



## **Guidance for awarding bodies on the role of a Responsible Officer**



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## Background

We are responsible for regulating qualifications and the qualification system in Wales.

We regulate the awarding bodies that are recognised by us to develop, deliver and award qualifications to learners in Wales. All recognised awarding bodies are subject to our rules, including those set out in the [Standard Conditions of Recognition](#).

We carried out a review of the Standard Conditions of Recognition in 2019-20 and published revised Conditions that came into force on 1 October 2020. Awarding bodies told us during the review that guidance would be helpful to support their ongoing compliance.

Therefore, the purpose of this document is to support awarding bodies with complying. It is not intended to be prescriptive and, in this way, it is the awarding body's responsibility to determine how to comply with its conditions of recognition.

## Version History

This guidance was published in June 2021.

If you have any questions or feedback on this guidance document, please email the Regulatory Policy Team at [policy@qualificationswales.org](mailto:policy@qualificationswales.org).

This document is available in [Welsh](#).

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## 1. Introduction

- 1.1 This is guidance on the role of the Responsible Officer and it is written primarily for those persons currently undertaking the role of Responsible Officer within one of our recognised awarding bodies. Having said that, it is the Governing Body<sup>1</sup> that remains accountable for overall compliance, and so this guide will also be of interest to its members as well as other Senior Officers<sup>2</sup> within the organisation.
- 1.2 The first section of this guidance provides an overview of the role of the Responsible Officer before setting out our requirements of that role as set out in the Standard Conditions of Recognition. The following sections cover being an authoritative point of contact in communications with us, having sufficient authority to conduct the role, and being effective in the role. We also cover the relationship of the Responsible Officer in relation to the Governing Body and Senior Officers.
- 1.3 The annexes include additional information on the typical activities undertaken in the role and scenarios that describe the behaviours and actions we would expect from a Responsible Officer who is effective in their role.

## 2. The Responsible Officer – An overview of the role

- 2.1 All awarding bodies that are recognised by us must have a Responsible Officer in place. It is the responsibility of the awarding body to appoint the Responsible Officer and to notify us who they are in writing.
- 2.2 The Responsible Officer will have oversight of, advise on and monitor compliance for the organisation, but it is the Governing Body that remains accountable for compliance overall. The Responsible Officer and chair of the Governing Body both sign the annual Statement of Compliance.
- 2.3 The Responsible Officer is our main point of contact. By virtue of being given the role, the Responsible Officer is granted the authority by their organisation to communicate with us on behalf of the organisation. We must be able to rely on all communications from the Responsible Officer to us as being authoritative.

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<sup>1</sup> Standard Condition of Recognition J1.8 defines Governing Body as: 'Where the awarding body is a limited company, the board of directors of the awarding body. Where the awarding body is not a limited company, a person or group of people having the equivalent status within the organisational structure of the awarding body'.

<sup>2</sup> Standard Condition of Recognition J1.8 defines Senior Officer as, 'A director or senior executive officer of the awarding body or, where the awarding body is not a limited company, a person holding a position of equivalent status within the organisational structure of the awarding body'.

### 3. The requirements of the role

- 3.1 Our requirements about the role of the Responsible Officer are set out in Conditions B1.1 to B1.5 and in J1.8 of our defined terms within our Standard Conditions of Recognition.
- 3.2 Conditions B1.1 and B1.2 set out the requirements on the awarding body regarding appointing to the role of Responsible Officer. Condition B1.1 requires that the awarding body has in place at all times an individual to undertake the role of a Responsible Officer and B1.2 requires the awarding body to inform us in writing of the name of the person.
- 3.3 It is also the awarding body's responsibility to ensure that its Responsible Officer is effective in the role, including, in particular, by ensuring the Responsible Officer has sufficient authority to carry out that role (B1.5). More information on sufficient authority is available in section 5.
- 3.4 The role of Responsible Officer can be summarised in the following broad areas:
- i. being our authoritative point of contact (B1.3);
  - ii. being able to communicate with us on all activities which are of interest to us, including in particular those listed in B1.3 (a-e);
  - iii. having sufficient authority to communicate on behalf of the awarding body and carry out the role (B1.4-1.5); and
  - iv. being effective in the role (B1.5).
- 3.5 The Responsible Officer will have oversight of all the areas described in the Conditions, but this does not preclude them from undertaking other activities. The actual range of activities will vary depending on the size and structure of the awarding body and where the Responsible Officer sits within that structure. For more information on examples of activities that typically fall under these, please see Annex 1.

### 4. Being our 'authoritative point of contact'

- 4.1 Condition J1.8 defines the role of a Responsible Officer as:

**“an individual appointed to act as an awarding body's authoritative point of contact for Qualifications Wales.”**

## **Authority to communicate with us**

- 4.2 By virtue of being appointed by the awarding body, the Responsible Officer will have been granted authority by the awarding body to represent it, when communicating with us. When we receive communications from the Responsible Officer, we must be able to rely on that as being made on behalf of the organisation i.e. the Responsible Officer is authorised to speak on its behalf (B1.4a).
- 4.3 In the same way, when we send any communication to the Responsible Officer, we are entitled to take that to mean that we have communicated to the awarding body (B1.4b). Where we address our correspondence to the awarding body and send it to the Responsible Officer, we are entitled to treat that as having been given to the awarding body. With this in mind, consider how you disseminate and brief all relevant persons within your organisation about our communications with you.

## **Being available and able to respond**

- 4.4 It is important to consider when appointing to the role of Responsible Officer that people have the time, resources and availability to promptly respond and sufficiently deal with our communications, such as correspondence or information requests.
- 4.5 In order to meet our deadlines promptly, this may involve working with staff from across your organisation as they may need to be aware of the communications and may need to support you, or undertake the activities, or respond to you in a timely manner to any request made. For example, when an incident has occurred, and the awarding body needs to act quickly to take action, full co-operation from staff across the awarding body assists the Responsible Officer in their role to communicate effectively and promptly with us.
- 4.6 In the event that severe or significant incidents occur, then Responsible Officers could need to be available outside business hours to the extent that is reasonable given the circumstances. For example, where a significant Adverse Effect is likely to occur or has occurred and availability outside business hours will assist in the management or mitigation of such an effect.
- 4.7 We understand that from time to time it may be necessary to delegate some operational activities associated with the role to others. For instance, this could mean in practice that another member of staff is assigned the task to respond to us for particular operational matters such as certain changes to the QiW database. It is important that you are clear about any such arrangements and in

such instances the Responsible Officer will maintain responsibility for meeting the requirements of the role and will continue to be our formal point of contact.

- 4.8 There may be instances where staff other than the Responsible Officer wish to contact us directly to discuss a matter. Where these are compliance related matters, it is important that the Responsible Officer is made aware of such communications. Where staff other than the Responsible Officer deal with us on projects such as qualification reforms, make sure that the Responsible Officer is at least made aware of the work and any matters that relate to current or future compliance or standards work.
- 4.9 For short absences and leave, make sure that you have local systems in place to ensure cover. For longer periods of absence, sickness or leave, then remember to notify us of changes to the authoritative point of contact. It is the awarding body's responsibility to ensure the role continues to be covered at all times and that we are informed and provided with any new contact details in writing.

### **Being able to communicate with us on matters of interest to us**

- 4.10 As the authoritative point of contact, the Responsible Officer will communicate with us on all activities undertaken by the awarding body which are of interest to us. Condition B1.3 provides a list of the kinds of matters that the Responsible Officer must be able to communicate with us about. It is not intended to be an exhaustive list, but rather includes in particular:
- a) any matters relating to the awarding body's compliance with its conditions of recognition;
  - b) the awarding body's ability to undertake the efficient development, delivery and award of its qualifications;
  - c) the standards of qualifications that the awarding body makes available or proposes to make available;
  - d) any relevant matters which may affect public confidence in qualifications and/or the Welsh qualification system; and
  - e) the accessibility of regulated qualifications the awarding body has made available, including its compliance with Equalities Law.
- 4.11 In order to communicate with us on such matters, consider how you will have sufficient oversight of all the qualifications that are regulated by us, including the development, delivery and awarding of these qualifications (b above) as well as the setting and maintenance of qualification standards (c above). The Responsible Officer will need to be well informed of the current and planned activities of their awarding body, so that they are aware of any potential risks or impacts on compliance now and in the future, and matters that may affect public

confidence in their qualifications, or how these may impact on other awarding bodies with similar qualifications offered elsewhere in the qualification system. A Responsible Officer will know what action is being taken pro-actively to safeguard overall compliance generally with all our requirements. In the same way, the role includes being able to discuss compliance in relation to other relevant legislation including accessibility and equalities matters.

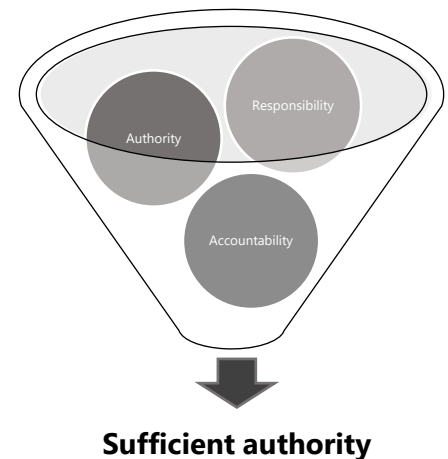
- 4.12 The Responsible Officer will also need to be able to communicate to us about any incidents or investigations of potential breaches with its conditions and must know what action has or will be taken to address potential or actual areas of concern. You will maintain records and evidence about actions taken and lessons learned as a result of these. This knowledge and record keeping will feed into reports to the Governing Body and to us on overall compliance, including the annual statement of compliance.

## **5. Having sufficient authority**

- 5.1 The Governing Body has overall responsibility and is accountable for the awarding body's compliance with its conditions of recognition. It is also the awarding body who has the responsibility to ensure that there are persons appointed to the role of Responsible Officer, has sufficient resources to undertake the role and that they are effective in their role. For example, by providing sufficient training, resources, access to information, and ongoing support to undertake their role effectively. Ensuring that the Responsible Officer is effective includes in particular, ensuring they have sufficient authority to carry out that role.
- 5.2 We are aware that our recognised awarding bodies come in a range of shapes and sizes and are all organised differently in order to meet each of their own specific needs and particular circumstances. Therefore, we do not prescribe the level, grade or seniority that a Responsible Officer is required to have to be effective. This allows our awarding bodies to determine what is most appropriate given their context.
- 5.3 We do not require the Responsible Officer to be a member of the Governing Body or be a Senior Officer. We do require you to ensure that the Responsible Officer has sufficient authority to carry out their role effectively.



5.4 In instances where the Responsible Officer is not a member of the senior leadership group or a member of the Governing Body/ decision making board, then Senior Officers of the organisation will play an important role to ensure that the Responsible Officer is informed sufficiently and in a timely manner on all matters that affect their ability to undertake their role. Similarly, the Responsible Officer will play their part in informing Senior Officers and decision-making boards on matters related to compliance.



5.5 In the same way, where the Responsible Officer is not a Senior Officer, to fulfil the requirements of the role in whichever structure, the Responsible Officer will need to be granted sufficient authority to effectively carry out their duties.

5.6 The following are illustrative examples for you to consider for instances when the Responsible Officer is not a member of the Governing Body or a Senior Officer however they need to be aware of the work of the organisation and the decisions of the Governing Body. For instance, the Governing Body may be able to invite the Responsible Officer to report to the committee/ board or suggest agenda items prior to meetings, or be asked for briefing papers to support members about to discuss matters and make decisions that relate to or affect compliance. Another example is where the Responsible Officer is granted access to Governing Body meeting papers or is able to observe or be present at meetings.

5.7 In addition to access to information and decision making it is important that the Responsible Officer has appropriate access throughout the organisation to staff, structures and systems to be able to carry out their role effectively.

5.8 In turn, it is important to consider how you as the Responsible Officer can access and escalate, where appropriate, any issues of actual or potential non-compliance. Building and fostering good communication and relationships will be conducive for reporting and providing assurance to the Governing Body on compliance matters, including supporting the process of compiling, and verifying the awarding body's annual Statement of Compliance, which is jointly signed by the chair of the Governing Body and the responsible officer.

5.9 Getting the combination right will give the Governing Body the confidence they need to entrust their Responsible Officer to conduct their role effectively. This balance will also help the Responsible Officer feel they are trusted and supported and have the sufficient authority to undertake their role well.

## 6. Being effective in the role

- 6.1 It is the awarding body's responsibility to ensure that the role is conducted effectively.
- 6.2 This section provides some more detail and examples on what could support you with being effective in the role.
- 6.3 The Responsible Officer has a pivotal role to play with regard to safeguarding the on-going compliance of their awarding body. Consider how you will ensure that you are made aware of and knowledgeable about the work and activities of the awarding body as a whole as well as remain up to date with all regulatory requirements to be effective in the role. Also consider how you will have oversight of the work across the organisation – both current and planned – so that you are well informed about what is going on and are able to identify potential risks to compliance and to ensure that the organisation can manage and mitigate those. By having sufficient oversight, you will be able to advise, monitor and support colleagues.
- 6.4 There can be a proactive element to the role. For example, a Responsible Officer may identify potential risks of non-compliance and introduce policies or processes to mitigate these risks. Raising staff awareness of regulatory requirements and embedding them throughout the organisation, are other examples. By being proactive, risks and incidents of non-compliance are less likely to occur, and Adverse Effects are more likely to be mitigated or managed effectively.
- 6.5 In a similar way, the role can be an enabling one, where the Responsible Officer supports the organisation to implement activities and projects with compliance designed in from the start.
- 6.6 Consider how you as a Responsible Officer can best communicate across the organisation and how you can continuously connect with and build good relations across the organisation with relevant staff and the Governing Body. For example, consider how you can raise awareness amongst staff about our regulatory requirements, so that all relevant staff are conversant with, and seeking to comply with, the organisation's conditions of recognition on an ongoing basis. For instance, the role holder could carry out training sessions for staff, prepare briefing papers to support decisions, and/ or provide regular updates on changes to regulatory approaches or requirements.

6.7 Communication and dissemination are a key feature of the role. The Responsible Officer needs to be able to share and collect information internally, and with other awarding bodies and with us. An effective Responsible Officer will also have access to data/ information to monitor and investigate compliance matters effectively, as well as to provide us with information we request, accurately and promptly.

6.8 Therefore, in summary, the Responsible Officer is:

- able to have close working links with all the relevant key decision-makers, wherever they sit within the structure of the awarding body;
- well informed about the work of the organisation, and briefed on Board/ Governing Body discussions and have the opportunity to input on compliance matters to that Body;
- supported by their colleagues to effectively safeguard the compliance of the awarding body with its conditions of recognition; and
- granted access to all relevant functions of their organisation and data, so that they are able to maintain their overall awareness of on-going compliance across the awarding body.

## **7. Further information and guidance**

7.1 If you would like additional information about this guidance, please contact us. If you are a new Responsible Officer, and would appreciate further guidance, then you are welcome to contact us.

7.2 You can send us an email at: [policy@qualificationswales.org](mailto:policy@qualificationswales.org).

## **Annex 1 - The activities a Responsible Officer typically carries out**

In general terms, the role will cover the following three broad areas:

- ♦ responding to and disseminating information on compliance related matters;
- ♦ monitoring on-going compliance and reporting to the Governing Body and regulators; and
- ♦ investigating compliance related concerns or incidents.

### **Responding to, and disseminating information on compliance related matters both within the awarding body and externally**

- ♦ The Responsible Officer is our primary point of contact and therefore they will respond promptly to our requests for information and disseminate information across the awarding body, in particular on compliance and standards related to the design, delivery and award of its regulated qualifications.
- ♦ Whilst we do not expect them to have an expert understanding of all of the awarding body's functions, policies and procedures, we do require the Responsible Officer to be able to communicate with us on all matters related to compliance and to be able to respond to any concerns we may have in this regard, including any contingency plans that have been put in place.
- ♦ They will be aware of all the awarding body's identified risks regarding their on-going compliance so that we are kept aware of any relevant on-going or potential concerns regarding compliance.
- ♦ The Responsible Officer will be keeping the Governing Body (and where it is appropriate, us), informed about key risks, incidents, activities and decisions that affect them and the organisation's overall compliance.
- ♦ The Responsible Officer formally notifies us of potential incidents or actual events of non-compliance including any actions taken to mitigate adverse impacts. (Or where another member of staff notifies us, the Responsible Officer is made aware)
- ♦ They will ensure that any actions or directions issued by us to address areas of concern are carried out in line with our requirements.

### **Being fully aware and briefed on regulatory and compliance matters, including monitoring on-going compliance and reporting to the Governing Body and regulators**

- ♦ One important aspect of the role is monitoring the awarding body's ongoing compliance with its conditions of recognition.

- ♦ The Responsible Officer needs to be aware of their organisation's compliance throughout the year in order to feed this into the collation, quality assurance and the timely submission of the awarding body's annual Statement of Compliance.
- ♦ The Responsible Officer may report to the Governing Body about compliance matters and present reports including on areas of risk and non-compliance.
- ♦ The Responsible Officer will jointly sign the annual statement of compliance together with the chair of the Governing Body. The statement must have been approved by the Governing Body (Condition B2.2). Reports would give assurances e.g. about performance throughout the year, an overall compliance assessment, a risk profile, the responses to the identified and emerging risks and how any risks have been addressed.

### **Investigating compliance related concerns or incidents**

- ♦ The Responsible Officer will need sufficient authority to be able to respond to or to investigate further, any concerns we raise with their awarding body.
- ♦ The Responsible Officer will need to be able to readily access any information or data we request to see, thus ensuring that all related regulatory correspondence between us, is processed in an accurate and timely way, and in line with our requirements.
- ♦ The Responsible Officer will also typically oversee changes that need to be made to an awarding body's internal processes or procedures in order to address any identified compliance concerns.

## Annex 2 – Scenarios

These scenarios are intended as a guide of the kinds of behaviours and actions we would expect from a Responsible Officer who is effective in their role.

<b>Scenario One:</b>	
<p><b>We wrote to a Responsible Officer and requested under Condition B4, that they tell us how many certificates their awarding body has awarded to learners in Wales.</b></p> <p><b>We stated that we want the data to be submitted as an Excel document and by the end of the month.</b></p>	
<b>Actions, behaviours and activities that suggest the Responsible Officer is effective in the role</b>	<b>Actions, behaviours and activities that suggest the Responsible Officer is ineffective in the role</b>
<ul style="list-style-type: none"> <li>◆ An effective Responsible Officer is fully aware of our regulatory requirements in this area (Condition B4), and the status of this request.</li> <li>◆ They carefully read our letter and if there are ambiguities, the Responsible Officer will contact us to clarify what it is that we require.</li> <li>◆ They know who to contact within the awarding body to gain access to the requested certification data.</li> <li>◆ They ensure that their data is checked for accuracy before they submit it to us.</li> <li>◆ The deadline date is met and is submitted in accordance with the requirements.</li> </ul>	<ul style="list-style-type: none"> <li>◆ An ineffective Responsible Officer does not prioritise communications from us and this reduces their capacity to respond on time to such communications.</li> <li>◆ Correspondence from us can be missed as the awarding body does not provide cover when a Responsible Officer is away.</li> <li>◆ They do not contact us to discuss matters or seek clarification when it would be appropriate to do so.</li> <li>◆ The Responsible Officer does not know who internally has access to the requested data and so finds it difficult to get the information in a timely manner.</li> <li>◆ The information is not checked for accuracy and is sent by the Responsible Officer containing errors.</li> <li>◆ The information is not sent to us or is sent late.</li> </ul>

**Scenario Two:**

**We require the annual Statement of Compliance to be submitted by the Responsible Officer by a given deadline date.**

**Actions, behaviours and activities that suggest the Responsible Officer is effective in the role**

- ◆ An effective Responsible Officer is fully aware of our Rules for submitting the Statement of Compliance and related regulatory requirements (Condition B2).
- ◆ Throughout the year they will have ensured that they are sufficiently aware of any issues of non-compliance or issues that could result in non-compliance.
- ◆ They have a process in place to gather information during the year in order to inform the collation of the Statement of Compliance.
- ◆ The Statement of Compliance is presented to the Governing Body for discussion and if agreed subsequently co-signed by the Chair of the Governing Body and the Responsible Officer.
- ◆ The Statement of Compliance is collated and diligently checked for accuracy by the Responsible Officer.
- ◆ The Responsible Officer ensures they have access to our QiW database portal to be able to submit the Statement of Compliance in accordance with our Rules.
- ◆ The Responsible Officer submits the Statement of Compliance by the deadline date.
- ◆ They remain contactable to provide any further information if we need it, with regard to the statement made.

**Actions, behaviours and activities that suggest the Responsible Officer is ineffective in the role**

- ◆ An ineffective Responsible Officer has not kept abreast of non-compliance or issues that could result in non-compliance throughout the year.
- ◆ The Responsible Officer is not briefed or informed of any identified or on-going instances of non-compliance raised in previous Statement of Compliance reports.
- ◆ The Responsible Officer does not check the Statement of Compliance before signing off the statement as accurate.
- ◆ The Responsible Officer is not aware of our Rules and so asks another member of staff to send the statement to us.
- ◆ The Statement of Compliance contains errors, is inconsistent with other data submitted or intelligence we have from audits or it falls short in identifying potential areas of non-compliance, or under reports on the key Adverse Effects of incidents.
- ◆ The statement is submitted without the signature of the chair of the Governing Body and / or without the Governing Body having sight of it before submission.
- ◆ The deadline date is missed.
- ◆ The Responsible Officer is not available to answer any follow up correspondence from us.

**Scenario Three:**

**The Governing Body has decided to surrender the awarding body's recognition.**

**The Responsible Officer is asked by the chair of the Governing Body to notify us of the request to surrender.**

**Actions, behaviours and activities that suggest the Responsible Officer is effective in the role**

- ◆ An effective Responsible Officer is conversant with our regulatory requirements for informing us of the intention to surrender recognition and, as a result, withdraw qualifications our related Regulatory requirements (Condition D6).
- ◆ The Responsible Officer is involved in the development of, or briefed about, the withdrawal plan.
- ◆ They check that any Adverse Effects on learners have been identified and managed. Where it is identified that there could be an adverse impact, mitigation measures are put in place.
- ◆ The Responsible Officer notifies us of the intention to surrender recognition and works with us to ensure this is completed efficiently and compliantly.
- ◆ The Responsible Officer has sufficient authority to be able to agree a date for the surrender of recognition and ensure we are kept up to date with any compliance issues.
- ◆ The Responsible Officer ensures that the situation is monitored after the surrender of recognition to ensure that all the above actions have indeed been completed compliantly.

**Actions, behaviours and activities that suggest the Responsible Officer is ineffective in the role**

- ◆ An ineffective Responsible Officer is not sufficiently close to the Governing Body to fully understand the reasons for surrendering recognition.
- ◆ They do not undertake the proper checks before informing us verbally at an awarding body forum of their wish to surrender recognition
- ◆ They do not check to see if they have any registered learners in Wales before requesting surrender of recognition and agreeing a surrender date.



**Scenario Four:**

**The Responsible Officer was informed last week of a breach of our requirements as set out in Condition I3 – The design and content of certificates.**

**Actions, behaviours and activities that suggest the Responsible Officer is effective in the role**

- ◆ An effective Responsible Officer is fully aware of Condition I3 and related regulatory requirements (e.g. Condition B3 about notifying us of incidents).
- ◆ They carefully collect all the immediate evidence relating to the incident.
- ◆ The Responsible Officer briefs the Governing Body about the breach and the need to notify us of the event, and keeps them informed regularly thereafter.
- ◆ The Responsible Officer notifies us of the breach and is able to discuss with us the failing and what immediate action has been taken to mitigate any adverse impacts.
- ◆ They carry out an investigation or have effectively delegated the task where appropriate.
- ◆ The event will be recorded accurately by the Responsible Officer.
- ◆ Impacted staff will be made aware of the outcomes of the investigation and what changes have been recommended to existing processes or policies.
- ◆ The incident is captured by the Responsible Officer for Statement of Compliance reporting that year.
- ◆ A review will be undertaken to capture lessons learned.

**Actions, behaviours and activities that suggest the Responsible Officer is ineffective in the role**

- ◆ An ineffective Responsible Officer fails to identify the breach of our requirements or the need to notify Qualifications Wales promptly.
- ◆ They may be unable to gather sufficient information to be able to respond definitively to our immediate questions. This slows communication between us.
- ◆ The incident is not recorded accurately.
- ◆ No investigation of the incident takes place. Internal incident management procedures are not followed.
- ◆ The Responsible Officer may either pre-emptively or without the Governing Body's consent notify us of the event.
- ◆ Conversely, they may wait too long to notify us or we receive intelligence about the incident through another source or means.
- ◆ It will not be clear what steps have been taken to address the immediate potential impact or mitigate any Adverse Effects.
- ◆ There may be concern that the awarding body does not recognise the potential significant adverse impact of the event and that this could negatively impact public confidence in the qualification system.
- ◆ Staff are not made aware of any changes to existing related processes or procedures and therefore remedial action is not taken and no improvements are made.

**Scenario Five:**

**The Responsible Officer is informed of allegations of malpractice in Welsh centres, or by members of awarding body staff.**

**Actions, behaviours and activities that suggest the Responsible Officer is effective in the role**

- ◆ An effective Responsible Officer is fully aware of Condition A8 and related regulatory requirements (e.g. Condition B3).
- ◆ They carefully collect and record all the immediate evidence relating to the incident and make the Governing Body aware.
- ◆ They have been granted the authority to notify us (about this case/ or for all cases of malpractice).
- ◆ The Responsible Officer notifies us promptly of the alleged malpractice and provides accurate and timely updates such as on the investigation.
- ◆ They oversee the implementation of an appropriate investigation, which is compliant with its conditions of recognition and the awarding body's own policies and procedures.
- ◆ They ensure that activities to prevent or mitigate Adverse Effects, or correct non-compliances, are completed promptly and effectively.
- ◆ They evaluate new risks of malpractice and take all reasonable steps to adapt awarding body policies and procedures, approaches, culture and/ or products to minimise Adverse Effects in future.
- ◆ Malpractice incidents are captured by the Responsible Officer for Statement of Compliance reporting that year.

**Actions, behaviours and activities that suggest the Responsible Officer is ineffective in the role**

- ◆ An ineffective Responsible Officer fails to identify when regulatory requirements are engaged.
- ◆ They may be unable to gather sufficient information to evaluate the incident, notify us promptly, or provide accurate and timely updates on the investigation.
- ◆ The Governing Body has not delegated authority to the Responsible Officer to allow them to submit event notifications or updates promptly.
- ◆ The investigation is ineffective and/or does not comply with regulatory requirements and/or the awarding body's policies and procedures.
- ◆ Internal awarding body incident management procedures are not followed.
- ◆ Activities to prevent or mitigate Adverse Effects are not completed promptly and/or effectively.
- ◆ The Responsible Officer does not recognise the wider risks associated with the event, or consider how to minimise these.
- ◆ Lessons are not captured and changes are not made to awarding body policy, procedures, approaches, culture or products or changes are not communicated effectively across the awarding body.
- ◆ Malpractice incidents or associated findings of non-compliance are not reported in the annual Statement of Compliance.