

Malpractice & Maladministration Policy

Scope of the policy

This policy is aimed at Up-Skilled Ltd (hereafter Up-Skilled) customers, including learners and staff members who are using or delivering the qualifications and courses. Up-Skilled offer and who are involved in suspected or actual malpractice and/or maladministration.

Purpose of the policy

The purpose of this policy is to set out the steps to follow when reporting suspected or actual cases of malpractice and maladministration. It is also in place to review those processes which led to the suspected or actual case of malpractice and/or maladministration and to support any investigations.

As an approved centre of the registered awarding body, we will act upon any reports of suspected or actual cases of malpractice and/or maladministration that we receive regarding our staff or learners, which may affect the integrity of Up-Skilled training courses, qualifications and quality assurance systems. We also have a professional responsibility to report non-adherence to this policy to our registered awarding body.

Location of the policy

This policy is available for all staff members, third parties and learners to access.

Communication of the policy

It is important that staff involved in the management, assessment and quality assurance of our qualifications and learners undertaking qualification with us are fully aware of the contents of the policy.

Review of the policy

Up-Skilled will review the policy annually and revise it as and when required in response to customer and stakeholder feedback, changes in practices, actions required by the registered awarding body or changes in legislation. Our review will ensure that our procedures continue to be consistent with the regulatory criteria and are applied properly and fairly in arriving at judgements.

Statement of Principles

Definitions of Malpractice:

Malpractice is any activity or practice which deliberately contravenes regulations and compromises the integrity of the assessment process and/or the validity of certificates. For this policy this term also covers professional misconduct.

Definition of Maladministration:

Maladministration is 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 (e.g. inappropriate learner records).

The categories listed below are examples of centre and learner malpractice and maladministration. Please note that these examples are not exhaustive and are guidance:

- Plagiarism of any nature by learners
- Forgery of evidence
- Exam irregularities of any nature by learners
- Exam irregularities of any nature by staff
- Submission of false information to gain a proxy or a qualification
- Discriminatory, bullying or harassing behaviour
- Unprofessional conduct
- Behaviour likely to endanger the health or safety of the public
- Breach of confidentiality including, staff members, learners or Up-Skilled information
- Failure to meet the registered awarding body's or regulator's requirements
- Falsifying assessment and/or exam records
- Falsifying administration records

Reporting Procedure

Any person identifying cases of malpractice and/or maladministration should report them to a senior member of staff or centre manager to investigate.

If senior staff members or centre managers are suspected of being involved in malpractice and /or maladministration, the awarding organisation, the registered awarding body can be contacted directly.

Up-Skilled must investigate all cases of malpractice and maladministration in liaison with any parties concerned. If an investigation finds evidence of malpractice or maladministration, we must take the necessary steps to ensure that the learners' interests are protected as far as is reasonably possible.

Reports into malpractice and/or maladministration must include:

- The learner's name
- Up-Skilled staff member details (name, job role) if they are involved in the case
- The title of the qualification affected or nature of the service affected
- The date(s) suspected or actual malpractice and/or maladministration occurred
- The full nature of the suspected or actual malpractice and/or maladministration
- We will acknowledge reports received within 3 working days of receipt
- We will arrange for appropriate personnel to review the report and commence the investigation
- We will aim to action and resolve all investigations within 7 working days of receipt of the report
- We will advise on the outcome of our investigation within 2 working days of making our decision
- We will report any suspected or actual incidents of malpractice and/or maladministration to the registered awarding body

When we receive a report of malpractice and/or maladministration, we will allocate a panel comprising Senior Up-Skilled staff members to investigate. The panel will review the report and supporting evidence and carry out the investigation.

The Investigation Process

During the investigation, the panel's review may involve:

- A request for further information
- Interviews (face to face or by telephone) with personnel involved in the investigation
- We will make informed decisions based on the evidence
- We will protect the identity of the 'informant' if required

As part of our approved center status with the registered awarding body, Up-Skilled must inform the registered awarding body of any investigations and reports produced from investigations into suspected or actual cases of malpractice and maladministration.

The registered awarding body reserve the right to lead and/or review any reported investigations into malpractice and/or maladministration within approved centres.

If issues regarding malpractice and maladministration are reported directly to the registered awarding body, Up-Skilled must allow the registered awarding body access to the centre, including staff members, learners, learners work and third-party information (as required) to fully investigate any issues.

Learner Malpractice

If the investigation confirms that learner malpractice has taken place, have no alternative but to impose one or more of the following sanctions on the learner. Please note that this list is not exhaustive:

- Disallowing all or part of the learner's assessment evidence
- Disallowing a learner to undertake an exam
- Disallowing all or part of the learner's external assessment marks
- Not requesting the learner's certificate(s) from the registered awarding body
- Disallowing a learner to undertake a qualification or course with Up-Skilled
- Disqualification from the qualification

In cases of malpractice and/or maladministration by learners, Up-Skilled will make learners aware that their results may be void if the case is proven. Any certificates which have already been issued by the registered awarding body may be deemed to be invalid. Certificates may need to be returned to the awarding body.

If a learner is not satisfied with the investigation process or outcome conducted by Up-Skilled, they can escalate their issues to the registered awarding body to investigate.

The decision regarding any malpractice and/or maladministration investigation undertaken by the registered awarding body is final.