**Malpractice and Maladministration Policy**

**Introduction**

Both WSET Schol London and WSET have policies and procedures in place to protect WSET students and safeguard the integrity of WSET qualifications. WSET School London ensures compliance with WSET School London and WSET’s policies through this Malpractice and Maladministration Policy, which gives a framework for both WSET School London and students to identify, report, and manage potential malpractice or maladministration.

Non-compliance with WSET School London or 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 or poor processes.
2. **Malpractice** where the non-compliance is intentional or the result of negligent or reckless action without consideration of the consequences of the action.

Context is important, and the line between maladministration or malpractice is not always clear. For example, maladministration incidents may become malpractice (e.g. if a party fails to implement corrective measures, repeats the same or a similar incident, or attempts to misrepresent or hide information during an investigation), or there may be mitigating factors that turn 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 APPs and students can commit malpractice and maladministration.

There are many ways that malpractice or maladministration could occur, including new ways which WSET School London have not yet seen. Some examples of malpractice or maladministration include:

**For Approved Programme Providers (APPs)**

* Failure to adhere to WSET Policies and Procedures.
* Failure to follow WSET requirements for course delivery or exam regulations.
* Failure to follow WSET’s candidate registration and certification procedures.
* Late student registrations.
* Fraudulent claim for certificates/fraudulent use of certificates/reproduction or forgery of certificates.
* Withholding critical information from WSET Governance.
* Insecure storage of exam materials.
* Revealing or sharing confidential exam materials with candidates ahead of an exam.
* Intentional attempts to manipulate exam results so that they do not reflect the candidate’s actual exam performance.
* Issue of incorrect exam results/failure to issue results to students promptly.
* Failure to promptly respond to WSET.
* Unauthorised reading/amendment/copying/distribution of exam papers.
* Failure to report changes to the APP ownership/personnel/location/facilities.
* Denying WSET access to information, documentation, workforce, facilities.
* Failure to return exam papers within the specified time limit 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.
* Breach of confidentiality.
* Misleading advertising/publicity.
* Any action likely to lead to an adverse effect;
* Failure to a disclose Conflict of Interest.

**For students:**

* 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).
* Unauthorised reading/amendment/copying/distribution of exam papers.
* Any action likely to lead to an adverse effect.
* Breach of confidentiality.

In general, WSET School London also expects that both WSET School London staff and students will treat others and be always treated professionally and respectfully. WSET School London will treat inappropriate behaviour, including verbal or physical abuse, persistent or unrealistic demands, or threats that cause stress to staff, as misconduct and may report such student’s misconduct to WSET, as necessary.

**Reporting and Investigation of Malpractice or Maladministration**

As an APP, WSET School London aims to ensure compliance with WSET Policies and WSET School London policies and will keep records of potential or actual malpractice or maladministration by students or staff.

WSET School London is required to notify WSET at once of any non-compliance issues that could be malpractice or maladministration, so that WSET can investigate the non-compliance under their own Malpractice and Maladministration Policy.

WSET School London asks that students also raise any concerns or non-compliance issues that may be malpractice or maladministration with WSET School London as soon as possible by following the process outlined in the WSET School London Complaints Policy.

During WSET’s investigation, they may reach out to WSET School London or to students directly to request further information or conduct an interview. Please respond to any request promptly and honestly.

**Managing of non-compliance**

If WSET identifies malpractice or maladministration, they 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, they may need to disallow or withhold results and/or certificates.

**Sanctions Applicable to APPs**:

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| --- | --- |
| **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. |
| **Training** | Training/re-training for APP staff, to be completed within a specified time. |
| **Action Plan** | A statement of specific actions to be implemented by the APP by a set date. |
| **Use of Independent Verifiers/Observers/ Assessors/Invigilators** | The appointment for a specified 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. |
| **Invalidation of Results/ Suspension of Certification** | WSET may declare an assessment null and void and may, for specified 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 or until a specific matter has been resolved. |
| **Suspension/Withdrawal of APP status** | WSET may suspend or withdraw an APP’s approval to offer WSET qualifications, in which case 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 specific measures it will need to take prior to this application. |

WSET will consider all relevant information on a case-by-case basis, balancing the facts with potential or actual effects, and against the seriousness of the sanctions against these effects. WSET records all malpractice and maladministration incidents for both APPs and students. If WSET determines that a student has committed malpractice or maladministration, they may apply one or more of the following sanctions:

**Sanctions Applicable to Students/Candidates:**

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| **Sanction** | **Description** |
| **Written Warning** | The student is issued with a written warning that if the offence is repeated within a set a period, 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 taking part in the concerned qualification with immediate effect and excluded from any further WSET qualifications for 12 months; this includes access to WSET materials. |
| **Student Disqualification** | The student is disqualified from taking part in any courses or assessment 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**

When a student wishes to appeal penalties or sanctions which WSET has imposed due to Malpractice or Maladministration, they should follow the procedures laid out in the WSET’s Complaints Policy.