

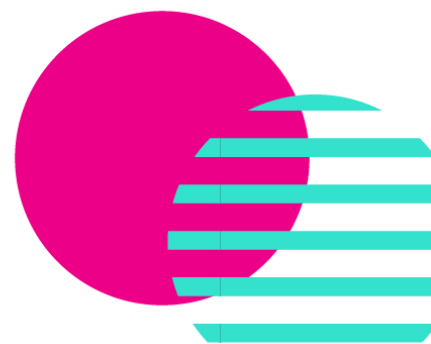


PART OF **nocn** GROUP



NOCN End Point Assessor Code of Conduct Policy and Procedure

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1. Scope

- 1.01 This policy outlines the standards and behaviours required for individuals appointed as an End Point Assessor (EPA) – including Lead EPAs, or Internal Quality Assurer (IQA) in relation to NOCN's End Point Assessment services.
- 1.02 The intended audience for this document is:
- a) NOCN Directors and Board of Trustees.
 - b) NOCN Core and Associate staff, including EPAs and IQAs.
 - c) Individuals interested in becoming an EPA or IQA for NOCN in relation to its End Point Assessment services.
 - d) Qualification and Assessment Regulators¹.
- 1.03 EPAs, LEPAs and IQAs are required to familiarise themselves with the contents of this Code of Conduct policy and any associated documentation. It is important to note that this policy does not cover every eventuality and therefore if an individual requires additional guidance, they should contact their direct line manager or the Quality Team via email at epa-assurance@nocn.org.uk.
- 1.04 There may be occasions and circumstances in which NOCN have to make decisions or act in the best interests of an apprentice, customer or colleague which could contravene this policy, or where policy guidance exists.

2. Purpose

- 2.01 The purpose of this document is to:
- a) Outline the rules and standards required of individuals to perform the EPA or IQA role in line with NOCN expectations.
 - b) Support the contract for services to ensure delivery of End Point Assessment services are in line with both NOCN and regulatory requirements.
 - c) Ensure that the required standards of delivery to become a NOCN EPA or IQA are being met and maintained at all times.
 - d) Minimise any risks to the integrity of NOCN products and to protect the interests of apprentices.

3. Required Behaviours and Standard of Work

I. Required Behaviours

- 3.01 NOCN Group is a value-driven charity and therefore all employees and workers are required to display its values and behaviours at all times whilst completing work for or representing the Group. The NOCN Group Values are listed below:
- a) Responsive – to be the best we can be as professionals, teams and as an organisation to promote the best image of NOCN as an End Point Assessment organisation.
 - b) Supportive – to create a safe, healthy and caring customer-responsive environment.
 - c) Honest – acting with integrity to instil confidence in our customers, colleagues and apprentices.

¹ Ofqual in England; Qualification Wales; CCEA Regulation in Northern Ireland or successor bodies.

- d) Ethical – transparent, fair and honest in our communications, promoting engagement with all.
- e) Sustainable – in our pursuit to create a long term ecological, social and economic value in all that we do to support the Net-Zero economy.
- f) Innovative – promoting an environment where innovation and creativity are encouraged.
- g) Respectful – always ensuring customers and apprentices are dealt with in an appropriate manner that embodies equality, diversity and inclusion.

3.02 In line with our values, NOCN is committed to its obligations under the Equality Act 2010. As an educational charity that supports a wide range of people, NOCN aims to champion equality, diversity and inclusion, not just for employees and workers, but for training providers, apprentices and its partners. Therefore, as part of the EPA, LEPA or IQA role, individuals must adhere to the NOCN Group Equality and Diversity Policy.

3.03 As a representative of NOCN, any individual performing the role of an EPA, LEPA and/or IQA must always act in accordance with the required NOCN values and behaviours.

II. Required Standards of Work

3.04 All individuals must complete the requirements of their role, as set out within their Contract of Employment or Contract of Engagement for Services. It is important to note meeting the required standards of work is a contractual obligation, including adherence to this policy.

3.05 Any action performed on behalf of NOCN must be completed in line with the training and/or guidance provided by NOCN. This also includes ensuring that the contents and requirements of the relevant apprenticeship standard and assessment plan are adhered to at all times.

3.06 During the completion of any work completed on behalf of NOCN, including completion of an End Point Assessment, all EPAs must:

- a) Ensure that they conduct the process in line with any stated guidelines or requirements of NOCN. This includes ensuring that the requirements of the apprenticeship standard and assessment plan are followed at all times.
- b) Complete all required documentation in line with NOCN requirements and in line with the training and guidance provided.
- c) Not disclose the result of an end point assessment to anyone but NOCN.
- d) Always act professionally and use their best endeavours to ensure that any work completed is done to the highest standard of care and skill.
- e) Avoid making unnecessary comments outside of the assessment process which may be deemed inappropriate. This includes commenting on travel time, accommodation, expenses or the terms and conditions of your employment with NOCN.
- f) Act in accordance with NOCN's values at all times.
- g) Meet all deadlines within the contract for services/person specification as well as any additional deadlines agreed with NOCN unless there are exceptional circumstances, and these have communicated to NOCN in advance.
- h) Ensure that any assessments accepted are completed, are attended on time and with considerations made regarding the time of arrival to ensure any issues with traffic or access are resolved prior to the planned time of assessment.
- i) Work in such a way that reduces any incidents of malpractice or maladministration from occurring and highlighting any risks to NOCN in line with the NOCN Malpractice and Maladministration Policy and Procedure.

- j) Comply with all applicable laws and regulations, including the General Conditions of Recognition and EPA Level Conditions, as well as all relevant IfATE apprenticeship standard assessment plans at all times in relation to any work carried out.
- k) Not subcontract or assign any work agreed to carry out under this agreement to any third party.

3.07 Any breach of the above, whether at work or otherwise, may result in performance management action being taken and or no further work being allocated to the individual involved.

III. Standards of Dress and Appearance

3.08 Individuals must ensure standards of dress and personal appearance are appropriate in relation to their duties. Business dress must be appropriate for a professional working environment and when conducting remote assessment. Individuals must carry out and comply with risk assessments as appropriate for the apprenticeship standard and PPE must be worn as required.

3.09 NOCN values the ethnic diversity of its EPAs and IQAs and therefore it will respect ethnic and religious dress requirements by ensuring these are free to be observed where it is safe and possible to do so.

IV. Use of NOCN Property

3.10 Any property or equipment provided to support the role of an EPA or IQA is provided for official NOCN business only. Recipients are responsible for taking reasonable steps to ensure the safety and security of any portable equipment provided.

3.11 All NOCN owned portable equipment and devices must be returned at the end of an individual's contract and any NOCN owned or supplied data must be deleted. Access to systems used for NOCN purposes will be terminated.

4. Disclosure of Information and Confidentiality

4.01 All EPAs and IQAs must recognise the importance of confidentiality and refer to the confidentiality clauses within their respective contracts of employment. Any information concerning an apprentice must not be supplied to any person other than NOCN (and only that information that is required as part of the assessment), unless the consent of the individual is first obtained; or where it is a requirement of your role; or where such disclosure is required or sanctioned by law. In any event, information should only be provided in response to written requests.

4.02 EPAs and IQAs must not disclose information which is considered to be commercially sensitive to any person and must follow any policies or rules adopted by NOCN in respect of such information particularly relating to any other End Point Assessment Organisation.

4.03 EPAs and IQAs should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

I. Confidentiality of Assessment Materials

4.04 As a necessity to complete their role, EPAs and IQAs will be provided with access to confidential assessment materials in relation to NOCN's End Point Assessment services. In line with

Condition G4 of the Ofqual General Conditions of Recognition, these assessment materials must remain confidential to protect the integrity of NOCN assessments.

- 4.05 During the induction and training process of being appointed a NOCN EPA or IQA, NOCN will confirm to you the relevant documentation which must remain confidential for the relevant apprenticeship standards.
- 4.06 In all cases, unless otherwise stated by NOCN, assessment materials must not be provided to any individual other than the apprentice being assessed on the day of the assessment. No assessment material must be shared with or provided to any member of a training provider, employer or any other connected individual. This includes both paper and electronic copies of assessment materials and also any information which, if provided, would breach confidentiality of assessment contents.
- 4.07 EPAs and IQAs must avoid accessing any assessment material outside of assessment windows to safeguard the integrity of assessments. Assessment materials may only be referred to in communication with NOCN where this is appropriate, such as during standardisation activities.
- 4.08 EPAs and IQAs have a contractual obligation to ensure that they take all reasonable steps to ensure the confidentiality of assessment materials at all times. This includes ensuring that any printed copies of assessments are collected at the end of an assessment session and taken away with you or securely destroyed at site. At no stage before, during or after an assessment should assessment materials be available to training provider staff, including for printing, scanning or shredding.
- 4.09 Where NOCN identifies a breach in confidential assessment material, this will be considered as misconduct by NOCN, and it will take the necessary action in line with the circumstances of the event. Where this is suspected, NOCN reserves the right to review system access to ascertain access to material to identify the source of a leak. For further information, please refer to section 8.

II. Data Protection

- 4.10 The Data Protection Act 2018 deals with appropriate protection of any information in which any living person can be identified. This is personal information, and it may not necessarily include a person's name. NOCN, all employees, EPAs and IQAs are under an obligation to comply with the Data Protection Act 2018. For further information, please refer to the NOCN Group Data Protection Policy.
- 4.11 A breach of the Data Protection Act 2018 may result in criminal proceedings and may result in disciplinary action, which could include dismissal. Any suspected breaches of data must be reported to NOCN immediately via email at dataprotection@nocn.org.uk.

5. Standard of Communication

I. Communication with NOCN and its Customers

- 5.01 It is important to ensure that when performing the role of an EPA or IQA that personal views or associations do not interfere with judgements on apprentice performance or on NOCN's End Point Assessment service. NOCN develops its assessments and procedures around the requirements of both Ofqual and IfATE and therefore EPAs and IQAs must not voice opinions which may contradict requirements or the contents of the assessment plans externally.

- 5.02 NOCN encourages an open dialogue with its EPAs and IQAs and therefore we encourage, without fear of recrimination, any deficiency in the provision of our service to be brought to our attention to ensure this can be investigated and corrected. Where an EPA or IQA believes there may be an issue with a NOCN service or assessment plan, NOCN encourages them to share this with NOCN directly so that the appropriate channels can be explored.
- 5.03 In all communications with NOCN, its staff and its customers (including training providers, employers and apprentices), communication must be appropriate. When representing NOCN both verbally and in written format (including through email), EPAs and IQAs must be polite, courteous and respectful. This includes ensuring that communication is acknowledged and responded to in a timely manner.
- 5.04 Under no circumstances must an individual be abused either verbally or physically or be harassed, bullied or intimidated. Where any communication is deemed unacceptable by NOCN, this will be classed as misconduct.

II. The Media including Social Media

- 5.05 In general, all communications with the media relating to the activities of NOCN are handled through the NOCN Marketing team. Individuals are not permitted to communicate with the media on matters relating to the activities of NOCN without authorisation from the NOCN Marketing Team. If contacted by journalists, this must be referred to the NOCN Marketing Team via email at marketing@nocn.org.uk. This is not intended to prevent or deter lawful whistleblowing.
- 5.06 All individuals must exercise discretion and use social media responsibly at all times. If an individual is unsure of whether a post will breach NOCN social media guidelines, they are encouraged to liaise with the NOCN Marketing Team in the first instance.
- 5.07 If an individual wishes to write material for publication which does not refer to NOCN but relates to their profession (e.g., an article in a professional journal), they should advise their designated NOCN contact before publication. The article should also contain a disclaimer, which states that the views are those of the individual and not of NOCN.
- 5.08 Individuals must always act in the best interests of NOCN and comply with the obligations of confidentiality (as set out in IT Code of Conduct, Data Protection and Use of Social Media policies and procedures). Therefore, all individuals must avoid making any social media communications that could damage NOCN's business, operations or reputation, even indirectly.
- 5.09 Examples of inappropriate comments include, but are not limited to:
- a) Defamation or disparagement of NOCN, its employees or a third party.
 - b) Harass, bully or unlawfully discriminate against employees or third parties.
 - c) Make false or misleading statements.
 - d) Impersonate colleagues or third parties.
 - e) Upload or publish photographs, videos or recordings without necessary consent.
 - f) Expressing an opinion on NOCN's behalf unless written authorisation has been provided by NOCN.
 - g) Posting comments about sensitive business-related topics, such as draft documents or information belonging to any organisation (or person) with which NOCN works in partnership.
 - h) Make any comment or complete any action which may jeopardise the confidentiality of NOCN information, documentation or intellectual property.

- i) Inclusion of any NOCN logo or other trademark connected to NOCN in any social media posting without prior authorisation.

5.10 Any individual who is found to be in breach of any of the above, or any other act which NOCN determines as inappropriate conduct, whether at work or otherwise, may result in disciplinary action being taken against them. This may include dismissal.

6. Compliance with Regulations

6.01 All EPAs and IQAs must maintain a good understanding of Ofqual and IfATE requirements throughout the duration of their role for the relevant assessment standards with which they are engaged with NOCN. This includes ensuring that they continue to meet the requirements to perform the EPA or IQA role. If an individual believes this may not be the case, they must inform their NOCN contact immediately.

I. Professional Qualifications, Registrations and Conduct

6.02 If to perform the role of the EPA or IQA for a specific standard requires membership or registration with a statutory and/or professional organisation e.g., Midwifery Council, or to hold a particular qualification, it is the duty of the EPA or IQA to ensure that they are able to comply with the relevant obligation.

6.03 NOCN will request that evidence is provided of compliance with assessment plan requirements. Individuals must also comply with any duty they may have to inform NOCN and any professional body of a matter which may impact on the registration or membership.

II. Maintaining Competency (including CPD)

6.04 It is the responsibility of EPAs and IQAs to ensure that they maintain their competency to continue to be able to perform their role in relation to all specific assessment standards they are engaged with NOCN for. This includes ensuring that their CPD is maintained and logged.

6.05 NOCN will review levels of CPD to audit whether EPAs and IQAs are continuing to comply with the requirements around competency and CPD. NOCN will request submissions of updated CVs, certificates and CPD logs where this is required to be reviewed. Failure to provide updated documentation when requested may result in suspension or termination of an EPA or IQA contract.

III. Conflicts of Interest

6.06 All EPAs and IQAs must understand their contractual obligations regarding Conflicts of Interest and comply with the NOCN Group Conflicts of Interest Policy and Procedure at all times. NOCN encourages individuals to discuss any connections where guidance may be required.

6.07 In line with the NOCN Group Conflicts of Interest Policy and Procedure, all individuals are responsible for ensuring NOCN is informed of any change of circumstance that gives rise to a need to update their declarations. The list of declared interests will be updated at least once annually, however ad-hoc reporting of changes is required. Failure to notify NOCN of any Conflicts of Interest will be classed as misconduct.

IV. Malpractice, Maladministration and Whistleblowing

- 6.08 NOCN does not tolerate any form of malpractice. EPAs and IQAs have an important part to play in identifying and reporting any concerns to NOCN. Any investigations into suspected malpractice or maladministration triggered by NOCN must be co-operated with. Further details on NOCN's approach to malpractice and maladministration can be found within the NOCN Malpractice and Maladministration Policy and Procedure.
- 6.09 Malpractice and maladministration can take on many forms. For examples, please refer to the NOCN Malpractice and Maladministration Policy and Procedure.
- 6.10 A specific form of malpractice is the deliberate falsification of documents. If it identified that an individual has falsified records or other documents to improve an apprentice's results this is regarded as a serious misconduct.
- 6.11 If records or other documents are falsified to secure pay or another financial benefit, this is regarded as a criminal offence as well as serious misconduct. Such falsification will be dealt with in accordance with NOCN Group Fraud Policy.
- 6.12 NOCN encourages any suspicions of malpractice, maladministration or poor conduct to be reported. Although it is often difficult to report legitimate concerns through fear of victimisation or reprisal, please be assured that individuals who raise concerns will be supported. Please refer to the NOCN Group External Whistleblowing Policy and Procedure for further information.

7. Safeguarding

- 7.01 There is a statutory requirement for NOCN and its employees, EPAs, and IQAs to protect children and vulnerable adults. For further information on the requirements and responsibilities, please refer to the NOCN Safeguarding Policy.
- 7.02 All individuals contracted in relation to NOCN's End Point Assessment services must comply with DBS requirements on an ongoing basis.
- 7.03 If an individual has any safeguarding related concerns, they are responsible for speaking promptly to the NOCN People and Culture Team about their concerns. Please contact askhr@nocn.org.uk in the first instance.

8. Performance Monitoring and Misconduct

- 8.01 All EPAs and IQAs will have their performance monitored in line with the NOCN Internal Quality Assurance Strategy. All individuals will be assigned a risk rating of either High, Moderate or Low which will determine the level of monitoring an individual will receive.
- 8.02 EPAs and IQAs new to NOCN will be automatically rated as High Risk until consistency of performance has been achieved, at which point the risk rating will be lowered. Following each monitoring activity, individuals will be provided with constructive feedback on their performance and any actions will be raised. Any actions raised are mandatory and must be completed in a timely manner.
- 8.03 Where an individual fails to address actions or is consistently rated as High risk due to performance issues, NOCN will review their contract with that individual. NOCN encourages

individuals to engage with CPD activities, standardisation and training sessions to support achieving a lower risk rating.

- 8.04 Where a breach of code of conduct is identified, NOCN will implement performance management action. Where a serious breach is identified, NOCN will either suspend or terminate an individual's contract dependent on the severity of the breach. This may mean restricting an individual's access to securing new bookings or work.
- 8.05 Where an individual is terminated due to poor performance, they must still comply with the requirements of the contract including on confidentiality, use of equipment and use of social media.

9. Document Control

- 9.01 This policy will be reviewed and updated where necessary to reflect updated legislation, customer feedback, improvements of operation and changes to the regulatory environment. If you have any queries regarding the contents or the use of this policy, please contact NOCN via email at assurance@nocn.org.uk.
- 9.02 All NOCN policies and procedures are signed off by the NOCN Responsible Officer. The latest versions of which can be found on our website here: www.nocn.org.uk/support/nocn-group-policies/.