemed to be of assistance to candidates in the completion of the examination.

Desk Specifications

Candidates should be seated at separate desks that should normally be placed at a distance of not less than 1.25 metres apart (measured from the centre of the desk). In circumstances where candidates share a large desk, there should be a distance of at least 1 metre between seats. All seating should be arranged to prevent candidates from being able to overlook each other's work. Individual desks should also be arranged to ensure that all candidates face the same direction. A seating plan should be kept indicating where each candidate was seated during the examination. This should be retained for a minimum of three years.

Conduct of Examinations and Assessments

Invigilators have a key role in upholding the integrity of the examination/assessment process and are, therefore, responsible for its proper conduct. MSFL Ltd will appoint and brief suitably-qualified and experienced personnel to act as invigilators.

Trainers who prepare the candidates for the examination/ assessment can invigilate where it is not practical to appoint an alternative. However, relatives, close associates and friends of any candidates taking the examination/ assessment cannot act as an invigilator.

Invigilators must arrive at the venue in good time and there should be at least one invigilator for every 20 candidates.

If only one invigilator is required, he/she must be able to summon assistance without leaving the examination room or disturbing the candidates, should the need arise.

The trainer, who has provided the training for the course, cannot sit the examination.

Examination and Assessment

Prior to the start of the examination/assessment,

Invigilators must ensure that:

- The room is set up correctly
- A clock showing the accurate time is clearly visible to all candidates
- Adequate checks are carried out to confirm the identity of all candidates (a record of the type of photographic identification provided by each candidate for each examination must be kept by the centre for three years)
- Only the official examination/assessment stationery is issued to candidates
- The seal on the examination papers has not been broken.



- Candidates only bring into the room equipment required to complete the examination/assessment
- Any unauthorised items, materials and equipment (including mobile phones, iPods, tablets, I watch, interactive watches etc.) are collected and placed out of the candidates' reach.

Starting the Examination/Assessment

Before candidates can begin their examination/assessment, the invigilator must:

- inform candidates that they are now subject to the rules of the examination/assessment and that they must not communicate with any other candidates during the examination/assessment
- Ensure candidates understand precisely such actions that may be regarded as misconduct and the consequence of such actions
- Check that candidates have brought in the correct writing materials
- Check that candidates have the correct papers
- Ensure the seal is unbroken on the examination papers (many Awarding Bodies chose examination papers that are supplied with a matching answer information sheet inside a sealed polythene bag – the seal must be broken by the candidate at the start of the examination. Please see relevant Awarding Bodies examination and assessments procedures)
- Ask the candidates to check that the code on the examination paper matches that on the answer information sheet
- Draw candidates' attention to the instructions on the front of the papers
- Ensure candidates are clear about the logistics of completing answer information sheets/examination papers and what personal details they need to enter
- Advise candidates of any errata notices
- Announce clearly when candidates can begin and specify the time allowed.

During the Examination/Assessment

Invigilators must supervise candidates throughout the entire examination/assessment. They must be alert in their observation of candidates and must give their whole attention to the proper conduct of the examination/assessment.

Invigilators must not undertake any other activities while invigilating. For example, they cannot act as a reader or writer for any candidate requiring such assistance. These candidates will normally be accommodated in a separate room.

Invigilators should complete and sign the summary sheets or assessment results sheets if required by the relevant Awarding Bodies and or MSFL Ltd.

If the invigilator is not the trainer, he/she should add 'Invigilator' in brackets after his/her signature.

Late Arrival of Candidates

Candidates who arrive after the timetabled start of the examination/assessment should generally be allowed to enter the room and to sit the paper, providing no other candidate has left the examination room prior to the latecomer(s) being admitted and it does not compromise the invigilation of the other candidates.

Late candidates may be allowed the full time if this is practical for the centre.

Invigilators should note the circumstances of a candidate's late arrival and a written report should be submitted to the Centre Manager or the Centre Administrator via email or letter



Leaving the Examination Room

For examinations/assessments of two hour in length, candidates who complete before the announced finishing time should be allowed to leave the examination room quietly after handing in their answer information sheets/examination papers. They cannot be readmitted. If a candidate needs to leave the room temporarily, he/she must be accompanied by an invigilator or other member of staff to ensure that he/she does not communicate with anyone. If a candidate needs to leave the examination room and is unable to return, the centre should complete a report to MSFL Ltd and any other reports the relevant Awarding Body may ask for. (See relevant Awarding Organisations Examination/Assessment Policy) and forward it with the candidate's results to the relevant Awarding Organisations Examination Services Manager.

Misconduct/Irregularities

If an invigilator observes any inappropriate behaviour, he/she must intervene to ensure that it does not continue.

With serious incidents of such behaviour, the candidate should be instructed to leave the examination room after having his/her answer information sheets/examination papers collected. Any disturbance to the conduct of the examination/assessment must be recorded and a written report should be submitted to the relevant Awarding Bodies Examination Services Manager using the relevant form the Awarding Body requests as consideration may be given to the affected candidates.

End of the Examination/Assessment

Between 5 and 15 minutes before the end of the examination/assessment, the invigilator should remind the candidates of the time remaining.

At the end of the examination/assessment, candidates should be instructed to stop working.

The invigilator must then:

- Remind candidates to check that they have entered all the required information onto their answer information sheets/examination papers and to attach any additional sheets securely
- Collect all answer information sheets/examination papers before candidates leave the room
- Ensure that answer information sheets/examination papers are transported securely before handing them to the Main Centre Contact to be forwarded to Examination Services.

Emergencies

If an emergency occurs during the examination – for example a fire alarm or bomb scare –the examination room must be evacuated in accordance with the instructions of the appropriate authority.

A report detailing the date and time of the incident must be recorded, and a written report should be submitted to the Course Administrator at MSFL Ltd and any other relevant form that the Awarding Body may request.

If, during evacuation, the candidates have been closely supervised and the invigilators can be assured that there has been no breach of examination security, i.e. candidates did not communicate with each other, nor any other person, nor consult any books or notes while they were out of the examination room, then the examination may be resumed and the remaining time permitted should be calculated according to the time lost during the evacuation.



If it is considered that the security of the examination has been compromised, then a report should be sent to MSFL Ltd and MSFL Ltd may also need to complete the relevant forms that the Awarding Body may request

Return of Examination Materials

All examination materials (answer information sheets, summary sheets, continuation sheets, candidates' examination scripts, scoping documents, controlled assignments, candidate assessment records and assignments where relevant and applicable) must be returned to MSFL Ltd Head Office on the same day as the examination/assessment in an envelope labelled 'results'. If this is not possible, then these documents must be kept in secure storage and returned to MSFL Ltd Head Office the next day.

The Main trainer must sign all the examination documents named above. If the trainer has not acted as the invigilator, the trainer should countersign the summary sheet.

All reasonable adjustment and special consideration forms should be included in the same envelope as the examination/assessment papers, if they have not been sent before the examination MSFL Ltd will make and retain copies of all of the above examination materials until the certificates are received when all of these copies – except that of the summary sheet – may be securely destroyed.

MSFL Ltd will retain a copy of the relevant Awarding Bodies examination summary sheet for a minimum of three years.

MSFL Ltd will ensure safe and timely delivery of all results to Examination Services by ensuring that recorded or registered delivery is used. The centre should retain the records of delivery for a minimum of three years.

MSFL Ltd cannot be held responsible for any loss of or damage to examination materials during transit.

Examination Feedback Forms

Examination feedback forms will be issued to the trainer from MSFL Ltd and the trainer will in turn issue them to the learners at the end of the course, some learners packs will contain their feedback forms, so learners are able to give feedback as they progress through the course.

These forms must be completed and returned by the learners and be handed back to the trainer. The trainer will then return them to the MSFL Ltd Office, with all the other completed relevant paperwork within the allocated time frame. All comments and feedback are logged, stored and where and when necessary commutated to the relevant trainers, Course Administrators and the Awarding Body of the examination/assessment

Where a learner or client has requested a written response, this can be provided by MSFL Ltd.

If MSFL Ltd delegate the responsibility of invigilation to a third party, the centre must:

- Ensure that the invigilator has read and understood the 'Procedure for examination and assessment'
- Record the invigilator's name and position and his/her relationship to the candidate(s).

Re-Sits/Resubmissions

In the event of a candidate failing to achieve a pass grade, he/she may re-sit an examination or resubmit an assignment as per the relevant Awarding Bodies guidelines on re-sits/resubmissions. If the candidate fails again, he/she will have to undertake the full training programme before being allowed another attempt at the examination or the assignment. MSFL Ltd reserves the right to charge for any re-sit/resubmission and or additional training



Processing of Results

It is crucial to MSFL Ltd that all examination and assessment documents are completed clearly and correctly. Incorrect or missing information will delay the processing of results. Batches with incorrect or missing information will be referred to MSFL Ltd to take appropriate action; we will endeavour to resolve the issues as quickly as possible by contacting the centre directly.

If no response from the learner/client is forthcoming after 14 days, (some Awarding Bodies will allow six months, please see relevant Awarding Bodies procedures and policies) correspondence will cease and the batch of results with incorrect or missing information will be archived.

On contact from the learner and or client and receipt of the correct or missing information, results processing will recommence.

All completed examination and assessment documents should be labelled 'Results' and sent to MSFL Ltd, 42 Hardens Close, Chippenham Wiltshire SN15 3AA

MSFL Ltd will scan all relevant documents and send the results to the learners and or clients recorded delivery by Royal Mail.

If the certificates/results do not arrive with the learner or client within 14 days, they are to contact MSFL Ltd as soon as possible.

Please note if the learner or client/organisation is supporting your course, please complete the application using their business address or your place of work. All correspondence will be sent to this address.

However, if you wish the information to go to your own address please complete the form as applicable.

4. Malpractice and Maladministration Policy

Introduction

This policy is aimed at our learners, clients and customers, including trainers and associate trainers and where applicable learners, who are delivering/registered on behalf of MSFL Ltd approved qualifications or courses within or outside the UK and who are involved in suspected or actual malpractice/maladministration. It is also for use by our staff and associated trainers to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

This policy sets out the steps MSFL Ltd, those who work on behalf of MSFL Ltd must follow when reporting suspected or actual cases of malpractice/maladministration and our responsibilities in dealing with such cases.

MSFL Ltd.'s responsibility

It is important that all staff and associate trainers are involved in the management, assessment and quality assurance of all our qualifications, and just as importantly our learners, are fully aware of the contents of this policy and what arrangements MSFL Ltd has in place to prevent and investigate instances of malpractice and maladministration.

A failure to report suspected or actual malpractice/maladministration cases, may lead to sanctions being imposed on our staff and or associated trainers (see our Sanctions policy for details of the sanctions that may be imposed).

If you wish to receive guidance/advice from us on how to prevent, investigate, and deal with malpractice and maladministration then please contact us (details below) and we will happily provide you with such advice and/or guidance.



MSFL Ltd and all their trainers and associated trainers MUST compliance with this policy and MSFL Ltd will take all reasonable steps to prevent and/or investigate instances of malpractice and maladministration. Our aim is to review periodically through our on-going monitoring arrangements.

Review arrangements

MSFL Ltd will review the policy annually as part of our annual self-evaluation arrangements and revise it as and when necessary in response to learners, clients, customers, trainer and associates trainers

feedback. We will include in this review, changes in our practices, actions from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous allegations.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective.

We always welcome feedback, as we believe this will only make us efficient and more effective if you would like to feedback any views please contact us via the details provided at the end of this policy

Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and or polices and compromises the integrity of the internal or external assessment process and/or the validity of certificates.

It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- The assessment process;
- The integrity of a regulated qualification;
- The validity of a result or certificate;
- The reputation and credibility of MSFL Ltd; or,
- The qualification or the wider qualifications community.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records in order to claim certificates.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

If during the term of this Agreement and in the provision of the Services the Trainer, either alone or jointly with others, makes or discovers any discovery, or invention, or secret process or improvement in connection with or in any way relating to Projects or capable of being used or adapted for use therein or in connection therewith the Trainer shall make full disclosure to the Company and the said discovery invention process or improvement shall belong to and be the absolute property of the MSFL Ltd or its nominee. The Trainer if and when required to do so (whether during or after termination of this Agreement) and at the expense of the Company or its nominee will do all such things necessary or desirable to vest such intellectual property rights in MSFL Ltd or its nominee absolutely and as sole beneficial owner.

All drawings, data, documents, models, design, prototypes, logos, leaflets, training materials, trade names and trademarks and other material produced by the Trainer pursuant to this



Agreement in whatever medium recorded and the copyright and / or design right or similar protection in them shall belong to the company absolutely

Definition of Maladministration

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate learner records).

Examples of Maladministration

The categories listed below are examples of MSFL Ltd and learner maladministration. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Persistent failure to adhere to MSFL Ltd registration and certification procedures.
- Persistent failure to adhere to MSFL Ltd recognition and/or qualification requirements and/or associated actions assigned to the centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from MSFL Ltd
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding of information, by deliberate act or omission, from MSFL Ltd which is required to assure MSFL Ltd ability to deliver qualifications appropriately
- Misuse of MSFL Ltd logo and trademarks or misrepresentation of MSFL Ltd relationship with any other awarding body and/or its recognition and approval status with any other awarding body/
- Failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments Policy.

Examples of Malpractice

The categories listed below are examples of MSFL Ltd and their trainers and associated trainers and to include learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Denial of access to premises, records, information, learners and staff to any authorised MSFL Ltd representative and/or the regulatory authorities
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with our requirements
- Deliberate failure to adhere to our learner registration and certification procedures.
- Deliberate failure to continually adhere to our centre recognition and/or qualification approval requirements or actions assigned to your centre
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claim(s) for certificates
- The unauthorised use of inappropriate materials / equipment in assessment settings (e.g. mobile phones)
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards of qualifications



- Deliberate misuse of our logo and trademarks or misrepresentation of MSFL Ltd relationship with awarding bodies its recognition and approval status with that awarding body.
- Collusion or permitting collusion in exams/assessments
- Learners still working towards qualification after certification claims have been made
- Persistent instances of maladministration within the centre
- Deliberate contravention by MSFL Ltd, their trainers or associate trainers and/or its learners of the assessment arrangements specified for the qualifications
- A loss, theft of, or a breach of confidentiality in, any assessment materials
- Plagiarism by learners/staff
- Copying from another learner (including using ICT to do so).
- Personation -assuming the identity of another learner or having someone assume your identity during an assessment.
- Unauthorised amendment, copying or distributing of exam/assessment papers/materials
- Inappropriate assistance to learners by centre staff (e.g. unfairly helping them to pass a unit or qualification)
- Deliberate submission of false information to gain a qualification or unit
- Deliberate failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments Policy

Process for making an allegation of Malpractice or Maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify MSFL Ltd In doing so they should put them in writing/email and enclose appropriate supporting evidence.

All allegations must include (where possible):

- Venue name, address and number
- Learner's name and any relevant MSFL Ltd registration number
- MSFL Ltd, their trainers or associated trainer's personnel's details (name, job role) if they are involved in the case
- Details of the relevant course/qualification affected or nature of the service affected nature of the suspected or actual malpractice and associated dates
- details and outcome of any initial investigation carried out by MSFL Ltd, their trainer and or associated trainer or anybody else involved in the case, including any mitigating circumstances If MSFL Ltd has conducted an initial investigation prior to formally notifying us, we will ensure that staff

involved in the initial investigation are competent and have no personal interest in the outcome of the investigation. However, it is important to note that in all instances the centre must immediately notify us if they suspect malpractice or maladministration has occurred as we have a responsibility to the regulatory authorities to ensure that all investigations are carried out rigorously and effectively.

In all cases of suspected malpractice and maladministration reported to us we'll protect the identity of the 'informant' in accordance with our duty of confidentiality and/or any other legal duty.

Confidentiality and whistle blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. Although it is always preferable to reveal your identity and contact details



to us; however, if you are concerned about possible adverse consequences you may request us not to divulge your identity.

If it helps to reassure you on this point, we can confirm that we are not obliged (as recommended by the regulator Ofqual) to disclose information if to do so would be a breach of confidentiality and/or any other legal duty.

While we are prepared to investigate issues, which are reported to us anonymously we shall always try to confirm an allegation by means of a separate investigation before taking up the matter with those the allegation relates.

Responsibility for the investigation

In accordance with regulatory requirements all suspected cases of maladministration and malpractice will be examined promptly by MSFL Ltd to establish if malpractice or maladministration has occurred and will take all reasonable steps taken to prevent any adverse effect from occurring as defined by the regulator Ofqual.

All suspected cases of malpractice and maladministration will be passed to our Course Director and we'll acknowledge receipt, as appropriate, to external parties within 48 hours.

Our Course Director will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy and will allocate a relevant member of staff to lead the investigation and establish whether or not the malpractice or maladministration has occurred, and review any supporting evidence received or gathered by MSFL Ltd.

At all times, we will ensure that MSFL Ltd personnel assigned to the investigation have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

Notifying relevant parties

In all cases of suspected or actual malpractice, we will notify the MSFL Ltd Course Trainer and or associated trainer involved in the allegation that we are investigating the matter and/or in the case of learner malpractice, we may ask the trainer or associated trainer to investigate the issue in liaison with our own personnel – in doing so we may withhold details of the person making the allegation if to do so would breach a duty of confidentiality or any other legal duty.

Where applicable, the MSFL Ltd Course Director will inform the appropriate regulatory authorities if we believe there has been an incident of malpractice or maladministration which could either invalidate the award of a qualification or if it could affect another awarding organisation.

Where the allegation may affect another awarding organisation and their provision we will also inform them in accordance with the regulatory requirements and obligations imposed on MSFL Ltd by the regulator Ofqual. If we do not know the details of organisations that might be affected, we will ask Ofqual to help us identify relevant parties that should be informed.

Investigation timelines and summary process

We aim to action and resolve all stages of the investigation within 10 working days of receipt of the allegation. Please note that in some cases the investigation may take longer; for example, if a venue, client, learner, trainer and or associated trainer visit is required. In such instances, we'll advise all parties concerned of the likely revised timescale.



The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be based around the following broad objectives:

- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities.
- To evaluate any action already taken by MSFL Ltd
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of the qualification.
- To ascertain whether any action is required in respect of certificates already issued.
- To obtain clear evidence to support any sanctions to be applied to MSFL Ltd, and/or to trainers and or associated trainers.
- To identify any adverse patterns or trends. The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, we will:
 - Ensure all material collected as part of an investigation must be kept secure. All records and original documentation concerning a completed investigation that ultimately leads to sanctions against a MSFL Ltd, the trainer and or the associated trainer will be retained for a period of not less than five years. If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter.
 - Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us.

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, we reserve the right to impose sanctions on any trainer and or associated trainer in order to protect the interests of learners and the integrity of the qualifications.

We also reserve the right to withhold a learner's, and/or cohort's, results for all the MSFL Ltd qualifications and/or units they are studying at the time of the notification or investigation of suspected or actual malpractice/maladministration.

If appropriate, we may find that the complexity of a case or a lack of cooperation from a trainer and or associated trainer, client, or learner means that they are unable to complete an investigation. In such

circumstances, we will consult the relevant regulatory authority in order to determine how best to progress the matter.

Where a member of MSFL Ltd staff or trainer and or associated trainer is under investigation we may suspend them or move them to other duties until the investigation is complete.

Throughout the investigation, the MSFL Ltd Course Director will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.

Investigation report

After an investigation, we'll produce a draft report for the parties concerned to check the factual accuracy.



Any subsequent amendments will be agreed between the parties concerned and ourselves. The report will:

- Identify where the breach, if any, occurred.
- Confirm the facts of the case.
- Identify who is responsible for the breach (if any)
- Confirm an appropriate level of remedial action to be applied.

We'll make the final report available to the parties concerned and to the regulatory authorities and other external agencies as required.

If it was an independent/third party that notified us of the suspected or actual case of malpractice, we'll also inform them of the outcome – normally within 10 working days of making our decision - in doing so we may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty.

If it's an internal investigation against a member of our staff the report will be agreed by the MSFL Ltd Course Director, along with the relevant internal managers, HR and appropriate internal disciplinary procedure Director, along with the relevant internal managers, HR and appropriate internal disciplinary procedures will be implemented.

Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place, we will consider what action to take in order to:

Minimise the risk to the integrity of certification now and in the future.

- Maintain public confidence in the delivery and awarding of qualifications.
- Discourage others from carrying out similar instances of malpractice or maladministration.
- Ensure there has been no gain from compromising our standards.

The action we take may include:

- imposing actions in relation to your centre with specified deadlines in order to address the instance of malpractice/maladministration and to prevent it from reoccurring
- imposing sanctions on MSFL Ltd, trainers and or associated trainers – if so these will be communicated to the learning, the client and or the customer. In cases where certificates are deemed to be invalid, inform the centre concerned and the regulatory authorities why they're invalid and any action to be taken for reassessment and/or for the withdrawal of the certificates. We'll also ask the centre to let the affected learners know the action we're taking and that their original certificates are invalid and ask the centre – where possible – to return the invalid certificates to MSFL Ltd. We'll also amend our database so that duplicates of the invalid certificates cannot be issued and we will then amend their records to show that the original awards are invalid.
- amending aspects of our qualification assessment and/or monitoring arrangements and associated guidance to prevent the issue from reoccurring.
- informing relevant third parties (e.g. funding bodies) of our findings in case they need to take relevant action in relation to the centre.

In proven cases of malpractice and/or maladministration by a trainer and or an associated trainer, MSFL Ltd reserves the right to charge the trainer and or the associated trainer for any resits and reissuing of certificates and/or additional external verifier visits. The fees for which will be the current MSFL Ltd prices for such activities at the time of the investigation.



In addition, to the above the Course Director will record any lessons learnt from the investigation and pass these onto relevant internal colleagues to help MSFL Ltd prevent the same instance of maladministration or malpractice from reoccurring. If the relevant party (ies) wishes to appeal against our decision to impose sanctions, please refer to our Appeals and complaint policy.

5. Equality and Diversity Policy

Policy Statement

My Skill for Life Ltd (“the Company”) is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination.

The Company also aims to provide a service that does not discriminate against its clients and customers in the means by which they can access the services and goods supplied by the Company. The Company believes that all employees and clients are entitled to be treated with respect and dignity.

Objectives of this Policy

To prevent, reduce and stop all forms of unlawful discrimination in line with the Disability and the Equality Act 2010.

To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect and includes discrimination by perception and association.

Types of Discrimination

Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

Indirect Discrimination

This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that:

It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;

The employer cannot justify the need for the application of the policy on a neutral basis; and

The person to whom the employer is applying it suffers detriment from the application of the policy.



Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

Unlawful Reasons for Discrimination

Sex

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

Sexual Orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

Positive Action in Recruitment

Under the Disability and the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Company can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Company.

If the Company chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

Reasonable Adjustments

The Company has a duty to make reasonable adjustments to facilitate the employment or training of a disabled person. These may include:

- Making adjustments to premises;
- Re-allocating some or all of a disabled employee's duties;
- Transferring a disabled employee to a role better suited to their disability;
- Relocating a disabled employee to a more suitable office;
- Giving a disabled employee time off work for medical treatment or rehabilitation;



Providing training or mentoring for a disabled employee;
Supplying or modifying equipment, instruction and training manuals for disabled employees; or
Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact the Course Director.

Responsibility for the Implementation of this Policy

All employees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. The co-operation of all employees is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, subcontractors and agents do the same.

Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

The Company takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

Acting on Discriminatory Behaviour

In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Complaints Policy.

Advice and Support on Discrimination

Equality and Human Rights Commission

3 More London
Riverside Tooley Street
London
SE1 2RG
Telephone (Scotland): 0845 604 5510
Website: www.equalityhumanrights.com

Citizens Advice Bureau

Myddleton House
115-123 Pentonville Road
London
N1 9LZ
Website: www.citizensadvice.org.uk

The Extent of the Policy

The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Company offers goods and services in a fashion that complies with the spirit of this Policy.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

The Company reserves the right to amend and update this Policy at any time.



Other Awarding Organisation Policies

Each Awarding Organisation (AO) has their own Equality and Diversity Policy. If you would like a copy please contact the My Skills for Life Ltd Office or you can contact the individual AO, these documents are normally held on their website.

6. Health and Safety Policy

Statement of Intent

My Skills for Life Ltd (MSFL Ltd) is committed to providing our workforce with safe conditions and places of work, and to ensuring that all others within our duty of care are kept safe and free from harm.

Our mission is to apply an excellent culture and values to health & Safety

We will therefore act with integrity, responsibility, and endeavour, to pursue standards of health and safety that both meet and, where reasonably practicable, exceed minimum legal compliance.

It is the Company's policy to:

- provide adequate control of the health and safety risks, including fire, arising from our work activities;
- provide and maintain safe plant, equipment and environmental conditions;
- provide information, instruction and supervision for employees;
- consult with our employees on matters affecting their health and safety;
- ensure safe handling and use of substances;
- deliver information, instruction and training to all employees;
- prevent accidents, near misses and cases of work-related ill health;
- maintain safe and healthy working conditions;
- review and re-publish this policy annually.
- developing suitable policies and procedures for appropriate measures to be taken to prevent them coming to harm, by applying sensible management of risk.
- Carrying out regular monitoring and review of our health and safety measures and performance. To enable suitable enquiries and investigation to be made to secure any improvements and to prevent a recurrence.

All employees must co-operate with the Company in delivering its legal health and safety responsibilities, including fire safety management, by:

- taking reasonable care for their own and others' health and safety;
- not misusing or interfering with anything provided in the interests of health and safety;
- using equipment and materials in accordance with their training;
- reporting any hazard in the workplace or shortcoming in the protection for employees.

7. Reasonable Adjustments and Special Considerations Policy

Policy Statement

My Skills for Life Ltd (MSFL Ltd) ("the Company") is committed to providing all candidates with an equal opportunity to achieve units and qualifications through the provision of alternative arrangements where necessary.

Candidates may need reasonable adjustment to undertake their assessment if:



- They have a permanent or long-term disability, medical condition or specific learning need
- They have a temporary disability, medical condition or specific learning need
- They are indisposed at the time of the examination/assessment
- English is their second, or additional, language.

Each Awarding Organisation, has its own Reasonable Adjustment and Special Considerations Policy. For more information on their Policies, please contact MSFL Ltd office and request a copy or alternatively contact the Awarding Organisation and request a copy of their Policy. Special considerations should be undertaken in accordance with our special considerations section of the centre procedures manual.

Company responsibilities

Centres should: -

- Decide during the booking process that candidates are ultimately capable of meeting the requirements of the unit or qualification.
- Identify any candidate requirements and give due consideration as to how they might affect successful completion of the unit or qualification.
- Diagnose the requirements of each candidate individually, making use of specialist advice where necessary, and advise candidates accordingly
- Agree with the candidate prior to commencing the course the adjustments that are required
- Ensure that the candidate is adept in the use of the special arrangements
- Ensure that suitably qualified personnel check that the evidence is current and relevant to the candidate
- Ensure that all records and evidence relating to reasonable adjustments are kept for 3 years following certification.
- Categories of need and accompanying reasonable adjustments

Physical impairment

The use of:

- A reader and/or writer and/or interpreter
- Suitable mechanical/electronic aids
- An alternatively presented question paper (for example enlarged or modified print, paper colour).

Extra 25%-time allowance

Visual impairment

The use of:

- A reader and/or writer and/or interpreter
- Suitable mechanical/electronic aids
- An alternatively presented question paper (for example enlarged or modified print, paper colour).

Extra 25%-time allowance

Hearing impairment

The use of:

- A communicator and/or interpreter British, Irish or Welsh Sign Language
- Suitable mechanical/electronic aids
- Any additional aids as recommended by a specialist

Teacher of deaf people



Extra 25%-time allowance

Learning difficulties (e.g. dyslexia)

The use of:

- A reader and/or writer
- Audio/visual aids as appropriate to the needs of the candidate
- An alternatively presented question paper (for example enlarged or modified print, different paper colour).

Extra 25%-time allowance

Medical conditions

Individual arrangements as appropriate to the candidate's needs.

Extra 25%-time allowance

English as a second, or additional, language

The use of:

- A non-electronic bilingual dictionary
- Extra 25%-time allowance

Guidance to centres on the use of computers

The use of computers by candidates with disabilities may be necessary as the primary means of communication.

The use of the term 'computer' refers specifically to word processors, personal computers (PCs) and other microprocessor-controlled devices producing output in text, graphics or diagrams.

The following guidelines should be observed.

Appeals

Candidates have a right to appeal against a decision not to grant a reasonable adjustment request. The centre's own appeals procedures should be implemented.

Staff Responsibilities

To ensure that all staff, volunteers and attendees have access to and are aware of this policy.

To ensure that safeguards are in place to protect the interests of members.

All staff are to be aware of, read and adhere to this policy and procedure.

Review

The Managing Director will monitor adherence of the policy.

Scope

This policy applies to all staff, volunteers and consultants.

The procedure aims to set out the steps by which records are created, the requirements of staff to complete the records appropriately and the requirements for the management, handling, storage and destruction of records.

MSFL Ltd staff / volunteer /consultant training

All staff, volunteers and consultants are to be made aware of this policy.



All staff must have induction and training on attendee confidentiality and on the security of records, particularly electronic records.

All staff working with personal records need to be reminded that it is a disciplinary offence to disclose confidential information to unauthorised individuals.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

The Company reserves the right to amend and update this Policy at any time.

This policy has been approved & authorised by:

Name: Bryan Slade
Position: Course/Managing Director
Date: January 2019
Signature:

Version: Version 3

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