



Malpractice and Maladministration Policy

Introduction

SR Apprenticeships is committed to pursuing the highest standards of probity and the elimination of malpractice / maladministration in the management of our organisation, and aims to promote accountability and a climate of openness, to encourage the disclosure of allegations of malpractice / maladministration. Staff, Learners, and individuals must report allegations to the Managing Director.

It is ultimately the responsibility of the Senior Management Team, to ensure that this policy is published and accessible to all Staff, Learners and any relevant third parties. However, the quality management is responsible for ensuring this information is fully understood by all staff within SR Apprenticeships team and by the learners who commence courses/programmes with SR Apprenticeships.

Information contained within this documentation applies to all Staff, Learners and individuals involved with SR Apprenticeships. Arrangements in place offer individuals a safe and accessible procedure for reporting allegations of malpractice in a confidential manner, on the basis that SR Apprenticeships will take appropriate steps to ensure that individuals reporting allegations of malpractice are not penalised and are protected and that individuals accused will be protected against false, malicious or anonymous accusations. SR Apprenticeships is keen to encourage Staff, learners and individuals to report allegations without fear, and will ensure that any disclosure is treated with the utmost confidentiality.

Anonymous allegations will only be considered if they are of a serious nature and the evidence is sufficient to warrant an investigation and for appropriate action to be taken. All allegations will be recorded and submitted to the awarding body for investigation.

Policy Overview

This policy applies to internal and external summative assessments, assignments and examinations and their reporting.

It is the responsibility of all SR Apprenticeships' staff to be vigilant regarding any events which may lead to malpractice/maladministration occurring, and report promptly to the Quality Manager where they suspect malpractice / maladministration has and /or may occur so that appropriate action can be taken to address this with immediate effect.

The Quality Manager is responsible for notifying relevant Awarding Organisations of cases of suspected / actual malpractice and maladministration to ensure that appropriate action may be taken.

Aims and Objectives

In particular, SR Apprenticeships will:

- To identify and minimise the risk of malpractice by staff or learners;
- To identify and minimise the risk of maladministration by staff;
- To respond to any incident promptly and objectively;
- To standardise and record any investigation to ensure openness and fairness;
- To impose appropriate penalties and/or sanctions on learners or staff where incidents (or attempted incidents) are proven;
- To protect the integrity of SR Apprenticeships, Awarding Organisations and Qualifications.

Malpractice

The term 'malpractice' covers any deliberate actions, neglect, default or other practice associated with the examples below; it may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates.

Instances of malpractice that may be committed by Staff or Learners include:

- Committing plagiarism by copying and passing off the whole or part(s) of another person's work, with or without the originator's permission and without appropriately acknowledging the source.
- Failing to comply with the assessor's/invigilator's instructions and/or an Awarding Organisations regulation in relation to the assessment and security.
- Misusing assessment material.
- Impersonating other candidates by pretending to be someone else, in order to produce the work for another, or arranging for another to take one's place in an assessment.
- Fabricating and/or altering results and/or evidence, documents and/or certificates.
- Using unauthorised material in relation to the requirements of supervised assessment.
- Behaving in such a way as to undermine the integrity of the assessment.

Examples of Malpractice by Learners

This list is not exhaustive and other instances of malpractice may be considered by SR Apprenticeships at its discretion:

- Copying (including the use of ICT to aid copying) which includes plagiarising content from internet sites and using as own work, as well as the use of Artificial Intelligence platforms to copy work.
- Deliberate destruction of another's work.
- Fabrication of results or evidence.
- False declaration of authenticity in relation to the contents of a portfolio or coursework.
- Impersonation by pretending to be someone else to produce the work for another or arranging for another to take one's place in an assessment/examination/test.

- Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language and having an unauthorised electronic device that causes a disturbance in the examination room.
- Inclusion of inappropriate, offensive, discriminatory, or obscene material in assessment evidence. This includes vulgarity and swearing that is outside of the context of the assessment, or any material of a discriminatory nature.
- Frivolous content - producing content that is unrelated to the examination paper/question in scripts or coursework.
- Unauthorised aids - physical possession of unauthorised materials (including mobile phones, MP3 players, notes, etc) in the examination room.

Staff and/or Learners who commit malpractice / maladministration and who fail to comply with the guidance on regulations for assessment could lead the Awarding Organisation to withhold the learner's results. Withholding information or failing to report promptly any suspected cases of malpractice / maladministration or non-compliance by centre Staff and/or learners may result in the imposition of sanctions/penalties on SR Apprenticeships, with a possible outcome being the suspension of certification/registration or even recognised centre status (including staff).

Learners are required to be aware of the penalties for/consequences of breaching regulations, which may include one or more of the following:

- Written warning.
- Disqualification from entering one or more (re)assessments.
- Disqualification from the whole qualification.

Learners must understand that if the allegations are proven, Certificates may be invalid and those already issued may be withdrawn.

Staff who commit malpractice, which is confirmed after investigation, may be subject to penalties, including:

- Exclusion from the delivery of the qualification.
- Exclusion from the assessment of the qualification.
- Exclusion from the internal verification/moderation of the qualification.
- Exclusion from the financial/quality management/administration of the qualification.
- Temporary suspension.
- Work only under supervision.
- Undertake specific training.
- The disciplinary procedure will be used.

Examples of Malpractice by Staff

This list is not exhaustive and other instances of malpractice may be considered by this centre at its discretion:

- Improper assistance to Learners;
- Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the learner's achievement to justify the marks given or assessment decisions made;

- Failure to keep learner's coursework/portfolios of evidence secure;
- Fraudulent claims for certificates;
- Assisting learners in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves centre staff producing work for the learner;
- Producing falsified witness statements, for example for evidence the learner has not generated;
- Allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework;
- Facilitating and allowing impersonation;
- Misusing the conditions for special learner requirements, for example where learners are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment;
- Falsifying records/certificates, for example by alteration, substitution, or by fraud;
- Fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment;
- Failure to comply with awarding organisation procedures for managing and transferring accurate learner data.

Maladministration

Maladministration is any non-deliberate activity, neglect, default or other practice that results in SR Apprenticeships or learner not complying with the specified requirements for delivery of the qualifications as set out in the relevant codes of practice, where applicable.

Examples include (this is not an exhaustive list):

- Failing to ensure that learner's coursework or work to be completed under controlled conditions is adequately monitored and supervised;
- Inappropriate members of staff assessing candidates for access arrangements who do not meet the criteria as detailed by regulations (where required);
- Failure to use current assignments for assessments;
- Failure to train invigilators adequately, leading to non-compliance with regulations;
- The introduction of unauthorised material into the examination room, either during or prior to the examination; (N.B this precludes the use of the examination room to coach learners or give subject-specific presentations, including power-point presentations, prior to the start of the examination/assessment).
- Granting access arrangements to learners which do not meet the requirements of the publication Access Arrangements, Reasonable Adjustments and Special Consideration;
- Failing to report an instance of suspected malpractice in examinations or assessments to the appropriate awarding organisation as soon as possible after such an instance occurs or is discovered;
- Failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding organisation;
- The inappropriate retention or destruction of certificates.

The reporting of Malpractice

In order to make an allegation of malpractice, you are required to contact:

Malpractice Officer

SR Apprenticeships, 32 Mile End Road, Colwick, Nottingham, NG4 2DW

nadine.hughes@sr-apprenticeships.co.uk

The Malpractice Officer is required to report allegations of malpractice to the appropriate Awarding Organisation by completing the “Alleged Malpractice Report” and submit with any relevant evidence attached.

It is recognised that for any formal follow-up or investigation the Malpractice Officer will follow the specific guidance from the Awarding Organisation, and JCQ (Malpractice). However, the following principles will be the moral compass that SR Apprenticeships will adhere to.

Investigations

It is understood that in certain cases, awarding organisations may wish to allocate their own staff to join or lead an investigation.

Investigations will adhere to the following principles:

- **Confidentiality** – by their very nature investigations usually necessitate access to information that is confidential to a centre or individuals. All material collected as part of an investigation must be kept secure and not normally disclosed to any third parties (other than the regulators or the police, where appropriate).
- **Impartiality:** investigations will be undertaken by a senior manager (Malpractice Officer) and assessed against the specific facts/evidence of the case in arriving at a decision about intention and culpability.
- **Rights of individuals** – where an individual is suspected of malpractice / maladministration they will be informed of the allegation made against them (preferably in writing) and the evidence that supports the allegation. They should be provided with the opportunity to consider their response to the allegation and submit a written statement or seek advice, if they wish to. They should also be informed of what the possible consequences could be if the malpractice / maladministration is proven and of the possibility that other parties may be informed e.g., the regulators, the police, the funding agency, and professional bodies. The appeals process will also be communicated to them.
- **Staff Interviews** - staff may request that they are accompanied by a colleague and these requests should be processed in line with awarding organisation.
- **Learner Interview** - where a learner is to be interviewed and they are a minor or vulnerable adult, SR Apprenticeships should consider the need to have a parent or representative present or to have the permission of a parent prior to the interview taking place.
- **Retention and storage of evidence and records** – all relevant documents and evidence should be retained in line with SR Apprenticeships stated policy and procedures.

- **Decisions and action plans** – all conclusions and decisions must be based on evidence. A course of proposed action shall be identified, agreed between SR Apprenticeships and the awarding organisation (AO), implemented and monitored by the AO to the point of completion. The actions should address the improvements that are required to the centre's policies and procedures as well as any action that is related to staff or other resources.
- **Proportionality:** any decision on the outcome must reflect the weight of evidence and the minor or major nature of the case – the learner does not have to admit malpractice.
- **Sanctions** – any sanctions applied should be proportionate with the level of non-compliance identified (and evidenced) during the investigation and should be in line with the Awarding Organisations.

Communication

This policy sets out SR Apprenticeships' commitment and intent to establish, implement and maintain a safe and healthy environment in all of its premises for all who use them, whether they are employees, apprentices, visitors or contractors.

The contents of this policy will be communicated to all employees during induction and thereafter at each subsequent policy review.

Absolute compliance with this and all associated policies is a condition of employment.

This policy is available, and will be communicated, to all interested parties, is agreed by the Board of Directors and will be reviewed at least annually.

Responsibilities

All employees have a statutory and contractual duty imposed on them to fully comply with this policy and to meet their individual Health and Safety obligations.

All Managers have operational responsibility for ensuring compliance with this policy on a day-to-day basis within their area of control.

The Directors, Managing Director and Senior Management Team have overall organisational responsibility for policy implementation.