

# MALPRACTICE & MALADMINISTRATION POLICY



## Malpractice & Maladministration Policy

### Introduction

This policy is aimed at our corporate clients and individual learners who are registered on *The InCrowd Safety Partnership* courses, approved qualifications or units within or outside the United Kingdom, and who are involved in suspected or actual malpractice or maladministration.

### Training centre responsibility

*The InCrowd Safety Partnership* is the training centre (the Centre). It is important that all staff involved in the management, assessment and quality assurance of qualifications and learners are fully aware of the contents of the policy, and that the Centre has arrangements in place to prevent and investigate instances of malpractice and maladministration.

### 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.

### Definition of malpractice

Malpractice is, essentially, any activity or practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates. Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records to claim certificates. The term also covers misconduct, discrimination or unacceptable bias towards individual or groups of learners.

### Examples of maladministration

- Persistent failure to adhere to learner registration and certification procedures
- Persistent failure to adhere to Centre recognition and/or qualification requirements and/or associated actions assigned to the Centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from the Awarding Organisation
- Inaccurate claims for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims.

### Examples of malpractice

- Failure to carry out internal assessment, internal moderation or internal verification in accordance with requirements
- Deliberate failure to adhere to our learner registration and certification procedures
- Deliberate or continual failure to adhere to Centre recognition and/or qualification approval requirements and/or actions assigned to the Centre

# MALPRACTICE & MALADMINISTRATION POLICY



- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claims for certificates
- Intentional withholding of information critical to maintaining the rigour of quality assurance and standards of qualifications
- Collusion or permitting collusion in exams, exercises or other assessments
- Learners continuing to work towards qualifications after certification claims have been made
- Plagiarism by learners/staff
- Copying from another learner (including using ICT to do so)
- Withholding of information, either by deliberate act or omission
- Knowingly allowing the use of 'artificial intelligence' in creation of learner work submissions.

## Process for making an allegation of malpractice or maladministration

Any person who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify a member of *The InCrowd Safety Partnership*. In doing so, the information should be put in writing/email with appropriate supporting evidence. The Head of Centre will then conduct an initial investigation to ensure that staff involved in the initial or a subsequent investigation are competent and have no personal interest in the outcome of that investigation. In all cases of reported suspected malpractice and maladministration, *The InCrowd Safety Partnership* will protect the identity of the 'informant' in accordance with our duty of confidentiality and/or any other relevant legal duty.

## Notifying relevant parties

Where applicable, the Head of Centre will inform the appropriate regulatory authorities/awarding organisation via written communication if it is believed there has been a suspected or actual case of malpractice or maladministration that could either invalidate the award of a qualification or if it could affect another awarding organisation. Where the allegation may affect another awarding organisation or their provision of an award, we will also inform them in accordance with the regulatory requirements and obligations imposed by the relevant Qualification Regulator. If we do not know the details of the affected organisation, we will ask the appropriate regulator to help identify any other relevant parties who should be informed.

## Investigation timelines and summary process

We aim to action and resolve all stages of an initial investigation within 10 working days of receipt of the allegation. The fundamental principle is that all investigations are conducted in a fair, reasonable, and legal manner, ensuring all relevant evidence is considered without bias. Where a member of *The InCrowd Safety Partnership* or an associate of the partnership is under investigation, we may suspend or remove them to other duties until the investigation is complete.

## Investigation report

After an investigation, the Head of Centre will produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the relevant

# MALPRACTICE & MALADMINISTRATION POLICY



parties. If it was an independent/third party who made the notification of the suspected or actual case of malpractice, *The InCrowd Safety Partnership* will also inform them of the outcome – normally within 10 working days of the decision being made. In doing so, some details may need to be withheld if disclosure would breach a duty of confidentiality or any other relevant legal duty. If it is an internal investigation against a member of staff acting on behalf of or representing *The InCrowd Safety Partnership*, the report will need to be agreed by the other members of the partnership so that appropriate internal disciplinary procedures or contractual legal obligations can be invoked.

## **Additional provisions**

*The InCrowd Safety Partnership* Centre will record any lessons learnt from the investigation and pass these onto relevant internal colleagues to prevent a reoccurrence. If a relevant party wishes to appeal against the decision, please refer to our Complaints Procedure.

## **Signed/Position:**

A handwritten signature in black ink, appearing to read 'A Robson'.

Adam Robson  
Head of Centre  
The InCrowd Safety Partnership

**Revision number & date:** v.1.0 08 March 2024

**Next review date:** 01 April 2025