



ICM

Adverse Effects Policy

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Statement of Intent

ICM is committed to openness and accountability. In line with this commitment we expect employees, Learners, Examiners or those contracted to provide services to ICM who have serious concerns about any aspect of our work to come forward and voice those concerns with the knowledge that, if made in good faith, their action will be viewed positively.



Adair Ford
Chairman & CEO

Contents

	Page
Policy Statement	1
Part 1: Approved Centre	1
1. The Centre	1
1.1 Prevention	1
1.2 Reporting	2
1.3 Roles and Responsibilities	2
1.3.1 Centre Lead Responsibilities	2
1.3.2 Managers and Lead Teachers Responsibilities	2
1.3.3 All Staff	2
2. Procedures for Dealing with an Adverse Event	2
2.1 What happened?	2
2.2 Who is involved?	2
2.3 When did it happen?	2
2.4 Where did it happen?	2
2.5 Why did it happen?	2
3. Information to include when reporting an incident/event by a notification	3
4. Risk Rating	3
5. Mandatory Notification	3
6. Timing of Notifications	3
7. Examples of Adverse Effects: Centres	4
Part 2: ICM	6
8. ICM	6
8.1 Investigation Team	6
8.2 ICM Response upon Notification	6
9. Example of Adverse Effects: ICM	7

Policy Statement

The purpose of this policy is twofold:

- This policy sets out how ICM staff should act to prevent, manage and report 'adverse events' and to ensure that the effects are mitigated to Learners. An adverse event is an act, omission, event, incident, or circumstance that has an adverse effect.
 - a) Gives rise to prejudice to Learners or potential Learners, or
 - b) Adversely affects:
 - i The ability of ICM to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition
 - ii The standards of qualifications which ICM makes available or proposes to make available, or
 - iii Public confidence in qualifications
- To inform the staff at the Centre how to prevent, handle and report 'adverse events' and to ensure that any adverse events that do occur are mitigated and reported in an appropriate and timely manner so that a similar event does not happen again.

This Policy should be read in conjunction with the following Policy documents:

- Risk Management
- Exams Policy
- Malpractice and Maladministration
- Sanctions
- Ant-bribery and Anti-corruption

Part 1: Approved Centre

1. The Centre

1.1 Prevention

As not all adverse effects can be prevented, ICM encourage Centres to adopt a culture where individuals can prevent any potential or adverse events in order to reduce the future risk to Learners.

1.2. Reporting

The reporting of potential or actual adverse effects:

- Assists decision making and planning
- Informs ICM risk management matrix and business continuity plan
- Provides information to review ICM standard operating procedures for Centres
- Enables prompt remedial action to prevent and mitigate effect
- Provides information and reassurance to ICM of your Centre's commitment to managing and mitigating adverse effects

1.3 Roles and Responsibilities

1.3.1 The Centre Lead has a responsibility to:

- Promote a culture where it is acceptable and safe for all staff to report all adverse events and potential adverse effects.
- Ensure that there is a system in place to communicate adverse events and potential adverse effects.
- Ensure that an investigation appropriate to the level of risk has been undertaken and notify ICM where appropriate.

1.3.2 Managers and Lead Teachers have a responsibility to:

- Promote a safe culture where disclosure of adverse events is encouraged.
- Investigate and take action, when requested and all reasonable steps put in place to prevent reoccurrence.
- Ensure that outcomes of adverse effects are noted and communicated to all staff.

1.3.3 All Staff

- Centre staff must notify their line manager promptly of any adverse events and potential adverse effects (see Whistleblowing Policy).
- All staff have a duty not to disclose any information regarding adverse events or investigations to any other person outside of Centre (such as via social media).
- Centre staff must be notified as to the consequences of any inappropriate disclosure of information that leads to disciplinary action.

2. Procedure for Dealing with an Adverse Event

Details of any adverse events and potential adverse effects should be emailed using the guidance below to ensure a complete picture of the adverse event is identified:

2.1 What happened?

- Name the qualifications, subjects, assessments, certificates affected
- The nature and cause of the incident (lost assessments/evidence, IT systems/software failure, lack of/or errors in resources)
- How the incident came to light

2.2 Who is involved?

- The number of Learners and/or staff affected
- Whether Learners and other stakeholders are aware of the incident
- The possible or actual impact on Learners

2.3 When did it happen?

- The dates and times of the event
- When may the effects be felt?

2.4 Where did it happen?

- Location(s) including Centre or employer premises

2.5 Why did it happen?

Actions already taken or planned by the Centre to identify causes and effects and to mitigate adverse impact, it will also be useful to state the likelihood and impact of the adverse event, identifying whether the event is minor or could significantly impact the Centre, Learners or third parties.

3. Information to include when reporting an incident/event by a notification

In the first instance the Centre manager will telephone ICM (and follow up with a written summary of the incident event). The initial notification should include:

- The qualifications, subjects, units, assessments affected
- The number of Learners affected
- The cause of the incident
- The potential or actual impact on Learners
- Detail as to how the incident came to light
- Whether other Centres/Learners/stakeholders are aware of the incident
- An action plan detailing steps already taken or planned by the Centre to identify causes and effects, and to mitigate adverse impact
- A risk rating

4. Risk Rating

- i Minor – could cause some embarrassment to the Centre if information came to light. Could result in non-compliance and may escalate if no action taken.
- ii Moderate – the risk has already been identified and actions put in place by the Centre. However, there has been one occurrence.
- iii Significant – may impact a number of Learners and/or third parties and has the potential for reputational damage and ICM/regulatory non-compliance.

5. Mandatory Notification

There are some adverse events that need to be reported to the regulatory authorities if the Centre has cause to believe that it is, or is likely to be, subject to changes in governance structure or legal status, a merger or any insolvency or bankruptcy proceedings. Centres must promptly notify ICM if it proposes to make available to a Learner another Centre that can complete the delivery (Learner transfer). ICM must also be notified of any events that have occurred outside of the UK, which could have an adverse effect, for example, where the same or a similar qualification is taken in the UK or where the events could damage public confidence in the Centre.

In order to decide on the appropriateness of notification each incident should be considered on a case-by-case basis using the following general principles:

- The scale of the event, i.e. how many Learners has it affected?
- The impact of the event, i.e. how serious has the impact been?
- Has the event occurred in the Centre as opposed to it being at risk of occurring or from misleading information?
- Is there the potential for the incident to gather momentum via social media?

6. Timings of Notifications

If the event is to be notified to ICM it must be done promptly. When the Centre notifies ICM of an event, or as soon as possible afterward, the Centre will also inform on the steps that it has taken or intends to take to prevent the event having an adverse effect or to correct or mitigate that adverse effect if it occurs. The Centre will not delay in making a notification to ICM information that it has at the time and provide further information to ICM once it becomes available.

7. Examples of Adverse Effects: Centres

Event	Action
The ability of the Centre to undertake the development, delivery or award of qualifications is under threat.	The Centre needs to liaise, firstly, with the ICM Country Coordinator to outline what the issue is. The issue must then be escalated to ICM by following the procedure in the Centre Handbook and/or Country Coordinator Handbook.
There has been a failure in the delivery of an assessment which threatens the tutors' ability to differentiate accurately and consistently between the levels of attainment demonstrated by Learners.	The Centre needs to liaise with the Country Coordinator to ensure they follow the Internal Moderator and External Moderator Policy as set out in the ICM Centre Handbook.
Centre issuing incorrect results or certificates.	The Country Coordinator needs to inform ICM senior management in order to manage and mitigate the effect to Learners.
Centre identifying an incident of malpractice or maladministration, which could either invalidate the award of a qualification which it makes available or could affect ICM.	The Centre needs to follow the ICM Malpractice and Maladministration Policy.
Centre 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 and therefore stops a Learner completing and obtaining certification.	ICM will facilitate any alternative examination arrangements for Learners and will refer to the Sanctions Policy in the event that a Centre discriminates a Learner's achievements.
Centre is named as a party in any criminal or civil proceedings or is subjected to a regulatory investigation or sanction by any ICM, regulatory or government body.	Send Ofqual General Conditions of recognition A8.7(b) notification.
A senior manager of the Centre 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.	Send Ofqual General Conditions of recognition A8.7(b) notification.
A recognised Centre misleading Learners through statements, advertisements or promotions resulting in Learners being disadvantaged and not achieving a recognised qualification.	Qualifications can only be advertised using prescribed terminology outlined from ICM and Ofqual.

continued

<p>Disruption to the distribution of examination papers to Centres in advance of examinations.</p>	<p>ICM will provide Centres with electronic access to examination papers via a secure external network. The Centre Examinations Officers will ensure that copies are received, made and stored under secure conditions.</p> <p>Where time permits ICM will source alternative couriers for delivery of hard copies.</p>
<p>Notification is received that an Examination Centre will be closed on a scheduled examination day.</p>	<p>ICM will liaise with candidates to identify whether the examination can be sat at an alternative venue. ICM will offer candidates an opportunity to sit any examinations missed at the next available series.</p>
<p>Delay in normal collection arrangements for completed examination scripts.</p>	<p>The Centre will ensure secure storage of completed examination papers until collection.</p>
<p>A Centre is unable to manage the distribution of results to candidates.</p>	<p>ICM will seek to make arrangements for results to be available at an alternative site.</p>

Part 2: ICM

8. ICM

8.1 Investigation Team

The Chief Executive will commission an investigation to establish and report on the facts of any adverse event that has been reported to ICM. If the adverse event involves suspected malpractice then the investigation would be conducted in line with the Malpractice and Maladministration Policy.

The aim of this will be to:

- Confirm the facts, establish additional factors, circumstances and scale
- Confirm or identify the potential cause(s)
- Obtain appropriate evidence to aid the investigation
- Identify and analyse any patterns or trends
- Identify necessary changes to policy or procedure by ICM and/or the Centre

There are certain principles that will be observed for conducting investigations:

- Confidentiality of all persons involved
- Rights of individuals to be accompanied by an appropriate person
- Retention and storage of evidence and records in a confidential manner
- Following an adverse event, the results of the lessons learnt will be disseminated to staff via their managers

Notification to other ICM Centres and Regulatory Authorities will occur depending on the outcome of the investigation.

8.2 ICM Response upon Notification:

1. ICM will consider whether the Centre has given sufficient assurance that they have/will take all necessary mitigating actions to protect the interests of Learners.
2. Seek assurance from the Centre that they have identified any actions required to prevent a repeat of the incident in future.
3. Confirm the timelines for any additional updates from the Centre with regard to the investigation and implementation of mitigating actions.
4. Identify whether the incident is an isolated occurrence or has wider implications regarding the conduct of the Centre, or for other qualifications and awarding bodies and/or acknowledge receipt of the notification and take no further action.

As the majority of ICM assessments are exam based, a contingency plan is designed to ensure a consistent and effective response in the event of major disruption to the examination system. Implementing the plan will safeguard the interests of candidates while maintaining the integrity of the examination system and safeguarding qualification standards. The contingencies applied will be selected based on the context of the disruption and have been implemented on several occasions in response to localised issues. They would be applied on a larger scale in response to any widespread disruption at a global level. The priority when implementing contingencies will be to maintain the delivery of exams and results to published timetables whilst complying with any regulatory requirements.

9. Examples of Adverse Effects: ICM

Event	Outcome
There is a substantial error in the ICM's assessment materials.	ICM will ensure that it is taken into account any effect on the results for Learners caused by the substantial error.
There has been a loss or theft of, or a breach of confidentiality in, any assessment materials.	If the breach is prior to the examination date, ICM will utilise the contingency paper for paper-based examinations. This will be via a secure Centre login. If the breach is on the examination day, ICM will cancel the sitting of that unit/paper and will re-schedule a new examination date at the earliest convenient time.
Large scale damage to, or destruction of, completed examination scripts/assessment evidence before it can be marked.	ICM to generate candidate marks for affected assessments based on other appropriate evidence of candidate achievement. ICM may offer candidates an opportunity to sit any examinations missed at the next available series.
ICM cannot supply assessment materials for a scheduled assessment date.	ICM would re-schedule the examination date at the earliest convenient time. Subsequent marking will be covered by additional Examiners to ensure results are published on the advertised results days.
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.	ICM would prioritise those qualifications for which there has been such a failure for peer-panel review with a focus on subject and assessment expertise. Setter training would be compulsory.
ICM will be unable to meet a published date for the issue of results or the award of a qualification.	ICM will communicate to all Centres about the delay and the anticipated new date. ICM staff will work overtime to process results.
ICM has issued incorrect results or certificates.	ICM has a triple check system in place to check results. ICM will re-publish certificates (for names of Learners).
ICM 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 ICM Centre.	ICM will launch an investigation with the appropriately qualified staff in line with the Malpractice and Maladministration Policy. ICM will inform other ICM Centres and Ofqual of the outcome of the investigation.

<p>ICM 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.</p>	<p>ICM will communicate the upcoming change as soon as possible and delay the implementation of this change. ICM will maintain transparency in ICM charging structure and policy.</p>
<p>ICM 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</p>	<p>ICM will participate positively in any investigation and work to clarify ICM's involvement in the proceedings.</p>
<p>A Senior Officer of ICM 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.</p>	<p>ICM will follow the Disciplinary Policy in its Employee Handbook.</p>