

## MALPRACTICE AND MALADMINISTRATION POLICY

### Introduction

This policy is aimed at our learners who are involved in suspected or actual cases of malpractice or maladministration. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent and appropriate manner.

It is important that the staff and learners are fully aware of the contents of the policy. We have arrangements in place to prevent and investigate instances of malpractice and maladministration.

### Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the development, delivery, internal or external assessment process of any of training or qualifications delivered by The Business School (UK) Ltd (TBS).

Malpractice could involve our staff, learners, assessors, internal verifiers, external verifiers and awarding organisation staff or contractors. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards learner(s).

The examples below 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 representative and/or the regulators
- Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with requirements
- Deliberate failure to adhere to learner registration and certification procedures
- Deliberate or persistent failure to adhere to our centre recognition and/or qualification approval criteria or any actions required by awarding organisations
- Deliberate failure to maintain appropriate auditable records, eg certification claims, communication with learners, assessment and verification processes
- Fraudulent claim for certificates
- The unauthorised use of inappropriate materials/equipment in assessment settings (eg mobile phones)
- Intentional withholding of information from awarding organisations which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Forgery of evidence or consistent high levels of plagiarism
- Collusion or permitting collusion in assessment or verification
- Learners still working towards a qualification after certification claims have been made
- Contravention of the assessment arrangements specified by awarding organisations
- Insecure storage of assessment materials and exam papers
- Plagiarism of any nature by learners (see our policy on plagiarism)
- Unauthorised amendment, copying or distributing of assessment papers
- Inappropriate assistance to learners (eg 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 awarding organisation policies on reasonable adjustments and special considerations.

## **Definition of Maladministration**

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration (eg inappropriate learner records).

## **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 notify the Operations Director. They should put their concerns in writing and send or email them to [helen@thebusinessschool.uk.com](mailto:helen@thebusinessschool.uk.com) enclosing appropriate supporting evidence.

All allegations must include (where possible):

- learner's name and awarding organisation reference number
- staff details (name, job role) if they are involved in the case
- title and number of the course/qualification affected, or nature of the service affected
- date(s) suspected or actual malpractice occurred
- full nature of the suspected or actual malpractice
- written statements from those involved in the case, eg witness statements, if appropriate
- date of the report and the informant's name, position and signature.

If we discover suspected malpractice or maladministration, we will investigate the matter in full. A full report, including actions and timescales, will be created as soon as investigation is complete and agreed with the relevant awarding organisation where appropriate.

## **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:

- gathering or requesting further information and data
- interviews (face to face or by telephone/virtual) with personnel involved in the investigation

Where a member of staff is under investigation we may suspend or move them to other duties until the investigation is complete.

## **Investigation outcomes**

If the investigation confirms that staff or learner malpractice or maladministration has taken place we may:

- Impose actions with specified deadlines in order to address the instance of malpractice/maladministration and to prevent it from recurring
- Inform the awarding organisation about any certificates deemed to be invalid giving reasons and any action to be taken for reassessment and/or certification. We shall also

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let the affected learners know the action we are taking and if their original certificates are invalid. We shall amend our records to show that the original awards are invalid.

- Amend aspects of our qualification assessment and/or monitoring arrangements and associated guidance to prevent the issue from recurring.
- Inform relevant third parties of our findings in case they need to take relevant action in relation to the centre – this includes relevant Awarding Organisations. Awarding Organisations may also involve Ofqual or the relevant Regulatory Authority.
- Record such instances as a Non-Conformity within our Quality Management System and the actions taken.