

## **Malpractice/Maladministration in Internally Assessed Qualifications**

Malpractice, including maladministration and non-compliance involves any deliberate action, neglect, default or other practice that compromises the assessment process or the integrity of an awarding body qualification, or damages the reputation and credibility of the organisation.

Malpractice incidents may be intentional and aim to give unfair advantage in an exam or assessment situation (deliberate non-compliance). Some may result due to ignorance of awarding body requirements, carelessness or forgetfulness in applying exam or assessment requirements (maladministration). Staff and students should refer to relevant awarding body policy, procedures or guidance on dealing with the malpractice/maladministration of internally assessed qualifications.

If malpractice occurs this could lead to disciplinary action being taken. This Malpractice Policy and Procedures should therefore be read in conjunction with the Organisation's Disciplinary Policies.

### **Awarding Body Requirements**

To comply with Ofqual and awarding body requirements, Stanfords Training Ltd maintains a clear and auditable system for recording, investigating, and reporting suspected or actual instances of malpractice, maladministration, or non-compliance.

Any suspected case must be reported to the relevant awarding body immediately upon discovery, even while an internal investigation is ongoing. All supporting documentation will be made available to awarding body representatives and regulators upon request.

This information will be available for awarding body quality assurance activities on request. In addition, for those qualifications that are subject to statutory regulation by Ofqual, the Organisation is required to report any suspected case of malpractice to the relevant awarding body.

### **Reporting malpractice/maladministration to awarding bodies**

Following an investigation by a curriculum area into alleged malpractice/maladministration, the Academic Director or a nominated Senior Manager will submit a written report to the awarding body accompanied by the following documentation:

- A detailed account of the circumstances of the alleged malpractice and details of any investigations carried out
- Written statements from relevant centre staff, candidates or third parties
- Any work of the student(s) and internal assessment or verification records relevant to the investigation
- The investigation findings identifying the nature and implications of any malpractice identified
- Any remedial action being taken by the Centre to ensure integrity of certification now and in the future

### **Whistleblowing and Confidential Reporting**

Stanfords Training Ltd encourages all staff, learners, and associates to report any concerns about potential malpractice or maladministration in good faith. Reports may be made confidentially to the Academic Director or Managing Director without fear of victimisation or disadvantage. All disclosures will be treated sensitively in accordance with the Centre's Whistleblowing Policy and the Public Interest Disclosure Act 1998.

## **Student Malpractice**

Malpractice by a student in internal assessment could take place during the:

- preparation and authentication of coursework
- presentation of practical work
- compilation of portfolios of internal assessment evidence
- internal assessment

The following examples of student malpractice are not exhaustive. Staff should be vigilant to other forms of suspected malpractice that could affect the integrity of qualifications. These can include:

- Impersonation – pretending to be someone else
- Plagiarism – failure to acknowledge sources and/or the submission by a student, of another person's work, claiming it to be their own
- Collusion with others when an assessment has to be completed individually
- Copying from another student
- Presenting inappropriate, offensive, discriminatory or obscene materials as assessment evidence
- Inappropriate behaviour during an internal assessment that causes disruption to others
- Interference with or destruction of another student's work
- Use of unauthorised items. Physical possession of unauthorised mobile devices, MP 3 players, notes etc

## **Centre Malpractice/Maladministration**

Centre Malpractice, Maladministration and non-compliance in relation to internal assessments can include:

- Unfair discrimination in assessment on grounds of: Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion and belief, Sex (Gender) or Sexual orientation and failure to make reasonable adjustments for access to assessment
- Misuse of assessments, including inappropriate adjustments to assessment materials, processes or assessment decisions
- Excessive over-direction or collusion with students on how to meet national standards
- Insecure storage of assessment instruments and specimen answers
- Unauthorised copying or distributing of exams or assessments
- Failure to assess or internally verify in accordance with awarding body requirements
- Failure to record results on completion of assessments
- Failure to comply with the internal Retention of Evidence and Assessment Records Policy
- Failure to comply with awarding body procedures for maintenance of accurate assessment

records

- Failure to comply with awarding body procedures for managing and transferring accurate student data
- Deliberate falsification of Centre Records of Achievement (RoA) or results data

Stanfords Training Ltd also recognises that centre malpractice may occur during externally assessed or remotely invigilated exams. In such cases, invigilators and administrators must immediately notify the awarding body in line with the awarding body's examination regulations.

### **Retention of Malpractice/Maladministration records**

Normally records and documentation of Malpractice/Maladministration must be retained for three years. However, where there is an appeal to an Awarding Body the timescale is extended to five years. Records must include:

- A report containing a statement of the facts, a detailed account of the circumstances of the alleged malpractice, maladministration or non-compliance and details of any investigations carried out by the Academic Director, Senior Manager or Curriculum Manager
- Written statements from staff and students involved
- Internal assessment and verification records related to the investigation
- Details of any actions the Centre will take to prevent similar instances occurring in the future

Where the alleged malpractice/maladministration may have involved any criminal activity, the Police should be informed and they may conduct their own investigations. A decision to contact the Police will be made by the Centre Senior Leadership. However, if an internal investigation involves a criminal prosecution or civil claim all records and documentation should be retained for five years after the case and any appeal has been heard.

The Centre will ensure that all personal data relating to malpractice or maladministration investigations is processed and retained in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

### **Procedures for Dealing with Allegations of Student Malpractice**

The procedures for handling student malpractice allegations involve the following stages:

#### **Stage 1 – Allegation and Centre response**

If a staff member suspects student malpractice they must:

- Bring it to the attention of a Curriculum Manager
- Provide a full account of the allegation of malpractice in written report
- Pass the completed Student Assessment Malpractice report with accompanying evidence to the relevant Curriculum Manager or Academic Director

The completed report and the evidence of suspected student malpractice will be reviewed by the Academic Director who will decide on the appropriate course of action and if required will appoint an investigating Curriculum Manager.

The review must be concluded, and the review decision conveyed to all parties involved in the allegation within 2 working days of receipt of the student malpractice allegation.

In the case of an investigation taking place the relevant Curriculum Manager will:

- Confirm students are aware of Centre policies on malpractice and student discipline, their responsibilities, and their rights during any investigation into alleged malpractice
- Ensure student results are not processed during the course of any investigation and possible appeal
- Apply appropriate action when a case of suspected student malpractice has been upheld
- Review future practice of internal quality assurance procedures to minimise the risk of further malpractice taking place

### **Stage 2 - Investigation**

Any investigation of an alleged student malpractice should:

- Be carried out by the investigating Curriculum Manager within 5 working days of receipt of the Academic Director's decision to investigate the alleged malpractice
- Identify and, if necessary, take action to minimise the risk to current students and requests for certification
- Complete the Student Malpractice Investigation Report including:
- A detailed account of the circumstances of the alleged malpractice; a record of discussions conducted with students and/or staff; details of how the investigation was conducted; the findings of the investigation and recommendations including any remedial action taken to protect the integrity of the Centre
- Attach any written statements gathered from staff and students
- Attach any work of the students and internal assessment or verification records relevant to the investigation
- Identify evidence to support any recommended actions
- Pass the completed Student Malpractice Investigation Report and supporting evidence to the Academic Director

### **Stage 3 - Report and decision**

Within 5 working days of receipt of the completed Student Malpractice Investigation Report the Academic Director will record their decision on the Student Malpractice Investigation Report identifying any:

- remedial action, or
- disciplinary action as outlined in the Student Disciplinary Policy and Procedures

### **Stage 4 - Communicating the decision**

Within 5 working days of making a decision on the findings of the investigation the Academic Director will inform all parties involved including the Managing Director of the outcome in writing.

### **Stage 5 – Appeals against student malpractice decisions**

All appeals against malpractice decisions will be conducted through the Student Disciplinary Policy and Procedures.

### **Procedures for Dealing with Allegations of Centre Malpractice**

The procedures for handling centre malpractice or maladministration allegations involve the following stages:

#### **Stage 1 – Allegation and Centre response**

If a staff member suspects centre malpractice/maladministration they must:

- Bring it to the attention of a Centre Manager
- Provide a full account of the allegation of malpractice/maladministration in a report
- Pass the completed report with accompanying evidence to the Academic Director

The completed report and the evidence of suspected centre malpractice/maladministration will be reviewed by the Academic Director who will decide on the appropriate course of action. The Academic Director may:

- Initiate an investigation in accordance with the Centre malpractice procedures, ensuring the investigation is independent and avoids any conflicts of interest
- Withhold the issuing of certificates until the outcome of the investigation has been completed

The review must be concluded, and the review decision conveyed to all parties involved in the allegation within 2 working days of receipt of the centre malpractice allegation.

#### **Stage 2 – Investigation**

Any investigation of an alleged centre malpractice/maladministration should:

- Be carried out by the Academic Director within 5 working days of the decision to investigate the alleged Centre malpractice
- Identify and, if necessary take action to minimise the risk to current students and requests for certification
- Complete the Centre Malpractice/Maladministration Investigation Report including:
- A detailed account of the circumstances of the alleged malpractice; a record of discussions conducted with students and/or staff; details of how the investigation was conducted; the findings of the investigation and recommendations including any remedial action taken to protect the integrity of the Centre
- Attach any written statements gathered from personnel relevant to the investigation
- Identify and attach any further evidence relevant to the investigation
- Identify and attach evidence to support any recommended actions

#### **Stage 3 – Report and decision**

Within 5 working days of concluding the investigation of alleged centre malpractice/maladministration, the Academic Director will:

- Determine appropriate action to be taken

If a recommendation is to consider staff discipline the Academic Director will:

- Pass the completed Centre Malpractice/Maladministration Investigation Report and supporting evidence to the Managing Director for action

#### **Stage 4 - Communicating the Decision**

Within 5 working days of making a decision on the findings from their investigation the Academic Director will inform all parties including the Managing Director of the outcome in writing.

#### **Stage 5 - Appeals against Malpractice Decisions**

All appeals against centre malpractice decisions will be conducted through the Staff Disciplinary Policy and Procedures.

#### **Summary Timeline**

Stage			Next Stage
1.	Allegation and Centre response	A review resulting in either no further action or passed on for investigation within 2 days of receiving the allegation	Investigation
2.	Investigation	To be carried out by the appropriate person within 5 working days of the review decision being reached and communicated.	Investigation Report
3.	Report and decision	Complete the appropriate Investigation Report	Communicating the decision
4.	Communicating the decision	Decision to be communicated to all parties concerned within 5 working days of the completion of the investigation.	Appeals
5.	Appeals	Via either Student Disciplinary Policy and Procedures or Staff Disciplinary Policy and Procedures	Communicate with Awarding Body/s
6.	Communicating with awarding Body/s	If applicable a written report will be submitted to the Awarding Body concerned by the Managing Director or a nominated Senior Manager	

**Policy Date:** 01/11/2025

**Next Review Date:** 31/10/2026



Signed:

M Sowe (Director - Stanfords Training)