

# Policy Special Considerations

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## Introduction

This policy is aimed at our clients and customers, including learners, who are registered on AreYou - Training and Consultancy approved qualifications or units and who are involved in suspected or actual malpractice/maladministration. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

It sets out the steps that AreYou – Training and Consultancy staff, and any other learner/person, must follow when reporting suspected or actual cases of malpractice/maladministration and our responsibilities in dealing with such cases. It also sets out the procedural steps we will follow when reviewing the cases.

## Responsibility

It is important that our staff involved in the management, assessment and quality assurance of our qualifications, and our learners, are fully aware of the contents of the policy and that we have arrangements in place to prevent and investigate instances of malpractice and maladministration.

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## What is Malpractice?

Malpractice is any activity or practice which deliberately contravenes regulations and compromises the integrity of internal or external assessment processes and/or the validity of certificates. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain groups of learners.

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

- Contravention of our centre and qualification approval conditions
- Denial of access to resources (premises, records, information, learners and staff) by any authorised AreYou - Training and Consultancy representative and/or the regulatory authorities
- Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with our requirements
- Deliberate failure to adhere to our learner registration and certification procedures
- Deliberate or persistent failure to continually adhere to our centre recognition and/or qualification approval criteria or actions assigned to our centre
- Deliberate failure to maintain appropriate auditable records (for example: learner files)
- Persistent instances of maladministration within our centre
- Fraudulent claims for certificates
- The unauthorised use of materials/equipment in assessment/exam settings (for example: mobile phones/cameras)
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards
- Deliberate misuse of our logo and branding
- Forgery of evidence
- Collusion or permitting collusion in exams
- Learners still working towards qualifications after certification claims have been made
- Contravention by our centres and learners of the assessment arrangements we specify for our qualifications
- Insecure storage of assessment materials and exam papers
- Plagiarism of any nature by learners
- Unauthorised amendment, copying or distributing of exam papers
- Inappropriate assistance to learners by centre staff (for example: unfairly helping them to pass a uni)
- Submission of false information to gain a qualification or unit

## What is Maladministration?

Maladministration is any activity or practice which results in non-compliance with administrative regulations and requirements. It includes the application of persistent mistakes or poor administration within a centre (such as inappropriate use of learner records).

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## Process for 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 report their findings to the Management team or Directors. All allegations must be accurately recorded and contain as much detail as possible to aid investigation.

## Policy Investigation timeliness and process

AreYou - Training and Consultancy aim to action and resolve all stages of the investigation within 20 working days of receipt of the allegation.

The investigation may involve a request for further information from staff, and interviews (face to face or by telephone/video call) with personnel involved in the investigation.

Where a member of AreYou - Training and Consultancy's staff is under investigation they may be suspended, or they may be moved to other duties until the investigation is complete. Throughout the investigation the Managing Director will be responsible for overseeing the work of the investigation to ensure that due process is being followed, appropriate evidence has been gathered and reviewed for liaising with and keeping informed relevant external parties.