



Malpractice and Maladministration policy

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POLICY STATEMENT

A1 Education & Training's mission is to provide vocational education and training programmes to a wide range of learners and employers. We aim to engage actively with learners and employers to identify their training needs and then to provide cost-effective, flexible, and high-quality training programmes that enables learners to achieve and progress. Our vision is to transform lives through Education, Growing the learner and ensuring our employers and learners Gain vital knowledge, skills, and behaviours. Our mission and vision are underpinned by our core values which are doing the right thing, innovation through technology, excellence and being the best. It is through our people that we will achieve our vision. They are the most important asset in our business, as they bring to life what we do. All employees act as representatives of the Business and our employer brand. The success of a sector, function or department depends on the performance and behaviours of our people.

This document sets out A1 Training written procedures for the investigation and management of suspected or alleged malpractice or maladministration, which will be kept up to date, maintained, and always complied with. The policy is in place to ensure that any incidents or allegations of malpractice or maladministration are dealt with promptly and effectively to not affect the quality of our provision and integrity of the qualifications we deliver.

1. POLICY OBJECTIVES

The aim of this policy is to provide information regarding what would constitute malpractice or maladministration, and the procedure to follow should there be an occurrence of this nature.

2. KEY CONTACTS

Line managers are responsible for the implementation of this policy. Guidance can be obtained from the Lead IQA.

3. WHO NEEDS TO KNOW ABOUT THE POLICY?

This policy applies to all A1 Education & Training team members, learners and delivery partners, whether they are on permanent or fixed term contracts.

4. DEFINITIONS

Malpractice and maladministration are activities which affect the validity and/or integrity of all aspects of the delivery of qualification and standards, or those that breach external stakeholder requirements and administrative procedures surrounding these. Acts of this nature bring into question the Business reputation or our ability to adhere to external stakeholder requirements.

Malpractice and maladministration can be related to employees, employers or learners. It is not permissible under any circumstances to undertake or be party to any malpractice or maladministration.

Malpractice

Malpractice is essentially any activity or practice which wilfully negligent or deliberately contravenes regulations and compromises the integrity of the development, delivery, internal or external assessment process and / or the award of qualifications

Maladministration

Maladministration is defined as any activity, practice or omission which results in staff or learner noncompliance with administrative regulations and requirements, e.g. persistent mistakes or poor administration within the Business resulting in the failure to keep appropriate learner assessment records

Plagiarism

Plagiarism is presenting someone else's work or ideas as your own, with or without their consent, by incorporating it into your work without full acknowledgement. All published and unpublished material, whether in manuscript, printed or electronic form, is covered under this definition. The categories listed below are examples of malpractice and maladministration.

Please note that these examples are not exhaustive, and are only intended as guidance on our definition:

- Contravention of the qualification approval conditions
- Denial of access to resources, such as premises, records, information, learners and stakeholders
- Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with the awarding organisation's requirements
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims
- Fraudulent claim for certificates
- The unauthorised use of inappropriate materials / equipment in assessment settings (e.g. mobile phones, smart watches, mobile devices or other aids)
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Forgery of evidence
- Collusion or permitting collusion in exams
- Learners still working towards a qualification after certification claims have been made
- Insecure storage of assessment materials and exam papers
- Plagiarism and cheating of any nature
- Unauthorised amendment, copying or distributing of exam papers
- Inappropriate assistance to learners by any team members and delivery partners (e.g. unfairly helping them to pass a unit or qualification)
- Submission of false information to gain a qualification or unit
- Deliberate failure to adhere to the requirements of the reasonable adjustments and special considerations policy.
- Personation – impersonating another
- Failing to comply with awarding body procedures for managing and transferring accurate candidate data

- Excessive direction from assessors to candidates on how to meet national standards
- Delivery of teaching and training once the learner has passed through a successful Gateway, but not re-entered a further period of retraining
- Aiding learners to complete assessment work (e.g. Business Project; Portfolio of evidence) once period of teaching and training has ended and Gateway has been successfully completed
- Discrimination against learners

Malpractice by a learner/apprentice can occur in:

- The compilation of portfolios of internal assessment evidence
- The presentation of practical work
- The preparation and authentication of coursework
- Conduct during an assessment

The following are some, but not exhaustive, examples of learner malpractice:

- Plagiarising, for example presenting another person's work as if it were the learner's own and/or failing to acknowledge sources properly
- Colluding with another learner or other learners when the assessment must be completed by an individual learner
- Copying from another learner or other learners
- Impersonating someone (the learner assuming someone else's identity and/or arranging for someone else to assume the learner's identity in the assessment)
- Including inappropriate, offensive, discriminatory or obscene material in assessment evidence, including vulgarity and swearing that is outside the context of the assessment, or any material that is of a discriminatory nature
- Behaving in a disruptive manner, including shouting or using offensive or aggressive language or behaviour, or having an unauthorised electronic device that causes a disturbance, during an assessment
- Having physical possession of unauthorised material or aids, for example mobile phone, smart watch, MP3 player, notes, study guides, calculators (unless specified in assessment criteria), dictionaries.

6. REPORTING AND WHISTLEBLOWING

We expect all team members to uphold the content of this policy by not partaking in or condoning any activity that could be deemed as malpractice or maladministration.

If you suspect or identify malpractice or maladministration, you should ensure that you report it to the relevant parties.

- Learner plagiarism – Lead IQA
- All other allegations of malpractice or maladministration – Director

This can be reported via the whistle blowing procedure as soon as reasonably practicable. You should aim to include as much information as you can (including evidence where possible) when reporting this.

7. INVESTIGATION TIMELINES AND PROCESS

We aim to action and resolve all stages of the investigation within 25 working days of receipt of the allegation. Please note that in some cases the investigation may take longer. In such instances, we shall advise all parties concerned of the likely revised timescale.

The investigation may involve:

- A request for further information from a team member or delivery partners employees
- A request for further information from learners
- Interviews (face to face or by telephone) with personnel and / or learners involved in
- The investigation
- Scrutiny of work
- Employer interviews (where appropriate)

INVESTIGATION

If a suspected event of malpractice or maladministration has been reported it is the responsibility of the Lead IQA to initiate and manage any activity required.

Initial action involves a panel being convened (via Teams or similar) to discuss and decide relevant actions and steps to be taken. People present during this call should be:

- Lead IQA
- HR representative
- Head of Quality

At this stage it is not relevant for a direct line manager for the individual to be informed on the grounds of confidentiality. During this call, the following areas need to be discussed:

- Background, including:
- Allegation
- Is this – Standards/Sub Aim (e.g. Functional Skills)
- The cause of the irregularities and those involved
- The scale of the irregularities
- Whether there are any adverse patterns or trends
- Any action already taken
- Whether any remedial action is required to protect current learners and secure the integrity of the qualification or Standard

Any decision to move to further investigation needs to be agreed with all parties and there must be clear evidence that there is potential malpractice or maladministration and not just poor practice.

Poor practice should be managed within Operations following performance improvement plans.

Initial steps when conducting investigations include (but are not exhaustive to):

- Caseload review
- To be completed by Lead IQA
- Where possible completed within 5 working days of malpractice allegation
- Will include a minimum of 10% of live caseload, increasing upward where discrepancies are found
- Deep dive looking at all stages of the learner journey and must include the learner/s included in the allegation
- Learner interviews with a sample of learners, including those listed within the allegation
- Employer interviews (where appropriate)
- Staff interviews, where allegation has come through internally and must be done under strict confidentiality

Once initial investigatory work has been completed, the Lead IQA must then determine whether an investigation meeting is to be held. If this is required, the meeting should be held in a private meeting room and will be led by the Lead IQA with a second, unbiased person present for note taking. Where needed, it is appropriate for the note taker to dial in, via Teams or phone call, they must always be able to hear the interviewer & interviewee. The note taker is primarily for recording and account of the meeting however, they are permitted to ask questions if appropriate.

This is not a formal disciplinary hearing but may lead to a recommendation for disciplinary action. The purpose of any meeting will be to provide those involved with an opportunity to establish the facts around the area of concern and provide any explanation. During the meeting if it is felt by anyone that an adjournment is needed, this can then be requested.

Following an initial investigation, a report will be produced which will include recommendations for the occurrence in question and any wider implications.

INVESTIGATION – Learner malpractice / plagiarism

If there is suspected activity of malpractice or plagiarism it is the responsibility of the tutor in the first instance to discuss with the learner and report to the Lead IQA who will initiate and manage any activity required. *Please see plagiarism policy for full details*

8. CONSEQUENCES

Failure to follow the points as set out within this policy could result in the following:

- Investigation procedures being followed which may in turn result in a recommendation for disciplinary action in accordance with the Disciplinary policy
- Learner achievements being withdrawn and disqualification from assessments or exams
- External bodies will be informed, in line with our awarding and assessment organisation policies, we are obliged to provide and make available any information of alleged malpractice and the outcomes of any investigations to them.
- In all instances the investigation team will endeavour to complete all processes in an appropriate timescale, however, in certain circumstances this may be extended and will be managed on a case by case basis.

Please note that.

In possession of all the factual information the external organisation may then decide to impose sanctions upon the individual or the Business as a provider. An example of those relating to both the Business and individuals are below:

- Written Warning
- Improvement plan and additional monitoring
- Removal of direct claims for certification for a set period
- Suspension of registration and/or certification for a set period
- Suspension for the centre or individual to deliver certain aspects of qualifications for a set period
- Withdrawal of approval for the individual and or centre for a set period
- Permanent withdrawal of approval

9.RECORDS

Where an investigation of suspected malpractice is carried out, related records and documentation will be kept for six years. Records should include any work of the learner, assessment and learning or verification records relevant to the investigation.

In an investigation involving a criminal prosecution or civil claim, records and documentation will be retained for six years after the case has been heard.

In the case of an appeal to an external organisation against the outcome of a malpractice investigation, assessment records must be retained for six years.

Management of the Malpractice & Maladministration investigation process, and the keeping of all relevant records is the responsibility of the Lead IQA and HR.

Reporting to Awarding Organisations

1. ICQ – I Can Qualify

In the case of malpractice or maladministration being alleged or identified, it must be reported to ICQ using the following email address: quality@icanqualify.co.uk A failure to report suspected or actual malpractice/maladministration cases, or to have in place effective arrangements to prevent such cases, may lead to sanctions being imposed. This is available on the ICQ website [iCQ: an Ofqual, CCEA and Qualifications Wales regulated Awarding Organisation \(icanqualify.net\)](https://www.icanqualify.co.uk) The Lead IQA will be responsible for making this report.

2. Highfield

In the case of malpractice or maladministration being alleged or identified, it must be reported to Highfield in writing using the following email address: info@highfield.co.uk or confidentialenquires@highfield.co.uk

All allegations must include (where possible): Highfield Malpractice and Maladministration Policy, Centre's full name, address and telephone number, Learner's full name and Highfield

registration number, Centre/Highfield personnel's details (name, job role) if they are involved in the case, Details of the Highfield 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 and if Highfield need to hold or suspend any certification decisions until the outcome is reached.

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

10. APPEALS

A1 Training, employees, delivery partners & candidates have the right to appeal the outcome of any malpractice or maladministration investigation, or subsequent formal meeting.

The appeal must be made in writing within 5 working days to the Director's.

The appeal will be acknowledged within 2 working days. An investigation will be commenced within 5 working days and the process will be completed within 6 weeks from the initial receipt of appeal.

11. FURTHER SUPPORT

If you require any additional support or advice, please contact your manager or a member of the HR Team.

ICQ – I Can Qualify malpractice and maladministration policy:

[iCQ: an Ofqual, CCEA and Qualifications Wales regulated Awarding Organisation \(icanqualify.net\)](https://www.icanqualify.net/)

Online free plagiarism checker

<https://plagiarismdetector.net/>

Highfield Website:

[Home | Highfield \(highfieldqualifications.com\)](https://www.highfieldqualifications.com/)

12. RELATED POLICIES

Confidentiality Policy

Data Protection Policy

Plagiarism policy

