



Notification of Adverse Events to Ofqual Policy

April 2020

Policy authorised by Responsible Officer

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1.0 Introduction

The key role of OTHM is to secure standards for those qualifications we certificate. As part of our commitment to quality assuring standards and therefore protecting stakeholders, we aim to provide guidance and support to help Centres and their learners to achieve learning and development goals. We also ensure that any regulatory requirements our regulators impose on us are met, and in turn we support Centres to meet those requirements. Therefore, our regulatory policies are integral to our methodology and we aim to articulate in a consistent way how we meet our regulatory requirements.

2.0 Scope of policy

This policy applies to all regulated qualifications offered by OTHM and related products and services.

3.0 Policy statement

This policy complies with the General Conditions of Recognition which require awarding organisations to inform Ofqual of adverse events which fall within the listed categories below. This list is not exhaustive.

4.0 Definition

Adverse can be defined as anything that is preventing success or development; harmful; unfavourable especially with regards to the attainment of an objective. This policy document aims to highlight some of the foreseeable conditions that would trigger an official response from OTHM to inform our regulator of such event.

5.0 Examples of adverse effect conditions

Possible Events Likely to have Adverse Effect

- Where there is a substantial validated error in OTHM's assessment materials through quality checks and or feedback from stakeholders.
- Where there has been a loss or theft of, or a breach of confidentiality in, any assessment materials approved by OTHM for use within Centres.
- Where OTHM cannot supply assessment materials for a scheduled assessment date.
- There has been a failure in the delivery of an assessment which threatens Assessors' ability to differentiate accurately and consistently between the levels of attainment demonstrated by Learners.
- Where OTHM is unable to meet a published date for the issue of results or the award of a qualification.

- Where OTHM has issued incorrect results or certificates.
- Where OTHM believes that there has been an incident of malpractice or maladministration, which could either invalidate the award of a qualification which it makes available or could affect another awarding organisation.
- Where OTHM has (for any reason, whether inside or outside its control) incurred an increase in costs which it anticipates will result in an increase in its fees of significantly more than the rate of inflation.
- Where OTHM is named as a party in any criminal or civil proceedings or is subjected to a regulatory investigation or sanction by any professional, regulatory, or government body.
- Where a Senior Officer of OTHM is a party to criminal proceedings (other than minor driving offences), is subject to any action for disqualification as a company director, or is subject to disciplinary proceedings by any professional, regulatory, or government body.
- Any accident within or outside of OTHM that would trigger a circumstance that would lead to an adverse effect on the operations.

6.0 Procedures for managing adverse effect conditions

The following procedure must be followed in the likely event that any of the above events occurs.

- a) The following persons must be informed immediately if the events are not known to them in the first instance:
 - The Responsible Officer
 - Chief Executive Officer
 - Head of Operations and Compliance
- b) The Responsible Officer must in turn investigate the alleged event to ascertain its validity. This investigation must be documented and kept on file. Documentation of any Event will be treated as a “risk” and therefore will be recorded on the Risk Register.
- c) The Responsible Officer must then relay the findings to the CEO and Board of Governance with an attached copy of the investigation findings along with a proposed action plan to mitigate the impact of the event within 24 hours.
- d) The Board of Governance may wish to contribute /comment on the proposed action plan before its implementation. This will be contingent of the severity of the Event.
- e) The Responsible Officer will then be required to inform Ofqual using the recommended contact method and point of contact. The initial contact will be made to alert Ofqual of the event in the first instance. The initial alert to Ofqual must be followed by an approved action plan to manage and mitigate the impact of the event within 72 hours.

7.0 Regulatory reference

Ofqual requires all regulated Awarding Organisations to establish and maintain evidence of their compliance with the General Conditions of Recognition. As part of its ongoing process of compliance, OTHM policies and procedures will reflect the conditions and criteria they address.

This policy addresses the following Ofqual General Conditions of Recognition (GCR).

GCR Reference	GCR section title
B1	Role of Responsible Officer
B3	Notifications to Ofqual of Certain Events
D7	Management of the withdrawal of qualifications

8.0 Policy review date

July 2020

9.0 Useful contacts

For more information on our qualifications and services visit: www.othm.org.uk.
Alternatively, call at: +44(0)20 7118 4243 or email at: info@othm.org.uk

End of policy