

The New Zealand School of Wines & Spirits (NZSWS) Policies

Wine and Spirit Education Trust (WSET) Approved Programme Provider (APP) 922

1. Conflicts of Interest

As an APP, NZSWS is required to identify to WSET and assist in managing or monitoring actual, potential and perceived conflicts of interest ('Conflicts of Interest') involving both APP staff and students. This policy complements WSET's conflicts of interest policy and works to safeguard the integrity of WSET qualifications and promote confidence in WSET and NZSWS' processes and procedures.

This policy applies to all NZSWS staff and students and to any individual acting on behalf of NZSWS. A Conflict of Interest exists where an individual has interests or loyalties that could adversely influence their judgement, objectivity or loyalty to WSET or NZSWS when conducting activities associated with WSET qualifications.

Examples of Conflicts of Interest include:

- The assessment of candidates by an individual who has a personal interest in the result of the assessment for any or all individuals concerned;
- The moderation of assessment of candidates by an individual who has a personal interest in the result of the assessment for any or all individuals concerned;
- The undertaking of a WSET qualification by any individual employed by an APP;
- The invigilation of a WSET assessment by any individual involved in the delivery of training leading to the assessment;
- The coaching of candidates by any individual involved in the assessment of candidate scripts;
- The employment by an APP of individuals engaged in the delivery of taught programmes or in the role of Internal Assessor in another APP;
- The investigation of a non-compliance incident by someone who is unable to act impartially.

Some of these Conflicts of Interest are manageable and therefore acceptable. For example, if a family member of one of NZSWS' educators or APP staff takes a qualification and exam through NZSWS, or when an employee of NZSWS, or of the WSET, takes a WSET qualification through NZSWS, we can notify WSET in advance and work with them to put in place measures to maintain the integrity of the exam.

Some Conflicts of Interest are not manageable and are not acceptable. For example, no mitigation efforts overcome the conflict created when an individual serves as the educator and exam officer of an exam for a family member where an external invigilator is not available.

Any staff member or student of NZSWS who becomes aware of a Conflict of Interest must inform Jane Skilton (jane@nzsws.co.nz) as soon as possible. Jane will inform the WSET of the possible conflict of interest and will work with WSET to put any protective or mitigating measures in place to manage the conflict on a case-by-case basis. If WSET and NZSWS determine the conflict is not manageable, Jane will inform any impacted APP staff or students.

Please note that the failure to declare a conflict of interest may have consequences for the student or NZSWS because we are required to report conflicts to WSET.

2. Reasonable Adjustments

Both WSET and NZSWS want to make WSET assessments accessible for all students, so none is at an advantage or disadvantage based on a disability or differing ability. This policy and the reasonable adjustment process allows us NZSWS to work with you, our student, before an assessment to gather the information we need to submit a request to WSET and work with them to make arrangements that give students access to WSET qualifications.

A reasonable adjustment is any accommodation or arrangement that helps to reduce the effect of a known disability or difficulty that substantially disadvantages a student's assessment. Using a reasonable adjustment does not impact how WSET grades your exam, or your result, but WSET cannot agree to reasonable adjustments where your particular difficulty directly affects performance necessary to complete the assessment outcomes (e.g. inability to smell or taste for a Level 3 Exam). The goal of a reasonable adjustment is to give you equal access to a WSET qualification, not to give unfair advantages over other students who take an assessment without the same adjustment, or to affect the overall reliability of the assessment outcomes that are explained in the course Specification.

Examples of reasonable adjustments may be:

- Changing standard assessment arrangements, for example allowing candidates extra time to complete the assessment activity;
- Adapting assessment materials, such as providing materials in large text format;

- Providing access facilitators during assessment, such as a sign language interpreter or reader;
- Re-organising the assessment room, such as removal of visual stimuli for an autistic candidate.

NZSWS will gather the information we need from you to submit a Reasonable Adjustment Application form to WSET. WSET must approve and arrange reasonable adjustments before the assessment activity takes place. Before completing enrolment with NZSWS, we will give all students access to this policy and the chance to identify any special needs that could require a reasonable adjustment. If a student identifies a special need, NZSWS will give the student the Reasonable Adjustment Application form as soon as possible and work with the student to gather the necessary information.

For any student seeking a reasonable adjustment, please contact Jane Skilton (jane@nzsws.co.nz) with:

- Your full name;
- contact information;
- description of the special need, disability or differing ability that requires an adjustment; and
- supporting documentation

You must submit this information at least 25 working days before the exam date for Levels 1-3 qualifications and at least 45 working days before the exam date for Level 4 Diploma. The information you submit will be shared with WSET and will be handled under WSET's Privacy and Data Protection Policy. NZSWS will keep records of all reasonable adjustment applications.

3. Special Consideration

Special consideration is any adjustment given to a student who has temporarily experienced an illness or injury, or other event outside of their control at the time of the exam that significantly affects their ability to take the exam or their ability to show their knowledge and understanding in the assessment. Special consideration is only for things that happen immediately before or during an exam that have a material impact on your, the student's, ability to take the exam or on your performance. To be eligible for special consideration, you must have completed the whole course and would have been fully prepared if not for the temporary illness, injury or other uncontrollable event. A special consideration may be for an individual (e.g. a student becomes ill the day of the exam) or a group of students (e.g. an exam is interrupted by a natural disaster).

You may be eligible for special consideration if:

- Your performance on the exam is adversely affected by an event outside of your control. This may include temporary illness, temporary injury, bereavement or exam room conditions;
- Reasonable adjustments which were agreed in advance of the exam proved inappropriate or inadequate;
- The application of special consideration would not make a passing result and certificate misleading about the student's ability to satisfy the qualification's assessment criteria.

Applying for special consideration

If you have taken an exam, or your exam is immediately approaching, and you feel that you have a temporary injury or illness, or other uncontrollable event that has interfered with your ability to complete your exam, please contact Jane Skilton (jane@nzsws.co.nz) as soon as possible. NZSWS will provide you with a Special Consideration Application Form, which must be completed and returned with supporting documentation within 5 working days after the effected exam. The information you submit will be shared with WSET and will be handled under WSET's Privacy and Data Protection Policy.

If there has been serious disruption during an exam affecting a group of students, NZSWS will submit a detailed report of the circumstances and candidates affected to WSET to request a special consideration.

NZSWS will keep records of all applications for special consideration.

4. Malpractice and Maladministration

NZSWS and WSET have policies and procedures in place to protect WSET students and safeguard the integrity of WSET qualifications. NZSWS ensures compliance with NZSWS' and WSET's policies through this Malpractice and Maladministration Policy, which gives a framework for both us and you to identify, report and manage potential malpractice or maladministration.

Non-compliance with NZSWS or WSET Policies and Procedures can fall into two distinct, but related, categories:

- Maladministration, where the non-compliance is generally unintentional, or the result of mistakes, carelessness, inexperience or poor processes; and

- Malpractice where the non-compliance is intentional or the result of a negligent or reckless action without consideration of the consequences of the action.

Context is important and the line between maladministration or malpractice is not always clear: for example, maladministration incidents may become malpractice (e.g. if you fail to implement corrective measures, repeat the same or similar incident, or attempt to misrepresent or hide information during an investigation); or there may be mitigating factors that turn potential malpractice into maladministration. Though malpractice and maladministration are distinct concepts, they can shade into one another. Malpractice and maladministration are always case, context and fact specific. Both APPs and students can commit malpractice and maladministration.

There are many ways that malpractice or maladministration could occur, including new ways we have not seen yet. But some examples of malpractice or maladministration include:

For APPs:

- Failure to adhere to WSET Policies and Procedures;
- Failure to follow WSET requirements for course delivery or exam regulations;
- Failure to follow WSET's candidate registration and certification procedures;
- Late student registrations;
- Fraudulent claim for certificates/fraudulent use of certificates/reproduction or forgery of certificates;
- Withholding critical information from WSET quality assurance;
- Insecure storage of exam materials;
- Revealing or sharing confidential exam materials with candidates ahead of an exam;
- Intentional attempts to manipulate exam results so that they do not reflect the candidate's actual exam performance;
- Issue of incorrect exam results/failure to issue results to students in a timely manner;
- Failure to timely respond to WSET; WSET APP Policy Statements Checklist and Templates – August 2022 v1.0 8
- Unauthorised reading/amendment/copying/distribution of exam papers;
- Failure to report changes in APP ownership/personnel/location/facilities;
- Denying WSET access to information, documentation, workforce, facilities;
- Failure to return exam papers within the specified timeframe or to follow delivery and tracking regulations;
- Infringements of WSET copyright, trademarks, intellectual property rights and brand identity;

- Use of unqualified and/or unregistered educators or internal assessors;
- Breach of confidentiality
- Misleading advertising/publicity;
- Any action likely to lead to an adverse effect.
- Failure to disclose a Conflict of Interest

For students:

- Cheating, or facilitating cheating, including the use of unauthorised devices or materials;
- Disruptive behaviour in an exam;
- Plagiarism of any nature by students;
- Impersonation (including forgery of signatures);
- Unauthorised reading/amendment/copying/distribution of exam papers;
- Any action likely to lead to an adverse effect;
- Breach of confidentiality.
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In general, we also expect that both NZSWS staff and our students should treat others and be treated professionally and respectfully at all times. We will treat inappropriate behaviour including verbal or physical abuse, persistent or unrealistic demands, or threats that cause stress to staff as misconduct and may report student misconduct to WSET as necessary.

Reporting and Investigation of Malpractice or Maladministration

As an APP, we aim to ensure compliance with WSET Policies and NZSWS policies and will keep records of potential or actual malpractice or maladministration by you, our students, or our staff.

We are required to notify WSET immediately of any non-compliance issues that could be malpractice or maladministration, so that WSET can investigate the non-compliance under their own Malpractice and Maladministration Policy.

We ask that you also raise any concerns or non-compliance issues that may be malpractice or maladministration with NZSWS as soon as possible by following the process outlined in our Complaints policy (below).

During WSET's investigation, they may reach out to NZSWS or to you directly to request further information or conduct an interview. Please respond to any requests promptly and honestly.

Managing Non-Compliance

If WSET identifies malpractice or maladministration, they will consider its impact and may apply sanctions. WSET will take all reasonable steps to ensure the sanctions do not disadvantage uninvolved students affected by malpractice or maladministration. However, in some cases, they may need to disallow or withhold results and/or certificates. Potential sanctions may include:

Sanctions Applicable to APPs

Sanction	Description
Written Warning	A letter informing the Main Contact of the non-compliance incident and stating that further action will be taken in case of recurrence/other non-compliance incidents.
Training	Training/re-training for APP staff, to be completed within a specified timeframe.
Action Plan	A statement of specific actions to be implemented by the APP by a set date.
Use of Independent Verifiers/Observers/Assessors/Invigilators	The appointment for a specified period of time, at the APP's expense, of independent verifiers/observers/assessors/Invigilators to ensure that delivery of courses and assessments is compliant with WSET Policies and Procedures
Invalidation of Results/Suspension of Certification	WSET may declare an assessment null and void. WSET may, for a period of time or until a specific matter has been rectified, refuse to issue certificates to candidates from an APP
Suspension/Withdrawal of Approval to Run Specific WSET Qualification(s)	WSET may suspend or withdraw an APP's approval to offer one or more of its qualifications. Suspension may be for a period of time or until a specific matter has been resolved.
Suspension/withdrawal of APP status	WSET may suspend or withdraw an APP's approval to offer WSET qualifications. Provisions for Withdrawal of Approval will come into effect. At the time of withdrawal, the APP will be informed of the earliest date at which it can reapply and any special measures it will need to take prior to this application.

WSET will consider all relevant information on a case-by-case basis, balancing the facts with potential or actual effects, and against the seriousness of the sanctions against those effects. WSET records all malpractice and maladministration incidents for both APPs and students. If WSET determines that a student has committed malpractice or maladministration, they may apply one or any of the following sanctions:

Sanctions Applicable to Students/Candidates

Sanction	Description
Written Warning	The student is issued with a written warning that if the offence is repeated within a set period of time then further specified sanctions will be applied.
Exam Result Declared Null and Void	A student's exam result is disallowed. This may include invalidation and recall of a certificate already issued.
Disqualification from a Qualification	The student is disqualified from participating in the concerned qualification with immediate effect and further excluded from participating in any further WSET qualifications for a period of 12 months. This includes access to WSET materials.
Disqualification from use of WSET certified logos and postnominals	Actions bringing WSET into disrepute may result in the student or graduate being barred from use of WSET postnominals and WSET certified logos.

Appeals

If you wish to appeal penalties or sanctions WSET has imposed due to Malpractice or Maladministration, please follow the procedures laid out in WSET's Complaints Policy.

5. Privacy/Data Protection

Your privacy is important to us and NZSWS takes the security and protection of your personal information very seriously.

Information we collect. Information we collect to provide our services may include such personal information as your name, address, date of birth, email address, telephone number and credit card information. We may receive additional personal information about you in the contents of emails, messages and/or attachments that you may send us for example for reasonable adjustment or special consideration applications.

How we use your information. NZSWS uses the information we collect to: determine eligibility and provide to WSET to register you for WSET courses and exams delivered by NZSWS and facilitate access to WSET online learning platforms and remote exams; communicate with you about your course, exams or for marketing and promotional purposes including what other services or courses NZSWS may offer; and for other reasons you agree with. You can choose not to receive information from us about services and courses of NZSWS.

NZSWS will not sell your information or pass it on to any person other than the WSET for the purposes above or otherwise agreed with you. Information shared with WSET will be handled in accordance with WSET's Privacy Policy which can be viewed on its website.

6. Diversity and Equality

NZSWS is committed to creating an inclusive and diverse environment for all employees and students in which differences in gender, age, ethnicity, religion, sexual orientation, gender identity, ability and disability, background and experience are valued. NZSWS will actively ensure it treats all students, employees and other stakeholders fairly and equally which will support its compliance with its obligations under NZ legislation including under the Employment Relations Act 2000 and the Human Rights Act 1993, as well as the laws, regulations and local practices or conditions in other jurisdictions such as Fiji in which NZSWS may from time to time operate.

You should immediately report any discrimination, or concerns about NZSWS practices, or breaches of the NZSWS' Diversity and Equality policy statements above in accordance with the Complaints procedure below. NZSWS undertakes that all such reports will be treated in a fair, timely and confidential manner.

7. Complaints

NZSWS encourages all students to use the complaints procedure and we will endeavour to ensure the management of all student complaints is undertaken in a fair, impartial, timely and responsive manner.

Complaints Procedure

1. If you have a complaint or concern that you wish to raise, then please email the Complaints Officer, Jonathan Rose jonathan@nzsws.co.nz, with subject line Confidential Complaint , or send a letter addressed to the Complaints Officer to our mailing address. The Complaints Officer will keep all complaints confidential and NZSWS is committed to dealing with complaints without any discrimination or prejudice to the complainant.
2. Please provide your contact details (address, email address, telephone number), details of your concerns, the complaint and any supporting context or documents. If you have made earlier attempts to resolve your complaint, please also provide details of these.
3. Your complaint will be dealt with by the NZSWS Complaints Officer who will acknowledge your complaint within 3 working days. We will endeavour to work with you and others that may be involved promptly, confidentially and fairly and send a final response to you within 15 working days of the date you raised the complaint with us.
4. If you haven't received a final response from us, or you are not satisfied with the response you have received, your complaint will be referred to the NZSWS Director, Jane Skilton.
5. If the subsequent response you receive from the Complaints Officer or the NZSWS Director is not satisfactory, you may file a complaint with the WSET APP Administration Team about NZSWS. appadmin@wsetglobal.com.