



TEACH YOGA

Duty of Care Policies and Assessments/Examinations Policies: ***Information for Staff***

Teacher training courses run by *Teach Yoga Ltd* are accredited by British Wheel of Yoga (“BWY”) – and therefore all *Teach Yoga’s* staff are required to abide by BWY’s standards and regulations.

As you are a member of the *Teach Yoga* team, you are therefore expected to read all the policies and terms detailed in this document; to make sure you understand them; and to comply with them. Any failure to comply with these policies will be deemed a breach of your employment/terms of business contract with *Teach Yoga*. These policies have been drafted for the protection of *Teach Yoga’s* staff, as well as its students.

★ General Duty of Care ★

1. Equality & Diversity Policy

We at *Teach Yoga* promote inclusion; and we are committed to the principles of equality of opportunity, with regards our staff and students. We therefore endeavour to prevent any discrimination or unfair treatment from taking place. As a member of *Teach Yoga* staff, you are expected to share this commitment.

Legal Requirements

We are required by law not to discriminate against our members, volunteers, employees and practitioners taught by *Teach Yoga* teachers. We recognise our legal obligations under the Equality Act 2010 and any later amendments to such legislation or subsequent equality related legislation that may be relevant. Of course, you are also expected to recognise your legal obligations; and for the avoidance of doubt, we have outlined some relevant information below.

Discrimination, Harassment, Victimisation and Bullying

Of course, any form of discrimination, harassment, victimisation or bullying are unacceptable; and should any member of *Teach Yoga* staff be found to engage in such behaviour, they will be deemed as having committed an act of gross misconduct (and therefore subject to disciplinary action).

- **Discrimination:** Direct Discrimination is treating someone less favourably than you would treat others for reasons relating to a “protected characteristic”. Indirect Discrimination is applying a provision, criterion or practice which, on the face of it, applies equally to all but

which, in practice can disadvantage individuals with a particular protected characteristic. Such requirements or conditions should only be applied if they can be objectively justified.

- **Harassment:** Harassment is any form of unwanted or unwelcome behaviour that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.
- **Victimisation:** Victimisation is treating someone less favourably because he or she has in good faith used the organisation's complaints procedure, exercised his or her legal rights, or has supported colleagues who have done so. *Teach Yoga* will fully support and protect anyone who exercises his or her legal rights and/or supports anyone who has done so.
- **Bullying:** Bullying is the misuse of power or one's position to criticise persistently or to humiliate and undermine an individual's confidence.

Disabled Persons

We recognise we have a duty to make reasonable adjustments for disabled persons. We therefore consider all requests for adjustments and where possible, and we endeavour to accommodate reasonable requests. We work with disabled members, volunteers and employees to implement any adjustments that will enable them to participate more fully.

Implementation

Teach Yoga Ltd is responsible for ensuring that the existence of this policy is communicated to and understood by all members, volunteers, employees and participants and that all breaches are dealt with appropriately. We are also responsible for implementing this policy, under the guidance of the British Wheel of Yoga. Matt Browne (mattbrowne2008@gmail.com) has the responsibility for achieving any equality related action plans that arise from this policy. All staff (including members, volunteers and employees) are responsible for respecting, acting in accordance with, and thereby supporting and promote the spirit and intentions of this policy.

Monitoring and Evaluation

We are committed to taking positive action to address any under-representation in our workforce, or those wishing to participate in the practice of yoga. *Teach Yoga* will therefore regularly monitor and evaluate the policy, practices, procedures, operations and recruitment/selection of students, volunteers and staff. Monitoring and evaluation information will be used to identify any areas of under-representation; and the information will be used to guide programme development and promotional work.

Complaints Procedure

To safeguard individual rights under the policy, a member, volunteer or employee who believes that he or she has suffered inequitable treatment within the scope of the policy may raise the matter through Matt. And appropriate disciplinary action will be taken against any member, volunteer or employee who violates *Teach Yoga's* Equality and Diversity Policy.

You, as a member/volunteer/employee of *Teach Yoga*, have the responsibility of maintaining the integrity of any complaints or disciplinary procedure. This in turn will increase the level of confidence in the procedures.

This policy was revised on 26 February 2017, and will be reviewed on an annual basis. If you have any queries about the contents of this policy, please contact Amy Waring via E-mail (amy@teachyoga.com).

2. Safeguarding “Adults at Risk” Policy

Teach Yoga is committed to engaging in practices which promote the welfare of “Adults at Risk” and safeguard them from harm. As a *Teach Yoga* member of staff, you are therefore expected to recognise and accept our collective responsibility to develop awareness of the issues that cause an Adult At Risk harm, and to establish and maintain a safe environment for them. You are required to read the contents of this policy; to make sure you understand it; and to adhere to it.

For the purposes of this policy an Adult At Risk is someone aged 18 years or more, who:

- has needs for care and support (whether or not these are currently being met);
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

This definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen (whether present from birth or due to advancing age, chronic illness or injury). Also included are people with a mental illness, dementia or other memory impairments and people who misuse substances or alcohol.

Abuse

We will not tolerate any form of abuse wherever it occurs, or whoever is responsible. Abuse can take many forms, and the circumstances of the individual should always be considered. Abuse may be carried out deliberately or unknowingly; and it may be a single act or repeated acts. People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse. (If you are in any doubt as to what constitutes “abuse”, please refer to the British Wheel of Yoga website: <http://www.bwy.org.uk/safeguarding-vulnerable-groups/>.)

Collective Responsibility

We, at *Teach Yoga* are committed to:

- Managing our services in a way which minimises the risk of abuse occurring;
- Supporting Adults at Risk who are experiencing or have experienced abuse; and
- Working with Adults at Risk and other agencies to end any abuse that is taking place.

In achieving these aims we will:

- Ensure concerns or allegations of abuse are always taken seriously;
- Ensure the Mental Capacity Act is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves;
- Ensure all *Teach Yoga* staff receive training in relation to safeguarding adults at a level commensurate with their role;
- Ensure that students, their relatives or informal carers have access to information about how to report concerns or allegations of abuse; and
- Ensure there is a named lead person to promote safeguarding awareness and practice within the organisation.

The Lead Safeguarding Officer

As a *Teach Yoga* staff member, you have a responsibility to act on any concerns you may have that abuse is taking place; and to inform the organisational lead for safeguarding, Matt Browne (07730 220 187 / mattbrowne2008@gmail.com).

Matt is responsible for deciding whether it is appropriate to raise a safeguarding concern with the local authority, on behalf of their organisation, or to respond to the concerns in an alternative manner. (The role also includes (a) ensuring that immediate safety issues are addressed, other parties notified (such as the regulator) and that staff are supported; (b) remaining proactive and well informed, once a member of staff has raised a concern; and (c) establishing the desired outcomes of the adult at risk. In the absence of Matt, Elena Voyce should be contacted. (elenavoyce@aol.com / 07789 870 977).

Responding to a Concern/Allegation which has been reported to you

If a case of abuse is directly reported to you, you should respond as follows:

- Assure the person that you are taking their concerns seriously.
- Do not be judgmental or jump to conclusions.
- Listen carefully to what they are telling you, stay calm and gather as clear a picture as you can. Use open ended questions.
- Do not start to investigate or ask detailed or probing questions.
- Explain that you have a duty to tell the Lead Safeguarding Officer.
- Reassure the person that they will be involved in any decisions made which concern them.

Raising a Concern Yourself

Anyone can raise a safeguarding concern, by reporting abuse to the local authority under the Safeguarding Adults procedure; although this is usually undertaken by the Lead Safeguarding Officer.

If you are informed or become aware of possible abuse or neglect, please follow the following steps:

(1) Gather necessary information from the Adult at Risk.

Wherever possible, consider what the Adult at Risk wants to happen next; what do they want to change about their situation; and what support they wish for to achieve that.

On some occasions, it may be necessary to raise a safeguarding concern, even if this is contrary to the wishes of the Adult at Risk. Any such decision should be proportional to the risk. Examples of instances where you should raise a concern include the following:

- *When it is in the public interest. In other words, when there is also a risk to others; when a teacher or volunteer is involved; or when the abuse has occurred on property owned or managed by an organisation with a responsibility to provide care;*
- *When the Adult at Risk lacks the mental capacity to consent, and to raise a concern would be in their best interests;*
- *When the Adult at Risk is subject to coercion or undue influence, to the extent that they are unable to give consent; or*
- *When it is in the Adult at Risk's vital interests, as raising a concern would either prevent serious harm, distress or a life-threatening situation from taking place.*

(2) Take action to ensure the immediate safety and welfare of the Adult at Risk (and any other people at risk). Consider whether urgent medical attention is required, or whether urgent police presence is required – in which case you may dial 999.

- (3) If you feel a crime needs to be reported, dial 101 (unless there is an immediate risk, in which case dial 999).

If a crime has been or may have been committed, seek the Adult at Risk's consent to report the matter immediately to the police. This will be in addition to raising a safeguarding concern with the local authority. If the Adult at Risk has mental capacity in relation to the decision and does not want a report made, this should be respected. You may make the decision on behalf of the Adult at Risk if:

- *the person is subject to coercion or undue influence, to the extent that they are unable to give consent;*
- *there is an overriding public interest, such as where there is a risk to other people; or*
- *it is in the person's vital interests (to prevent serious harm or distress or in life-threatening situations).*

There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgment will be needed that takes into account the particular circumstances. If the person does not have mental capacity in relation to this decision, a "best interests" decision will need to be made in line with the Mental Capacity Act.

Preserving evidence

If a crime has occurred, try to preserve evidence in case there is a criminal investigation.

- *Try not to disturb the scene, clothing or victim if at all possible.*
- *Secure the scene, for example, lock the door, if possible, preserve all containers, documents, locations, etc.*
- *Evidence may be present even if you cannot actually see anything.*
- *If in doubt, contact the police and ask for advice.*
- *The police should be contacted for advice whenever required.*

- (4) Decide whether to raise a safeguarding concern. Take appropriate action within the same working day (or immediately, if the concern is urgent and serious).

If you remain unsure whether to raise a safeguarding concern, you can:

- *Contact your organisation's Lead Safeguarding Officer for advice; or*
- *Seek advice by contacting your local authority's Customer Service Centre and asking to speak to a Safeguarding Officer. Contact details: [Barnet Safeguarding Adults Board](#)*

- (5) Document the incident and any actions or decisions taken.

Ensure all actions and decisions are fully recorded. Your records may actually be required as part of an enquiry, so ensure they are as clear and accurate as possible. Record the reasons for your decisions, and any advice given to you when making these decisions. Details to record include:

- *The nature of the safeguarding concern/allegation;*
- *The wishes and desired outcomes of the adult at risk;*
- *The support and information provided to enable the adult at risk to make an informed decision;*
- *Assessments of Mental Capacity where indicated; and*
- *The decision of the organisation to raise a concern or not.*

- (6) Ensure key people are informed (such as the Lead Safeguarding Officer and/or relatives of the Adult at Risk).

In addition to the Lead Safeguarding Officer, the following people may also need to be informed:

- *Relatives of the Adult at Risk (in accordance with their wishes, or in their best interests where they lack the mental capacity to make this decision for themselves); and*

- *Child protection services, if children are also at risk from harm.*

(7) Provide support for the person who had identified the safeguarding concern.

The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further. Meanwhile you should keep the Adult at Risk informed, to facilitate their recovery from their experience, and to help them take any further necessary action.

3. Safeguarding Children Policy

Teach Yoga is committed to ensuring the welfare and protection of any child who accesses our services; and we do not tolerate the abuse of children in any form. As a member of *Teach Yoga* staff, you are expected to share this commitment.

More specifically, our key principles regarding safeguarding children are as follows:

- The welfare of the child is paramount.
- All participants regardless of age, gender, ability or disability, race, faith, language or sexual identity, have the right to protection from harm.
- All allegations, suspicions of harm and concerns will be taken seriously and responded to swiftly, fairly and appropriately.
- Everyone will work in partnership to promote the welfare, health and development of children.
- *Teach Yoga* operates according to the best practices established by the Disclosure and Barring Scheme (DBS).

For the purposes of this policy a child is a person aged under 18 years; and the word “parents” is used in this policy as a generic term to represent parents, carers and guardians.

Abuse

There are four main types of abuse: physical, sexual, emotional and negligence/neglect. An individual may abuse or neglect a child directly or may be responsible for abuse by failing to prevent another person harming that child. (For further details regarding the definition of “abuse”, please refer to the British Wheel of Yoga website: <http://www.bwy.org.uk/safeguarding-vulnerable-groups/>.)

Requirements for Teachers teaching classes to Children

All teachers teaching dedicated classes to under 18s must complete an Application Form as well as a Self-Declaration Form. If these forms have not already been made available to you, please contact Amy Waring (amy@teachyoga.com); and completed forms must be returned to Amy. As stated in the forms, any failure to disclose information or subsequent failure to conform to the Code of Ethical Practice, may result in disciplinary action and possible exclusion from *Teach Yoga*.

In addition, a minimum of two referees will be required (one of which preferably should be associated with former work with children/young people). References will be written, and followed up and confirmed by telephone if it is considered necessary.

Checks will be carried out with the Disclosure & Barring Service (DBS), which maintains information about individuals who are deemed to be unsuitable to work with children.

Requirements for Teachers teaching classes associated with Children

- **Post-Natal Yoga:** As babies attending yoga classes with their mothers are not in the care of the teacher, *Teach Yoga* does not require teachers of such classes to be DBS checked. However, in keeping with best practice, teachers should undergo Safeguarding Training.
- **Adult Classes with Children under 18 years of age in attendance:** When there is no parent attending an adult class with a young person, a teacher must undergo a DBS check if the child is under 16 years of age. 16 and 17 year olds may attend adult classes unaccompanied without the teacher undergoing a DBS check.

Note to Teachers teaching children for an organisation other than *Teach Yoga*

Regardless of whether or not you are registered as a teacher of children at *Teach Yoga*, if you intend to teach children for any other organisation, you must follow that organisation's own Safeguarding Policy and Procedures.

Safeguarding Training

Teach Yoga staff will receive training on safeguarding children, at a level commensurate with their roles. Safeguarding Training should be undertaken every three years.

All teachers working with under-18s are required to undergo, and keep updated, recognised Safeguarding Training. Such training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/ concerns of possible abuse.

Teach Yoga's Framework for Safeguarding Children

Every member of staff at *Teach Yoga* staff has a responsibility to act on concerns of possible abuse, and they have an obligation to inform the organisational lead for safeguarding children, Matt Browne, if they suspect any abuse has taken place. Matt Browne is responsible for the following:

- Deciding whether it is appropriate to raise a safeguarding concern with the local authority on behalf of *Teach Yoga*, or to respond to the concerns in an alternative manner.
- Where an allegation has taken place, ensuring that the Disciplinary Procedures are co-ordinated with any other enquiries taking place as part of the ongoing management of the allegation.

In the absence of Matt, Elena Voyce should be contacted.

Teach Yoga will ensure that any allegations made against their staff are dealt with swiftly. If a member of staff is thought to have committed a criminal offence, the police will be informed. (Of course, if a crime has been witnessed, the police should be contacted immediately.)

Safeguarding Children Procedures: How to Respond to an Allegation or Concern

If a child discloses an incidence of abuse to you directly, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously.
- Do not be judgmental or jump to conclusions.
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can. Use open ended questions.
- Do not start to investigate or ask detailed or probing questions.
- Explain that you have a duty to tell the Safeguarding and Diversity Manager, Matt.

- Reassure the child but do not make promises of confidentiality, the child needs to know you may need to share this information.
- Fully record details of any actions taken, decisions made, and the reasons behind those decisions. Be as clear and as accurate as you can, as it is possible that your records may be required as part of an enquiry.

Your responsibilities are:

- To take action to keep the child safe if possible. (Call 999 (a) if an urgent police presence is required to keep someone safe; or (b) if anyone needs urgent medical assistance and therefore an ambulance.)
- If a crime has occurred, be aware of the need to preserve evidence.
- Always inform Matt. You cannot keep this information secret, even if the person asks you to.
- Clearly record what you have witnessed or been told, record your responses and any actions taken.

If consulting with Matt will lead to an undue delay and thereby leave a person in a position of risk, you should 'Raise a Safeguarding Concern' yourself.

Safeguarding Children Procedures: Raising a Safeguarding Concern Yourself

Raising a safeguarding concern essentially means reporting abuse to the local authority under the Safeguarding Children procedure. Anyone can raise a safeguarding concern, although at *Teach Yoga* this would usually be undertaken by Matt.

- (1) You are informed or become aware of possible abuse or neglect.
- (2) Take action to ensure the immediate safety and welfare of the child. Consider whether urgent medical attention is required, or whether urgent police presence is required – in which case you may dial 999.
- (3) Report your concern to Matt or Elena, who will refer the matter to Children's Social Care or the Police without delay. You will then be required to complete an Incident Record Form, to be submitted either to Children's Social Care or the Police, as well as Matt/Elena, within 24 hours.

Ensure all actions and decisions are fully recorded, as well as reasons behind decisions and any advice provided along the way. Be as clear and as accurate as possible, as it is possible that your records may be required as part of an enquiry. Ensure that appropriate records are maintained, including details of:

- *any decisions made by Teach Yoga; and*
 - *the nature of the safeguarding concern or allegation.*
- (4) If Matt or Elena are unavailable, or these people are the cause of the concern, refer the matter directly to Children's Social Care or the Police as soon as possible.
 - (5) Take action as advised by these agencies, including advice on contacting parents.
 - (6) Send a copy of the Incident Record Form to Children's Social Care/the Police, and to by Matt/Elena.

Additional Guidance

If you are uncertain as to what to do at any stage, contact the NSPCC free 24-hour Helpline – 0800 800 5000.

Teach Yoga's local authority's Customer Service Centre is [Barnet Safeguarding Children Board](#). Ask to speak to one of their Safeguarding Officers.

Sharing Concerns with Parents

There is always a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore in most situations, it would be important to talk to parents or carers to help clarify any initial concerns.

There are, however, circumstances in which a young person might be placed at even greater risk if concerns are shared. In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the person in charge, if there is someone, and the Children's Social Care or the Police, who will advise on contacting parents.

4. Malpractice & Maladministration Policy

The courses taught by *Teach Yoga* which are accredited by the British Wheel of Yoga ("BWY"), are subject to this Malpractice and Maladministration Policy. It has been designed both for students who might have allegations of malpractice and/or maladministration, and for *Teach Yoga's* staff, so they know how to deal with malpractice and maladministration investigations.

We will review the policy annually as part of our annual self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback, changes in our practices, changes in legislation, or trends identified from previous allegations. In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective. Our compliance with this policy will be reviewed by BWY periodically through our ongoing centre monitoring arrangements.

Malpractice

Malpractice is essentially any activity or practice, which deliberately compromises the integrity of the internal or external assessment process and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- the assessment process;
- the integrity of a qualification;
- the validity of a result or certificate;
- the reputation and credibility of *Teach Yoga* or BWY ; or
- the qualification or the wider qualifications community.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of students.

The categories listed below are examples of malpractice. Please note that these examples are not exhaustive and are only intended as guidance:

- Denial of access to premises, records, information, students or staff to any authorised BWY representative.
- Deliberate misuse of BWY's logo, brand, name and trade marks; or misrepresentation of *Teach Yoga's* relationship with BWY and/or our approval status with BWY.
- Deliberate failure to continually adhere to *Teach Yoga's* recognition and/or qualification approval requirements or actions assigned to *Teach Yoga*.

- Intentional withholding of information from BWY, which is critical to maintaining the rigour of quality assurance and standards of qualifications.
- Deliberate failure to carry out internal assessment, internal moderation or internal verification in accordance with BWY's requirements.
- The unauthorised use of inappropriate materials / equipment in assessment settings (such as mobile telephones).
- A loss, theft of, or a breach of confidentiality in, any assessment materials.
- Insecure storage of assessment materials.
- Inappropriate circulation/distribution of assessment materials.
- Unauthorised amendment, copying or distributing of exam/assessment papers/materials.
- Inappropriate assistance/support to students by *Teach Yoga* staff (for example, unfairly helping them to pass a unit or qualification).
- Deliberate failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments and Special Considerations Policy.
- Plagiarism, cheating or copying by students or staff.
- Personation (ie. assuming the identity of another learner or having someone assume their identity during an assessment).
- Collusion or permitting collusion in exams/assessments.
- Deliberate contravention by students of the assessment arrangements BWY specifies for its qualifications.
- Fraudulent claim for certificates and/or deliberate submission of false information to gain a qualification or unit.
- False records.
- Deliberate failure to adhere to student registration and certification procedures.
- Deliberate failure to maintain appropriate auditable records (such as certification claims and/or forgery of evidence).
- Students still working towards a qualification after certification claims have been made.
- Selling certificates for cash.
- Selling papers/assessment details.
- Extortion.
- Fraud.
- Threatening or abusive behaviour that threatens the safety of staff and/or is intended to put undue influence on the outcomes of an assessment/award.

Maladministration

Maladministration is essentially any activity or practice, which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre.

The categories listed below are examples of centre and student maladministration. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Persistent failure to adhere to student registration and certification procedures.
- Persistent failure to adhere to BWY's approved qualification requirements and/or associated actions assigned to the centre.

- Late student registrations (both infrequent and persistent).
- Unreasonable delays in responding to requests and/or communications from BWY.
- Inaccurate claim for certificates.
- Late student certification requests.
- Failure to maintain appropriate auditable records (such as certification claims and/or forgery of evidence).
- Withholding or the delaying of information, by deliberate act or omission, which is required to assure BWY of the centre's ability to deliver qualifications appropriately.
- Misuse of BWY logo and trademarks or misrepresentation of *Teach Yoga's* relationship with BWY and/or its recognition and approval status with BWY.
- Poor administration arrangements and/or records.
- Persistent mistakes in relation to BWY's delivery arrangements.
- Failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments and Special Considerations Policy.

Making an allegation of malpractice or maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify *Teach Yoga* and the BWY Operations Manager who will lead on investigating the matter. This notification should be in writing (and it may be communicated via E-mail), and it should enclose appropriate supporting evidence.

All allegations must include (where possible):

- *Teach Yoga Ltd's* address (11 Albert Road, Hendon, London NW4 2SH);
- Student's name and registration number;
- Details of any *Teach Yoga* staff members who are involved in the case;
- Details of the approved BWY course/qualification affected or nature of the service affected;
- Nature of the suspected or actual malpractice and associated dates;
- Details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances.

In addition we ask that the person making the allegation declares any personal interest they may have in the matter to us at the outset.

In the event *Teach Yoga* conducts any initial investigations prior to formally notifying the BWY Operations Manager, we will ensure that staff involved in the initial investigation are competent and have no personal interest in the outcome of the investigation. Such investigatory activity would be carried out by the Head of *Teach Yoga*, Elena Voyce (or the BWY Operations Manager, if the allegations are actually against Elena).

Should an investigation be undertaken, Elena will:

- Ensure the investigation is carried out by competent investigators who have no personal involvement in the incident or interest in the outcomes;
- Ensure the investigation is carried out in an effective, prompt and thorough manner and that the investigator(s) look beyond the immediate reported issues to assure your centre that arrangements at the centre are appropriate for all qualifications;
- Respond speedily and openly to all requests relating to the allegation and/or investigation; and

- Co-operate and ensure the *Teach Yoga* staff co-operate fully with any investigation and/or request for information.

Confidentiality and Whistle-blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. It is, however, always preferable to reveal your identity and provide BWY with your contact details. However, if you are concerned about possible adverse consequences that may occur should your identity be revealed to another party then please inform BWY that you do not wish for them to divulge your identity, and they will work to ensure your details are not disclosed.

BWY will always aim to keep a whistleblower's identity confidential where asked to do so although they cannot guarantee this and we may need to disclose your identity should the complaint lead to issues that need to be taken forward by other parties. Such examples include:

- The police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud); and
- The courts (in connection with any court proceedings).

The investigator(s) assigned to review the allegation will not reveal the whistleblower's identity unless the whistleblower agrees or it is absolutely necessary for the purposes of the investigation (as noted above). The investigator(s) will advise the whistleblower if it becomes necessary to reveal their identity against their wishes.

A whistleblower should also recognise that he or she may be identifiable by others due to the nature or circumstances of the disclosure.

Once a concern has been raised with the BWY Operations Manager, they have a duty to pursue the matter. It will not be possible to prevent the matter being investigated by subsequently withdrawing the concern. In all cases, BWY will keep *Teach Yoga* updated as to how they have progressed the allegation and the whistle-blower will have the opportunity to raise any concerns about the way the investigation is being conducted with the investigator(s). However, BWY won't disclose details of all of the investigation activities and it may not be appropriate to disclose full details of the outcomes of the investigation due to confidentiality or legal reasons. While BWY cannot guarantee that we will disclose all matters in the way that you might wish, they will strive to handle the matter fairly and properly.

Responsibility for the Investigation

All suspected cases of maladministration and malpractice will be examined promptly by *Teach Yoga* and the BWY Operations Manager to establish if malpractice or maladministration has occurred. We will take all reasonable steps taken to prevent any adverse effects to students. Receipt of the allegation will be acknowledged within three working days.

A relevant, additional member(s) of BWY staff may be allocated to lead/ participate in the investigation and establish whether or not the malpractice or maladministration has occurred, and review any supporting evidence received. If *Teach Yoga* is also involved in investigating the claim, we will ensure that we assign an independent member of staff who has the appropriate level of training and competence and have had no previous involvement or personal interest in the matter. All information and individuals involved must be communicated to the BWY Operations Manager.

A failure to report suspected or actual malpractice/maladministration cases, or have in place effective arrangements to prevent such cases, may lead to sanctions being imposed on our centre.

Notifying Relevant Parties

In all cases the person who made the allegation will be provided the contact details of the person who will be handling the matter and what further assistance may be needed need from them; and a timetable for feedback will be agreed upon.

In cases of suspected or actual malpractice or maladministration about *Teach Yoga* made to the BWY, BWY will notify Elena Voyce that BWY will be investigating the matter (unless it is Elena Voyce herself who is under investigation, in which case communication may be with other appropriate authorities).

In the case of student malpractice, *Teach Yoga* will investigate the issue in liaison with BWY personnel for advice and support. If *Teach Yoga* is investigating the matter, we will ensure that the investigation is prompt, thorough, independent and effective. In all cases details of the person making the allegation may be withheld if disclosing this information do so would breach a duty of confidentiality or any other legal duty.

BWY and *Teach Yoga* may engage and communicate directly with former members of *Teach Yoga* staff who have been accused of malpractice and/or communicate directly with a student or their representative (if there is a contradiction in the evidence provided during an investigation or where *Teach Yoga* is suspected of being involved in malpractice).

Where the allegation may affect another yoga organisation, *Teach Yoga* will also inform them or seek to undertake a joint investigation with them if appropriate.

If fraud is suspected and/or identified we may also notify the police.

Investigation Timelines and Summary Process

Where possible, we aim to complete the investigation within ten working days of receipt of the allegation. Please note that in some cases the investigation may take longer and in such instances, we will advise all parties concerned of the likely revised timescale.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be underpinned by terms of reference and based around the following broad objectives:

- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities and whether other qualifications may be affected.
- To evaluate any action already taken.
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of the qualification.
- To ascertain whether any action is required in respect of certificates already issued.
- To obtain clear evidence to support any sanctions to be applied to the centre, and/or to members of staff.
- To identify any adverse patterns or trends.

In carrying out any investigation, BWY staff will be sensitive to the effect on, and reputation of *Teach Yoga* and/or the members of *Teach Yoga* staff who may be the subject to investigation. BWY will strive to ensure that the investigation is carried out as confidentially as possible and the organisation/person who is the subject of the allegation will have the opportunity to raise any issues about the both about the proposed approach and the conduct of the investigation with the investigator(s) during the investigation.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. In any interviews carried out with the person(s) accused of malpractice/maladministration they can choose to be accompanied by a work colleague, trade union representative, or other party.

In addition we will:

- Ensure all material collected as part of an investigation is kept secure. All records and original documentation concerning a completed investigation that ultimately leads to sanctions against a centre will be retained for a period of no less than five years. If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter.
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us.

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, BWY reserve the right to impose sanctions on *Teach Yoga* in order to protect the interests of students and the integrity of the qualifications (see Sanctions below). The BWY Operations Manager and BWY Chair will be responsible for regularly reviewing the application and maintenance of sanctions to ensure that they continue to be appropriate and proportionate to the incident(s) and risk of future incidents occurring.

BWY also reserve the right to withhold a student's, and/or cohorts', results for all the BWY approved course/qualifications and/or units they are studying at the time of the notification/investigation.

If appropriate, *Teach Yoga* may find that the complexity of a case or a lack of co-operation from a centre/personnel means that we are unable to complete an investigation. In such circumstances we will consult BWY Operations Manager and BWY Chair. Throughout the investigation the BWY Operations Manager will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.

Investigation Report

If either *Teach Yoga* or BWY believe there is sufficient evidence to implicate an individual (or *Teach Yoga* as a whole) in malpractice/ and/or maladministration, the individual (or *Teach Yoga*) will be:

- Informed (preferably in writing) of the allegation;
 - Informed of the evidence found to support the judgment;
 - Informed that information in relation to the allegation and investigation may be, or has been, shared with the regulators and other relevant bodies (such as the Police);
 - Provided with an opportunity to consider and respond to the allegation and the judgment;
- and

- Informed of the appropriate Appeals Policy.

After an investigation, a draft report will be produced for the parties concerned to check its factual accuracy. Any subsequent amendments will be agreed between the parties concerned and *Teach Yoga/BWY*. The report will:

- Identify where the breach, if any, occurred;
- Confirm the facts of the case (and any mitigating factors if relevant);
- Identify who was responsible for the breach (if any);
- Contain supporting evidence where appropriate (such as written statements); and
- Confirm an appropriate level of remedial action to be applied.

The final report will be made available to other external agencies as required. If it was an independent/third party that notified BWY of the suspected or actual case of malpractice, they may also be informed of the outcome – normally within ten working days of the decision (although certain details may be omitted, in order to avoid breaching a duty of confidentiality or any other legal duty).

If the investigation is against a member of *Teach Yoga* staff, appropriate internal disciplinary procedures will be implemented. In some circumstances the Police or other external authorities may need to be alerted.

Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place, BWY will consider what action to take to:

- Minimise the risk to the integrity of certification now and in the future.
- Maintain public confidence in the delivery and awarding of BWY approved qualifications.
- Discourage others from carrying out similar instances of malpractice or maladministration.
- Ensure there has been no gain from compromising BWY's standards.

Sanctions

A non-exhaustive list of the possible actions which BWY/*Teach Yoga* might take, include the following:

- Imposing actions in with specified deadlines in order to address the instance of malpractice/maladministration and to prevent it from reoccurring such as:
 - BWY undertaking additional/increased EQA visits to a centre to provide them with a greater level of support and/or monitoring depending on their needs and performance.
 - Requiring specific *Teach Yoga* staff to undergo additional training and/or scrutiny by the centre if there are concerns about their ability to undertake their role in the delivery of BWY approved qualifications effectively.
 - Not permitting specific *Teach Yoga* staff to be involved in the delivery or assessment of BWY qualifications (such as not permitting an individual to invigilate BWY examinations or assessments).
 - Altering the way, and the period in which, centres/ individuals issue/ submit examination/assessment materials if there are concerns around their ability to maintain the security and confidentiality of such materials.
 - Appointing independent invigilators to observe assessment.
 - Appointing independent assessors to undertake assessments.

- BWY may impose sanctions on the approved centre which will be discussed and communicated in accordance with sanctions guidelines along with the rationale for the sanction(s) selected.
- Taking action against the student in relation to proven instances of maladministration or malpractice such as some or all of the following:
 - Issuing a written warning that if the offence is repeated further action may be taken
 - Loss of all marks/credits for the related work/unit
 - Disqualification from the unit(s)/qualification
 - Placing a ban from taking any further qualifications with us (perhaps for a set period of time)
- In cases where certificates are deemed to be invalid, BWY will inform *Teach Yoga* why they are invalid and any action to be taken for reassessment and/or for the withdrawal of the certificates. BWY will ask *Teach Yoga* to let the affected learners know the action that is being taken and that their original certificates are invalid and ask *Teach Yoga* (where possible) to return the invalid certificates to BWY. BWY will amend their database so that duplicates of the invalid certificates cannot be issued and will expect the centre to amend their records to show that the original awards are invalid.
- Amend aspects of our qualification development, delivery and awarding arrangements and if required assessment and/or monitoring arrangements and associated guidance to prevent the issue from reoccurring.
- Inform relevant third parties of our findings in case they need to take relevant action
- Carry out additional, related investigations if we suspect the issue may be more widespread at the centre and/or at other centres.

In proven cases of malpractice and/or maladministration by *Teach Yoga*, BWY reserves the right to charge *Teach Yoga* for any resits and reissuing of certificates and/or additional quality assurance activities/centre monitoring visits. The fees for which will be the current BWY prices for such activities at the time of the investigation.

In addition to the above, *Teach Yoga* and the BWY Operations Manager will record any lessons learnt from the investigation and pass these onto relevant colleagues to help prevent the same instance of maladministration or malpractice from reoccurring.

If the relevant party (or parties) wish(es) to appeal against BWY decision to impose sanctions, they must contact the BWY Operations Manager and/ Safeguarding and Diversity Manager for advice with regard to lodging their appeal.

Contact us

If you have any queries about the contents of this policy, please E-mail bwyopsmanager@gmail.com; and further guidance can be obtained from the BWY AG liaison Officer AGLO@bwy.org.uk.

★ Assessments & Examinations ★

5. Reasonable Adjustments Policy

You will of course be aware that the courses taught by *Teach Yoga* are accredited by the British Wheel of Yoga (“BWY”). BWY is fully committed to an unimpeded access to, and equal opportunities in, assessment. Accordingly, during the development process it will consider the needs of all potential students, including those with a range of impairments (which in the case of a teaching qualification, would not prevent them from discharging their teaching duties competently on qualifying). To this end, the BWY strives to make all its qualifications and associated assessment tasks accessible to all those students who are capable of demonstrating their competence, thereby also minimising any later need to make reasonable adjustments for them. However, if it is felt that, despite the accessibility of the qualifications, a student with a particular assessment requirement should be offered extra assistance, these needs will be accommodated. In such cases, the BWY will make, or allow *Teach Yoga* to make, reasonable adjustments for students with particular assessment requirements to ensure that they can access assessment and demonstrate attainment.

Maintaining the Integrity of the Qualification

Whilst BWY allow a range of reasonable adjustments to accommodate students’ special assessment requirements and make every effort to accommodate individual requests, BWY does not authorise adjustments which would prevent Learners on any BWY approved accredited group qualification from functioning effectively or qualifying. Equally reasonable adjustments that could be seen to provide an unfair advantage will not be granted. The qualifications approved by the BWY are competence-based, and students will therefore be assessed on their ability to meet all the specified assessment criteria in order to attain the awards towards which they are working. This means that the reasonable adjustments allowed by BWY and its accredited groups will not invalidate the assessment requirements set out in the specifications for the qualifications.

Review arrangements

We, at *Teach Yoga* review this policy annually as part of our self-evaluation arrangements; and we revise it as and when necessary in response to student feedback, changes in our practices, actions from the regulatory authorities or external agencies, and any changes in legislation.

General Principles Underpinning Reasonable Adjustments

- Reasonable Adjustments are made to an assessment for a qualification to enable a disabled student to demonstrate his or her knowledge, skills and understanding of the levels of attainment requirement by the specification for that qualification.
- Reasonable adjustments are available for students with a range of difficulties. These may include the following: speech impairment; a physical impairment; a visual impairment; a hearing impairment; or learning disabilities.
- Evidence of the requirement for a reasonable adjustment may be required.
- The student’s individual needs will determine the nature of the adjustment decision.

- Reasonable adjustments must not give the student an unfair advantage over other students.
- Reasonable adjustments must not compromise the quality, integrity and validity of the qualification.
- It is *Teach Yoga's* responsibility to provide adjustments to Accredited Group-devised assessment material/resource or reference materials.
- In cases where *Teach Yoga* modifies material into alternative formats, we are responsible for the security of the material and for the accuracy of the modifications. The student may, however, be marked down for any errors in his/her work which occur as a result of errors in the material.
- There are no circumstances when the health and safety of a student should be compromised in the name of assessment. Assumptions should not be made about a disability posing a health and safety risk, but the health and safety of all students and others must always be of paramount importance.
- The student has a responsibility to raise issues related to reasonable adjustments before a course commences or as soon in the course as the need for such adjustments are identified.
- *Teach Yoga* will always endeavour to ensure that initial assessment and pre-course information encourages students to identify any known difficulties that may fall within the scope of this policy.
- *Teach Yoga* will take responsibility for any costs incurred by implementing reasonable adjustments to accommodate the needs of students to complete practical or written assessments. Costs will not be passed to the Learner.
- BWY and *Teach Yoga* are only required by law to do what is "reasonable" in terms of providing adjustments. What is reasonable will depend upon the individual circumstances, the cost implications and the practicality and effectiveness of the adjustment.
- Failure to comply with the regulations outlined in this policy document may lead to a student's results being invalidated and certification withheld.

The Process for Making Reasonable Adjustments

A student may be granted adjustments to an assessment via either of the following two routes:

- (a) By using reasonable adjustments permitted at the discretion of *Teach Yoga* (see Permissions Table in Appendix 1). In these cases BWY requires *Teach Yoga* to keep records for inspection (including any declarations that are signed and dated by a member of *Teach Yoga's* staff who has formally been given delegated authority for this by Elena Voyce).
- (b) By contacting BWY for support and advice where the reasonable adjustment does not appear in the permissions table. (These requests should be made by *Teach Yoga* on the students' behalf.)

The staff at *Teach Yoga* will keep records of (a) adjustments they have permitted; and (b) those they have requested support from BWY. These records should be kept for 3 years following the assessment to which they apply for audit purposes and to monitor the effectiveness of the reasonable adjustments that have been made.

Applying for Reasonable Adjustments

All applications for Reasonable Adjustments should include the student's name & registration number; *Teach Yoga's* name; the qualification in question; details of the reasonable adjustments requirements and rationale; and supporting documentary evidence (of disability) where appropriate.

Requests made by students to *Teach Yoga* should be submitted no later than four weeks before the assessment takes place; and *Teach Yoga* will aim to respond within 3 working days of receipt.

Any supporting documentary evidence submitted concerning proof of a student's disability must be valid, sufficient and reliable. *Teach Yoga* need not provide further evidence in cases where the evidence of the disability or difficulty and its implications are already clear (for example, if a student has profound physical or sensory impairments).

If necessary, external experts may be called upon to assess the student.

Appeals

In cases where *Teach Yoga* declines a student's request for reasonable adjustments, students may appeal against the decision via *Teach Yoga's* Appeals Policy.

Identifying Learners who are eligible for Reasonable Adjustments

Any adjustment to assessment will be based upon what the student needs to access the assessment. Below are some examples of student needs that may be eligible for adjustment to assessments. This list is not exhaustive and it should be noted that some Learner needs will fall within more than one of the categories set out below.

- Communication and interaction needs: A student with communication and interaction difficulties may have problems with reading or writing, the effects of which could be reduced through the use of a reader, word processor, scribe, British Sign Language (BSL) or Irish Sign Language (ISL), screen reading software or voice activated software. They may also benefit from extra time during assessments that are time-constrained to allow them to demonstrate their skills and knowledge. Where assignments or other assessment evidence are produced in Braille or signed onto video, it is *Teach Yoga's* responsibility to ensure that a person who is suitably qualified in Braille or sign language is available to translate the material for the internal and external verifier or assessor if this is required.
- Sensory and physical needs: A student may need to have assessment material modified for hearing impairment and visual impairment. They may also need to use a BSL/ISL, practical assistant, reader or scribe. In addition they may benefit from the use of assistive technology and extra time to complete assessments.

Range of Reasonable Adjustments

The Permissions Table (in Appendix 1) lists the most commonly requested adjustments to standard assessment arrangements. Neither those listed in the table, nor the examples given below are intended to comprise a comprehensive list and Accredited Groups and External Quality Assurers have a duty to seek advice from BWY in any case where they do not consider that they have the necessary expertise to judge whether a reasonable adjustment is needed and/or how it should be applied.

List of Reasonable Adjustments

Please note that not all the adjustments to assessments described below will be reasonable, permissible or practical in particular situations. If in doubt, *Teach Yoga* will contact BWY for advice. Please note also, the student may not need, nor be allowed, the same adjustment for all

qualifications. Some student may need a single adjustment, whereas others may require a combination of several adjustments.

(a) Changes to assessment conditions

Extra time

- Where assessment activities are time constrained a student may be allowed extra time during an assessment if he or she has a condition that affects the speed of processing.
- The amount of extra time allowed should accurately reflect the extent to which the completion of the assessment will be affected by the student's difficulty. Unlimited extra time will not be allowed. It is *Teach Yoga's* responsibility to specify the amount of extra time the student will need, using as a guide the extra time required during formative assessments in *Teach Yoga's* qualification specification.
- Extra time for onscreen assessments may have to be customised for each student. In these cases *Teach Yoga* will contact BWY to apply for a time extension to be set up.
- Extra time will not be allowed in practical activities where timing is a crucial part of the assessment or in group activities where the student's performance will be assessed in conjunction with others.

Supervised rest breaks

- Where assessment activities are time constrained, a student may, if there is demonstrated need, be allowed supervised rest breaks during an assessment.
- The duration of the break should not be deducted from the assessment time.

Changes in the organisation of the assessment room

- Minor changes to the organisation of the assessment room may benefit some students with autistic spectrum disorder, with visual or hearing impairment or with physical difficulties.
- Visually impaired students may benefit from sitting near a window so that they have good lighting.
- Deaf students may benefit from sitting near the front of the room and in good light.
- Some students may benefit from using chairs with arm rests or adjustable heights.
- Autistic students may benefit from having visual or noise stimuli, such as a ticking clock, removed from the room.
- *Teach Yoga* will always consider the needs of the individual student and, where possible, arrange the assessment room to suit him or her.

(b) Use of Mechanical and Electronic Aids

Use of coloured overlays, low vision aids, tinted spectacles and Optical Character Recognition (OCR) scanners

- *Teach Yoga* will ensure that the student has had sufficient practice in the use of these aids and that any electronic aids are in good working order.
- *Teach Yoga* will contact BWY if we are unclear about whether any new technology will unfairly advantage the student or invalidate the assessment requirements.
- The student should be familiar with how the aid works.

Use of assistive technology, for example speech / screen reading software and voice activated software

- Some students may benefit from the use of software that reads the assessment material to them and records their spoken responses.
- *Teach Yoga* will seek advice from BWY if the implications of using certain kinds of assistive technology are unclear with regard to the risk of giving the student an unfair advantage or invalidation of the assessment requirements.
- It should be noted that the use of such software may introduce a hidden assessment agenda, in that the student has to master the use of the software in addition to mastering the assessment criteria. Some students may need extra time if they use such software.
- The student should be familiar with how the assistive technology works.

(c) Modifications to the presentation of the assessment material

Assessment material in enlarged format

Examples of enlarged paper-based assessments include:

- Unmodified enlarged papers where the standard paper is photocopied from A4 to A3, thus enlarging the whole paper and retaining the original layout and visual presentation.
- Modified enlarged paper where the paper is modified by simplifying the layout and where necessary reducing the content while still meeting the same objective as those tested in the original paper.
- Where *Teach Yoga* is permitted to make the enlargements to externally set assessment material, we will take responsibility for ensuring that the entire document is enlarged. The student may, however, be marked down for any errors in his/her work which occur as a result of incomplete enlargement of the material.

On screen assessments

- If the default font and text size used for an on-screen assessment is not suitable for the student, screen magnification software programmes may provide an option to magnify the text to a suitable size.
- Students should become familiar with the ways the screen may be adapted in on-screen exams by using practice tests.

Assessment material in Braille

- Assessment material may be provided in Braille for a blind or visually impaired student.
- The material will be modified to remove any visual content prior to Brailleing.
- Diagrams in the assessment material can be produced as tactile diagrams.
- Permission may be given to *Teach Yoga* to Braille externally set assessment materials. BWY will advise when this can be permitted.
- Where *Teach Yoga* is permitted to Braille externally set assessment material, it is responsible for ensuring that the entire document is brailled. The student may, however, be marked down for any errors in his/her work which occur as a result of errors in the brailled material.
- Braille is not always an appropriate adjustment for the student, as not all blind people are fluent in Braille.
- It is *Teach Yoga's* responsibility to arrange for the Brailleing of our own assessment materials/resources or reference materials.

Assessment material in BSL or ISL

- Assessment material may be modified for a deaf student whose first language is BSL or ISL.
- Technical language may not be modified. The modified version of the assessment material should contain the same questions as the standard version and the same answers will be expected from the student.
- Where *Teach Yoga* cannot provide a BSL/ISL interpreter for the assessment, and if language modified assessment material does not provide sufficient assistance, a BSL/ISL version of assessment material may be provided on DVD instead of (or in addition to) the assessment material in written English.
- *Teach Yoga* is aware that translation our own assessment material/resource or reference materials into BSL/ISL will not be suitable for all assessments. We therefore may need to contact BWY for further advice, in instances where we are unclear whether this adjustment is appropriate.

Assessment material on coloured paper

- Assessment material may be placed onto coloured paper to assist students with visual impairments.
- *Teach Yoga* will ensure that the entire document is copied as students may be marked down for any errors made as a result of incomplete copying.

On-screen assessments

- Students may normally be able to select a screen background in a colour that is suited to their needs. It is advised that students explore the selection available using a practice test before they take an assessment.

Assessment material in audio format

- Where there is evidence of need, assessment material may be provided in audio format.
- It is *Teach Yoga's* responsibility to provide our own assessment material in the precise format suitable for the student.

(d) Alternative ways of presenting Learner responses

Students will be provided with the means to present their responses by a method most appropriate and familiar to them, as long as the use of that method will not invalidate the requirements of the assessment. The use of ICT is generally perceived to have a positive impact upon helping Learners with disabilities to access assessment. ICT can normally be used for *Teach Yoga's* own assessments and portfolio work unless the use of ICT is expressly prohibited by the qualification specification.

Spoken responses using electronic recording devices, for example CD Roms, memory sticks, audio cassettes

- Where there is evidence of need, the student may be permitted to record their responses electronically.
- Spoken responses will only be available for assessments where there is no requirement for the student to produce visual material.
- *Teach Yoga* will check whether permission should be sought from BWY to record the student's responses electronically.

(e) The Use of Access Facilitators

Readers

- A reader is a person who, when requested, will read to the student all or part of the assessment material and the student's written responses.
- The reader should not normally be the student's own tutor or assessor, except in circumstances where it is necessary to do so. In such cases, BWY will be specifically consulted. On no account may a relative, friend or peer of the student be used as a reader.
- Where there is evidence of necessity, a reader may be allowed in assessments where reading is not being assessed.
- *Teach Yoga* will, in consultation with the student, decide whether the use of a reader will be an effective arrangement. The student may be more comfortable with using speech or screen reading software which reads out the material, accessing the material in electronic format, in Braille or through sign language.
- *Teach Yoga* is responsible for making the necessary arrangements for the provision of a reader.
- *Teach Yoga* will select the reader on the basis of their ability to work effectively with the student. The reader should be able to read accurately and at a reasonable rate and should have sufficient knowledge of the subject to read technical terms accurately.
- A student should, wherever possible, have had previous practice in working with the reader and should have used this arrangement during any training programme leading up to the assessment.
- *Teach Yoga* will ensure that the Learner and reader are clear about the limitations of the reader's role.
- *Teach Yoga* will give the reader clear instructions regarding what they are required to do and what they may and may not do during the assessment.
- For a student requiring a reader and a scribe, the same person may act as both as long as permission has been given for both arrangements.
- The student using a reader may need to be accommodated separately so as not to disturb other students.
- The reader is responsible to, and should be approved by, Elena Voyce or a *Teach Yoga* staff member with delegated responsibility.
- The reader should read only as requested by the student. The student may choose to read some parts of the assessment him/herself.
- The reader should read accurately. If the reader is working with a deaf or hearing impaired student, the reader should articulate clearly.
- The reader should only read the exact wording (instructions and questions) and not give meanings of words, rephrase or interpret anything.
- The reader may consult a dictionary (in cases authorised by *Teach Yoga*) at the student's request, and read out entries.
- The reader should read, as often as requested, the answers already recorded but may not act as a proof reader.
- The reader is permitted to help a visually impaired student using diagrams, graphs and tables to obtain the information that the print/amended print copy would give to a sighted student.
- The reader should, if requested, give a visually impaired student the spelling of a word which appears on the paper, but otherwise spellings must not be given.
- The reader should immediately report any problems in communication to *Teach Yoga*.

Scribes (sometimes called amanuensis)

- A scribe is a person who, in an assessment, writes down or word processes a student's dictated responses. The most common need for a scribe is where a student has injured their arm and is unable to write.
- A scribe should not normally be the student's own tutor or assessor, except when it is necessary to do so. In such cases, the awarding body should be specifically consulted. On no account may a relative, friend or peer of the Learner be used as a scribe.
- *Teach Yoga* will, in consultation with the student, decide whether the use of a scribe is an appropriate adjustment. As the effective use of a scribe requires high level communication skills from the student, *Teach Yoga* will consider whether the student would be more comfortable with the use of a computer (especially where the student is likely to use a word processor rather than a scribe in the workplace).
- For a student requiring a scribe and a reader, the same person may act as both, provided permission has been given for both.
- *Teach Yoga* will select a scribe on the basis of their ability to work effectively with the student. A scribe should be able to produce an accurate record of the student's responses, write eligibly and/or word process at a reasonable speed and have sufficient knowledge of the subject to be able to record technical terms correctly.
- *Teach Yoga* is responsible for making the necessary arrangements for the provision of a scribe.
- The scribe is responsible to and should be approved by Elena Voyce or a *Teach Yoga* staff member with delegated responsibility.
- A student should, wherever possible, have had previous practice in working with the scribe.
- *Teach Yoga* will ensure that the Learner and scribe are clear about the limitations of the scribe's role.
- *Teach Yoga* will give the scribe clear instructions regarding what he or she is required to do and what he or she is not allowed to do during the assessment.
- The scribe must write down answers exactly as they are dictated.
- The scribe may not take responsibility for spelling technical words.
- The scribe should not assist the student to produce any diagrammatical or graphical material. If assistance with this is needed, approval should be obtained from BWY in advance of the assessment.
- The scribe may, at the student's request, read back what has been written, but no comment must be made about any part of the student's responses.
- The scribe should immediately refer any problems in communication to *Teach Yoga*.

Practical Assistants

- A practical assistant is a person who, during an assessment, carries out practical tasks at the instruction of the student. One example of the kinds of task with which the practical assistant may assist is demonstration of a yoga posture during a teaching activity.
- The practical assistant should be familiar with the requirements of the assessment, but should not normally be the student's own tutor or assessor except when it is necessary to do so. In such cases, BWY should be specifically consulted. On no account may a relative, or a friend of the student be used as a practical assistant.

- *Teach Yoga* will, in consultation with the Learner, decide whether the use of a practical assistant is an appropriate arrangement.
- *Teach Yoga* is responsible for making the necessary arrangements for the provision of a practical assistant.
- A practical assistant should be a person who is able to ensure the safety of the student and carry out his or her instructions accurately.
- *Teach Yoga* will prepare clear written instructions for the practical assistant on the assistance they are able to give the student. A copy of these instructions will also be given to the student. *Teach Yoga* is aware that the practical assistant may not perform tasks for which the student will receive credit.
- The practical assistant should follow the instructions prepared by *Teach Yoga* on the level of kind of assistance that can be given.
- The practical assistant should ensure the safety of the student and those around him or her.
- The practical assistant should not give factual help to the student or offer any suggestions.
- The practical assistant should carry out instructions exactly as they are given unless to do so would cause a hazard. If the practical assistant does not understand the student's instructions, he or she may ask for clarification but must not lead the student in any way or attempt to interpret the student's wishes. If incorrect or inadequate instructions are given by the student, this must be reflected in the outcome of the assessment.
- The practical assistant should not expect to assist the student throughout the entire assessment. There may be parts of the assessment which the student can do without help and thus gain credit for demonstrating the require skills.
- The practical assistant should immediately refer any problems during an assessment to *Teach Yoga*.

APPENDIX 1 – Reasonable Adjustments Permissions Table

This table outlines some of the decisions on reasonable adjustments that can be made. However, *Teach Yoga* has a duty to seek advice from BWY in any case where we are in doubt as to whether an adjustment is needed or how it should be applied.

- Permitted = reasonable adjustment permitted at the discretion of *Teach Yoga*
- Apply = apply to BWY for permission

Extra time	Permitted
Supervised rest breaks	Permitted
Change in the organisation of the assessment room	Permitted
Use of coloured overlays, low vision aids, tinted spectacles and OCR scanners	Permitted
Use of assistive software	Permitted
Assessment material in enlarge format	Permitted
On-screen assessment	Permitted

Assessment material in Braille	Apply
Assessment material in BSL/ISL	Apply
Assessment material on coloured paper	Permitted
Assessment material in audio format	Apply
Responses using electronic devices	Permitted
Reader	Permitted
Scribe	Permitted
Practical assistant	Apply
Other	Apply

APPENDIX 2 – General guidance on the use of British Sign Language (BSL) and Irish Sign Language (ISL)

Teach Yoga will check that the use of BSL/ISL interpreter is the most appropriate arrangement to enable the student to undertake the assessment. After selecting the BSL/ISL interpreter, we are responsible for fully briefing him or her on their responsibilities. A BSL/ISL interpreter should not be allowed where such use would invalidate the assessment requirements; and the BSL/ISL interpreter should have an appropriate qualification in the sign language so as not to disadvantage the student.

- Although British Sign Language (BSL) and Irish Sign Language (ISL) are now recognised as official languages of the UK, it is not a statutory language, unlike English, Welsh and Irish (Gaelige).
- Where BSL/ISL is the primary means of communication for a deaf student, these Learners may have the support of a BSL/ISL /English interpreter to sign the questions (or part questions) where they are undertaking written assessments.
- For assessments where reading or speaking and listening are the competences being assessed, BSL/ISL or any other sign language may only be used for the assessment material rubric and instructions.
- *Teach Yoga* will ensure that the BSL/ISL interpreter has an appropriate qualification in the sign language and a good working knowledge of the content of the assessment.
- A student should, wherever possible, have had previous experience of working with a BSL/ISL /English interpreter and should have used this arrangement during the learning programme leading up to the assessment.
- *Teach Yoga* will ensure that the student and the person providing the interpretation is clear about the limitations of the latter's role in the assessment situation.
- *Teach Yoga* will ensure that the person providing the interpretation has access to the assessment material in advance of the assessment, to prepare for the signing. This arrangement should be agreed with the awarding body.
- The interpretation should not give the student an unfair advantage and care must be taken not to indicate the meaning of technical words, where the student's understanding of these words is inherent in the purpose of the question. The interpretation should not explain or clarify. In some instances it may be more appropriate to finger-spell a word.

- Any words or phrases interpreted for the student because a standard sign is not available or appropriate should be underlined on the assessment material, which, if separate from the answer book, should be attached to the Learner's answer book. Amended versions of questions should be shown on the assessment material.
- The student using a BSL/ISL /English interpreter should be accommodated separately so as not to disturb other students.
- The BSL/ISL interpreter should have access to the assessment material in advance of the assessment to prepare for the signing. BWY will advise how long before the assessment the BSL/ISL /English interpreter can have access to the assessment material.
- The BSL/ISL interpreter should not interpret technical language or give additional explanations.
- The BSL/ISL interpreter may, at the student's request, sign any labels or text connected with reference material such as maps, diagrams or graphs. The student should, however, study the reference material independently.

6. Special Considerations Policy

BWY and/or *Teach Yoga* is prepared to give special consideration to students who have suffered temporary illness, injury or indisposition at the time of assessment and either:

- Were prevented from attending an assessment session or completing an assessment task by the specified date; or
- Attended the assessment but believe that circumstances beyond their control, such as a sudden indisposition, affected their assessment performance adversely.

Specific circumstances where students foresee that they will not be able to meet assessment dates or criteria, will also be considered on a case-by-case basis. This will depend on the provision of appropriate evidence and/or a rationale.

Special Considerations differ from Reasonable Adjustments in that they relate to unforeseen circumstances which result in a temporary indisposition and which have had, or are likely to have had, a material effect on that student's ability to take an assessment or demonstrate his or her level of attainment in an assessment. By contrast, reasonable adjustments cater for longer-term impairments and disabilities which manifest themselves well in advance of assessment and can, therefore, be accommodated with some preparation.

Eligibility for Special Considerations

The following are the conditions for a student's eligibility for special considerations:

- A sudden injury or a sudden onset of an illness/indisposition (for which a doctor's/hospital note must be provided);
- An unplanned hospital admission (for which a doctor's/hospital note must be provided);
- A sudden bereavement of a family member or a close friend (for which a student's note will suffice);
- A loss of written assessment evidence as a result of fire, flood or theft (in the last case, a police crime number should be provided; and for the remaining two, a student's note will suffice);
- A domestic emergency, such as flooding, fire or serious structural damage, such as that caused by a severe storm (for which a student's note will suffice);
- Other circumstances beyond the student's control (such as severe weather; unscheduled work or other commitments; severe disruption to domestic arrangements; trauma caused

by family breakdown; etc.) Work commitments will require a note from the student's line manager, while for other circumstances, a student's note will suffice.

BWY and/or *Teach Yoga* will review the circumstances and evidence surrounding each request for special consideration to ensure that the decision made maintains the equity, validity and reliability of the assessment for the Learner and does not give that Learner an unfair advantage.

A student will not be eligible for special consideration if:

- No evidence is supplied that the Learner has been affected by a particular condition or circumstance;
- Any part of an assessment is missed due to personal arrangements including holidays or unauthorised absences; or
- Preparation for a component is affected by difficulties during the course (such as disturbances through building work, lack of proper facilities, changes in or shortages of staff, or industrial disputes).

Procedure for Applying for Special Considerations

The BWY and/or *Teach Yoga* requires that all applications for special considerations for students should be submitted by their assessors to Joe Ross (jericho4@gmail.com). The application will describe in detail the circumstances which affected the student at the time of assessment and should be accompanied by the required supporting documentation.

An application for a special consideration should be submitted within five working days of the deadline for submitting written work having elapsed or of the assessment session having taken place.

If the application is granted, BWY and/or *Teach Yoga* will allow:

- A practical assessment to be re-taken;
- Deferment of submission date for specific assignment(s); or
- Another course of action that may be appropriate to the individual circumstance.

Special considerations are considered on a case-by-case basis. It is not normal practise to accept an extension of final assessment date beyond six months, and repeated applications are also not commonly accepted. (Students would usually be expected to complete their Diploma within three years and a Certificate within two years.) Apart from in exceptional circumstances, a student can only apply for special considerations up to three times in a course. In these instances deferral or transferral on to another course may be considered a better option for the student. However, all such considerations will be discussed between *Teach Yoga* and student throughout the application process.

7. Plagiarism Policy

Plagiarism essentially involves taking someone else's intellectual effort and presenting it as one's own. The Joint Council's (JCQ) *Guidelines for Dealing with Instances of Suspected Malpractice* (www.jcq.org.uk) defines plagiarism as: "The failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own."

The Joint Council for Qualifications offers very comprehensive guidelines that are followed by Awarding Organisations when dealing with "**Plagiarism in Examinations**"

<http://www.jcq.org.uk/exams-office/malpractice/plagiarism-in-examinations>. BWY upholds the same principles, considering written assessments with the same regard as examinations.

Most plagiarism refers to copying texts from books, the internet or the work of other candidates and submitting this as original work. The JCQ states that by virtue of its definition, plagiarism is restricted to those components where students undertake examination or assessed work in unsupervised conditions; such as coursework, pre-release work, or the compilation of research notes.

Preventing Plagiarism

BWY and *Teach Yoga* tutors/assessors are obliged to authenticate submitted students' work as being original and solely the work of the candidate named (who will have also signed a declaration to that effect). Any plagiarism that is identified prior to the authentication documents being signed does not need to be reported to BWY, but rather dealt with in line with *Teach Yoga's* policies regarding plagiarism and malpractice/maladministration.

In order to prevent plagiarism, *Teach Yoga* tutors should:

- Raise student awareness of restrictions surrounding plagiarism during induction and throughout the course.
- Emphasise the importance of creating authentic work that is the students' own and reiterate that plagiarism will be penalised.
- Include guidance notes on plagiarism in student and course hand books including preferred referencing styles and tools.
- Reinforce to a candidate the significance of their signature, confirming that they understand plagiarism is forbidden on their initial learning agreements/ enrolment forms and their signature on the declaration of authenticity forms which accompany their assessed work.
- Make clear what is acceptable in respect of plagiarism and the use of sources, including the use of websites. (Candidates must provide details of any web pages from which they are quoting or paraphrasing. There is no one standard way of acknowledging sources but the use of inverted commas, indented quotations, acknowledgement of the author, line/page number, title of source, indicate that the candidate is using a source. It is best practise to use quotation marks when sources are quoted directly.)
- Ensure that enough time is allocated for assessments to be completed and that adequate support is in place, including processes to support the application for extension to deadlines in the right circumstances, within agreed timescales.
- Ensure that coursework and assessments undertaken in previous years by other students is not re-submitted by current candidates as their own work. The security of candidates' earlier work is of great importance. Any previous work issued to candidates for reference purposes should be carefully monitored.
- Should not accept work where plagiarism has been suspected without further investigation.

Communicating Plagiarism Guidance to Students

Tutors should give students guidance and explain plagiarism guidelines and requirements in detail at induction and throughout the course.

Assessment sheets/ handbooks/ guidance for written assignments should include a section on correct use of referencing and bibliography. *Teach Yoga* must ensure that students provide a handwritten signature (which may be scanned for electronic correspondence) on all work.

The JCQ "Plagiarism in Examinations" <http://www.jcq.org.uk/exams-office/malpractice/plagiarism-in-examinations> provides further guidance (pages 4 to 7) concerning the following three steps in

dealing with plagiarism that centres may wish to consider when reviewing their plagiarism policies and procedures: (1) Keeping watch; (2) Confirmation; (3) Reporting. Guidance on referencing and bibliographies can also be found on pages 8 and 9.

If an act of plagiarism has been confirmed and the authentication declaration has been signed by the candidate, *Teach Yoga* is required to notify BWY, as the Awarding Organisation.

Further guidance is available from the BWY Central Office: BWYQ, 25 Jermyn Street, Sleaford, Lincolnshire, NG34 7RU Enquiries: 01529 419 915; or you can request information via E-mail: AGLO@bwy.org.uk.

★ Appealing against decisions made by *Teach Yoga* ★

8. Appeals Policy

This policy covers:

- Appeals from students in relation to an assessment decision on the basis that BWY or *Teach Yoga* did not apply procedures consistently, or that procedures were not followed properly and fairly.
- Appeals from *Teach Yoga* staff in relation to an assessment decision on the basis that BWY did not apply procedures consistently, or that procedures were not followed properly and fairly.
- Appeals from students relating to the decision to decline a request to make reasonable adjustments or give special considerations.
- Appeals from *Teach Yoga* staff relating to the decision to decline a request to make reasonable adjustments or give special considerations.
- Appeals from *Teach Yoga* staff or a student in relation to the application of a sanction/action resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a student/set of students results following a malpractice or malpractice investigation.
- Appeals relating to a decision following an investigation into a complaint.
- Appeals if an individual believes *Teach Yoga* and/or BWY has not applied our procedures consistently or that those procedures were not followed properly, consistently and fairly.

Stage 1: Process for Raising an Appeal

You have seven working days from the date we notified you of the decision you are appealing against in which to lodge an appeal. The results of all students' assessments need to have been finalised before an appeal can be raised regarding one student's assessment grades. A student should first raise his or her appeal with the assessor before any formal appeal is raised.

An appeal is being made on behalf of a student, the student needs to have given their written permission (because grades/results can go down as well as up as a result of an investigation).

Anyone making an appeal must complete the appropriate Appeals Form and supply relevant supporting information such as the following:

- Student's name and course registration number;
- Date(s) on which the Appellant received notification of the decision being appealed against;
- Title and number of the qualification affected or nature of service affected (if appropriate);
- Full nature of the appeal;
- Contents and outcome of any investigation already carried out relating to the issue;
- Contact details for all parties who should be notified of the progress with the claim;
- Any additional information deemed pertinent to the case.

Stage 2: Initial Review of the Appeal Details

On behalf of *Teach Yoga*, Matt Browne will acknowledge receipt of an appeal within seven working days; and *Teach Yoga* will aim provide a full response within 20 working days. Please note that in some cases the review processes may take longer. In such instances, all parties concerned will be informed of the likely revised timescale.

At all times we will ensure that *Teach Yoga* staff assigned to the appeal investigation have the appropriate level of training and competence and that they have had no previous involvement or personal interest in the matter. If they have had involvement in the appeal matter, they will not be responsible for allocating a member of staff to carry out the investigation or for overseeing and managing the investigation.

An initial, informal assessment of all potential appeal evidence will ensure the application is complete and to ascertain if the issue can be resolved before it goes to a formal appeal. In all instances we will ensure that the person carrying out this initial check will not have a personal interest in the decision being appealed.

Following the initial review of the potential appeal, we will write to the Appellant with details of our decision to either:

- Amend the original decision in light of the new rationale/evidence being put forward which has now been reviewed; or
- Confirm that we stand by our original decision (in which case, reasons will be provided).

In either case we will request that you confirm, within 15 working days, whether you now accept this decision, or whether you wish to proceed to our formal appeals process which will be carried out by an independent party.

Stage 3: Seeking an Independent Review

If you decided to proceed to the independent appeal stage, the necessary arrangements will be carried out by someone who is not an employee of ours, an assessor working for us, or otherwise connected to our organisation. They will also be someone with the relevant competence to make a decision in relation to the appeal and will have not a personal interest in the decision being appealed.

The Independent Reviewer will review all the evidence which took place in the above stages and review if we've applied our procedures fairly, appropriately and consistently in line with our policy. The independent review process may involve:

- A discussion with the appellant or the learner;
- A request for further information; or
- A centre visit by authorised personnel.

The Independent Reviewer's decision is final in relation to how *Teach Yoga* will consider such appeals. You will be informed of the outcome of the review within 20 working days of receipt of the third appeal.

An Appellant must first of all go through *Teach Yoga's* appeals process before bringing the matter to BWY. It is expected that direct appeals to BWY may only be made in exceptional circumstances.

Review arrangements

Teach Yoga will review this policy annually as part of our self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback or requests from, or good practice guidance.

Fees

We charge £50 to cover the administrative and personnel costs involved in dealing with appeals. This sum will be refunded if the appeal is judged as valid, and the appellant's application is successful.

Contact Us

If you have any queries, please direct them to *Teach Yoga* via amy@teachyoga.com.