

TRAINING PROVIDER NETWORK

Counter fraud, malpractice, and maladministration policy



Published by CITB, 4 Cyrus Way, Hampton, Peterborough, PE7 8HP.

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First published August 2025.

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1. Introduction

This policy aims to protect the integrity, reliability, and reputation of the CITB Training Provider Network (TPN) and the related products.

- This policy relates to training providers delivery, administration, staff and delegates.
- This policy sets out the process for reporting and investigation.
- This document is an amplification of the Training Provider Standard Terms, and the Training Provider Handbook.

2. Scope of the policy

- Training Provider Network; Standard terms & supplementary terms.
- CITB guidance – Training Provider Handbook.
- SSP and ITC Scheme Rules and Quality Assurance Requirements.
- CITB funded products.

3. Policy aims and objectives

The policy sets out the process an individual or organisation must follow to report cases of alleged malpractice, maladministration, and fraud (including bribery). The policy details how alleged cases should be reported and the time scales in which CITB will investigate and act upon its findings. The policy will also layout how CITB will deal with alleged cases, where the allegations are proven.

4. Access to the policy

CITB will publish the policy on its website www.citb.co.uk and ensure that the policy is communicated and understood by centre staff through its team of Senior Quality Consultants. The Senior Quality Consultant team will through its scheduled monitoring visits explain the policy to training provider staff and answer any questions relating to the policy. Additional guidance can also be obtained centrally from the CITB Quality Assurance team.

5. Definitions

Malpractice/maladministration is a deliberate, unintentional, or reckless act of an individual or business to dishonestly claim funding, learning outcomes, achievements, and/or certificates for delegates. Furthermore malpractice/maladministration is an act that does not comply with CITB or regulatory authority's conditions and brings the authenticity, reliability and integrity of outcomes, achievements, or qualifications into question.

Fraud is a criminal activity defined as an act of deception intended for personal gain or to cause loss to another person or party. This can include theft, the misuse of funds or resources, failure to disclose information, false representation, or abuse of a position of trust.

As well as the above, the term "fraud" is also used to describe acts such as deception, bribery, forgery, extortion, corruption, conspiracy, embezzlement, misappropriation, money laundering and collusion. Fraud can affect individuals, businesses, charities, the treasury, or the industry.

Corruption is the abuse of entrusted power for personal gain. This can involve a party being influenced in exchange for a reward or a promise or the expectation of a reward to unreasonably use their position to gain an advantage to another. In this context, reward need not be financial.

Examples of malpractice/maladministration/fraud could be but are not limited to.

Delegate malpractice/maladministration/fraud.

- Cheating.
- Plagiarism of work.
- Forgery of candidate/delegate evidence.
- Forgery of signatures.
- Coercion.
- Impersonation

Training Provider malpractice/maladministration/fraud

- Failure to follow CITB requirements for provider approval including action plans.
- Failure to allow Senior Quality Consultant or authorised regulator access to centre, records or delegates when requested without good reason.
- Unqualified trainers, assessors, and quality assurance staff claiming learning outcomes, achievements, certificates, or funding.
- Fraudulent claims for certificates or course completion with or without links to CITB funding.
- Absence of Quality Management Systems as required by CITB.
- Failure to follow invigilation guidelines or other externally set requirements from CITB/Awarding Organisations/regulators etc.
- Failure to input candidates/delegate information in a timely manner or intentionally submitting incorrect details on to CITB systems.
- Inaccurately upload information onto CITB systems.
- Sharing of confidential passwords for CITB systems i.e. Construction Training Register, CITB portal etc.

Staff malpractice, maladministration, and fraud

- Adding additional (ghost) delegates to course achievements.
- Forgery or tampering with assessments and training records.
- Forgery of signatures.
- Forgery or tampering delegate's evidence.
- Failure to follow actions set out by CITB or (other organisations linked to recognised category approval).
- Making false or misleading claims for CITB funding support.

6. Reporting process

Anyone involved in the training delivery process for the CITB Training Provider Network that has had an instance of alleged malpractice/maladministration/fraud brought to their attention is duty bound to report it to CITB. Every reasonable effort will be made to protect the identity of the person making the report.

CITB will accept any written report, email or letter that sets out the details of the alleged malpractice/maladministration or fraud. The correspondence must be sufficiently detailed to allow an investigation to commence. CITB also has its own fraud email address – report.it@citb.co.uk.

Please ensure that the following information is included in any correspondence:

- Provider Name, Address and Number
- Reporting Persons Name, Position and Address (if different from above)
- Candidate/Delegate Name(s) and Number(s) of those affected or involved
- Individuals involved
- Programme Details (Qualification involved)
- The details of the allegation including Dates, Times, and Venues.

7. Reporting Process – Recognised Qualifications

For qualifications that are awarded via other Awarding Organisations (AO) the relevant Malpractice/Maladministration policy must be followed by the centre (as identified by the AO).

Training providers are required to make CITB aware of any instances of alleged malpractice/maladministration/fraud as part of the ongoing approval status, including other 3rd party organisation investigation, regardless of the outcome. Failure to do so could affect the ongoing approval status if no report is made and CITB subsequently identifies malpractice/maladministration/fraud.

CITB reserve the right to take any reasonable action to safe-guard delegates and employer's interests.

8. Investigation process

Upon receipt of an allegation of malpractice/maladministration/fraud CITB will confirm receipt in writing and detail the process for investigating the allegation within 10 working days.

The provider will be suspended at the point of receipt of the allegation, this is intended to be a neutral act and to preserve the integrity of investigation and reputation of the product(s).

The training provider is required to inform registered trainers of any changes to the training provider's status, including suspension and termination.

The investigators will where practicable conduct the investigation remotely and the process will be concluded within 28 working days. However, if further enquiries are required then arrangements will be made for the centre to be visited and interviews conducted with the people involved.

Wherever possible we will aim to complete the investigation in 40 working days. However, on occasions the investigation may take longer. CITB reserves the right to extend the amount of time to conclude an investigation to ensure thorough and appropriate action can be taken.

Following the investigation, we will detail the outcome in writing to CITB's named contact at the provider along with any remedial action required. This report will be sent within 5 working days following the completion of the investigation.

There is an expectation that all parties that participate in the investigation process co-operate with CITB staff. Failure to cooperate at any stage of the investigation process may result in termination of the provider agreement. Where relevant, third-party organisations will be made aware of suspected malpractice/maladministration/fraud.

From time to time the investigation will require additional information to be supplied. CITB will be clear on what is required, the format, and the deadline to supply the additional information.

CITB reserves the right to interview anyone involved in the delivery process, including delegates who may be able to provide evidence about the alleged malpractice/maladministration/fraud. If the investigation requires a visit, this will be arranged. The date given to the training provider will normally have a short lead time.

CITB will use their staff who understand the training provider to guide; however, the investigation will be conducted by an independent and impartial member of CITB staff. The training provider will be given the name of the investigators prior to the investigation. It is the centres responsibility to inform CITB in writing if there is a conflict of interest in writing prior to the investigation commencing.

9. Investigation findings

CITB will make an informed decision based on the investigation findings, CITB will exercise due diligence when formalising its decision using the evidence gathered during the investigation.

For delegate and/or training provider malpractice/maladministration/fraud the CITB outcome will be presented to the training providers authorised representative (or named contact), either face to face or by written letter. The training provider representative (or named contact) will be involved, where appropriate with setting the action plan before it is put in place. CITB quality assurance department will provide guidance on the action plan and how to meet any given points, as required.

CITB reserves the right not to disclose sensitive or confidential information obtained during the investigation, e.g. details of any whistleblower complaints, where the information could prejudice further work, and will not provide information or intelligence obtained during the investigation or disclose tactics deployed. This is to protect the integrity of the investigation and intelligence sources.

10. Training provider malpractice/maladministration

If malpractice/maladministration/fraud has been identified at the training provider and/or anyone employed by the training provider the actions taken will be in accordance with the published CITB standard terms. CITB will work with the training provider ensuring remedial actions are followed as applicable.

11. Candidate malpractice/maladministration

If the malpractice/maladministration is a delegate(s) the individual(s) may be removed from the training programme and have their achievement removed from the Construction Training Register (if listed as achieved). The training provider will be given an action plan to prevent further occurrences of delegate malpractice/maladministration/fraud. This may still be viewed as a breakdown of the training providers management systems.

CITB will keep any relevant regulatory authorities apprised of the investigation, findings, and conclusion. In line with this, CITB will if required remove achievements to protect the integrity of the Construction Training Register.

12. Appeals

If you do not agree with the findings of the investigation you can appeal. CITB has an appeal procedure that must be followed and can be found on the CITB website, the appeal must be made within 10 working days of the dated correspondence to the Approval and Compliance Manager. Further guidance of the appeals procedure can also be found within the CITB training provider network handbook and appeals policy.

CITB reserves the right to publicise any formal outcomes following an investigation and following the expiry of any appeal process.

13. Cost recovery

CITB will in accordance with the standard terms seek to recover the cost of any investigation following expiry of any appeal period, including the costs of any retesting, training or assessing any affected delegates.