



Malpractice and Maladministration policy and procedure 2020-2021



POLICIES

aspiration
TRAINING LTD





Contents

1. Policy intent	3
2. Scope of policy	3
3. Impact on the learner	3
4. Definitions	4
4.1 Malpractice	4
4.2 Learner Malpractice	4
4.3 Staff Malpractice	4
4.4 Maladministration	5
5. Legal and Regulatory Framework	5
6. Responsibilities	5
6.1 The Board of Directors	5
6.2 Board of Operational Directors	5
6.3 Head of Centre	6
6.4 Staff	6
7. Implementation	6
8. Communication	7
9. Monitoring and Review Processes	7
10. Complaints	7
11. Contacts	7

Document title: Aspiration Training Malpractice and Maladministration Policy and Procedure 2020-2021
Document status: Final
Version number: ATL 1.0
Date: 14th September 2020
Author: Director of Quality and Compliance
Approved by: Board of Operational Directors
Review date: September 2021

1. Purpose

The purpose of this policy is to provide direction and guidance to the members and sub-contractors of Aspiration Training Ltd on the identification of malpractice and appropriate actions to be undertaken. This policy has been developed in line with Joint Council for Qualifications and Education Workforce Council (EWC) requirements.

2. Scope of policy

Aspiration Training Ltd has built a reputation within the local community and wider business environment in Wales for the ethical, honest and principled manner in which operational activities are undertaken. The protection of this reputation is integral to its continued success.

To this end, Aspiration Training Ltd employees will work in a manner that will ensure that the integrity, reliability and reputation of Aspiration Training Ltd, the Apprenticeship qualification and Awarding Organisations (AOs), are protected by the establishment of robust policies and procedures to prevent malpractice and maladministration.

If malpractice or maladministration is alleged, Aspiration Training Ltd will cooperate fully with the Awarding Organisation and any regulatory authority in an investigation to ensure the integrity of all qualifications, and recognises that any investigation will be based on the regulator's published guidance and further publications which amplify this policy.

This policy cannot be viewed in isolation and must be read in conjunction with the following Aspiration Training Ltd policies and strategies and regulatory guidance:

- Aspiration Training Ltd Anti-Bribery Policy and Procedure
- Aspiration Training Ltd Complaints Policy and Procedure
- Aspiration Training Ltd Equality and Diversity Policy and Procedure
- Aspiration Training Ltd Invigilation Policy and Procedure
- Aspiration Training Ltd Teaching and Learning Policy and Procedure
- Aspiration Training Ltd Whistleblowing Policy and Procedure
- Education Workforce Council Fitness to Practice - Guidance for employers and agents: the responsibility to refer (Wales only)

3. Impact of the Learner

The implementation of this policy will ensure that the integrity of all learning programmes offered by Aspiration Training Ltd is maintained, and learners can feel confident in the value of qualifications achieved

4. Definitions

4.1 Malpractice:

'Malpractice', which includes maladministration, means any act, default or practice which:

- Compromises or attempts to compromise assessment
- May negatively impact upon the integrity of any qualification or the validity of a result or certificate
- May damage the authority, reputation or credibility of any awarding organisation, centre, training professional, learner or employer

Activities which may constitute malpractice may be undertaken by a learner or member of staff from Aspiration Training Ltd.

4.2 Learner Malpractice:

Malpractice on the part of the learner may take a variety of forms. This may include, but is not limited to:

- Whilst learners should not be discouraged from teamwork, learners must still produce their own work and evidence of competence. Working collaboratively with other learners, beyond what is permitted, may be considered to be collusion
- Plagiarism through copying the work of another learner or unacknowledged copying from published sources
- Allowing work to be copied by another learner
- The deliberate destruction of another learner's work
- Disruptive behaviour in an examination room or during an assessment session
- Making a false declaration of authenticity in relation to the authorship of assessed evidence of competence, controlled assessments, coursework or other portfolio contents
- Theft of another learner's work
- Fabrication of evidence

4.3 Staff Malpractice:

Malpractice on the part of an Aspiration Training Ltd member of staff may take a number of forms. This may include, but is not limited to:

- Failing to keep examination or controlled assessment material secure
- Tampering with learner exam scripts, controlled assessments or coursework after collection and before despatch to the awarding organisation / examiner / moderator
- Failing to keep securely learner computer files which contain controlled assessments or coursework
- Inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of learners' achievement in order to justify the marks being given
- Manufacturing evidence of competence against national standards
- Falsification of assessment and / or internal quality assurance records or authentication statements
- Improper assistance to learners
- Fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment

Wales only:

Following investigation, any member of staff found to have been involved in malpractice will be reported to:

- **The Education Workforce Council (EWC) in line with Fitness to Practice - Guidance for employers and agents: the responsibility to refer**

4.4 Maladministration:

Examples of maladministration may include, but are not limited to:

- Failure to provide invigilators with adequate training
- Failure to retain learners' controlled assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked
- Failure to despatch learner work to awarding organisations or examiners or moderators promptly
- Failure to notify the relevant awarding organisation of an instance of suspected malpractice in examinations or assessments at the earliest opportunity
- Failure to conduct a thorough investigation into suspected examination or assessment malpractice when requested
- Inappropriate retention or destruction of certificates
- Inadequate record-keeping

5. Legal and Regulatory Framework:

Aspiration Training Ltd will comply fully with all related legislation and sector regulations which include, but not limited to:

- Data Protection Act (2018)
- Joint Council for Qualifications (JCQ) General Regulations for Approved Centres
- The Education Workforce Council (EWC) Fitness to Practice Guidance (Wales only)
- Qualifications Wales Regulatory Documents List (Wales only)
- Relevant Awarding Organisations policies

6. Responsibilities:

6.1 Board of Directors:

- Ensuring Aspiration Training Ltd fully meets its legal requirements.
- Ensuring the policy and procedure and associated action plan, meets the requirements of relevant legislation

6.2 Board of Operational Directors:

Ensuring that all employees and learners are made aware of this policy, procedures and associated regulatory documents and guidance.

Ensuring the Board of Directors is informed of any allegation within one working day of being advised of the allegation.

6.3 Head of Centre

It is the responsibility of the Head of Centre to ensure that any allegations of malpractice or maladministration are thoroughly investigated with a detailed report completed to include:

- The origins of the complaint or mode of discovery of the alleged irregularity
- The investigations carried out
- The evidence found
- The conclusion(s) drawn
- The recommendation(s) for action and resolution of the matter

It is the responsibility of the Head of Centre to report to the relevant Aspiration Training Ltd Managing Director, within one working day, on any allegations of malpractice or maladministration which could damage its reputation.

The Aspiration Training Ltd Head of Centre will ensure all actions required by the Board of Directors, as a result of reporting such allegations, are undertaken. All actions will be completed in a timely manner.

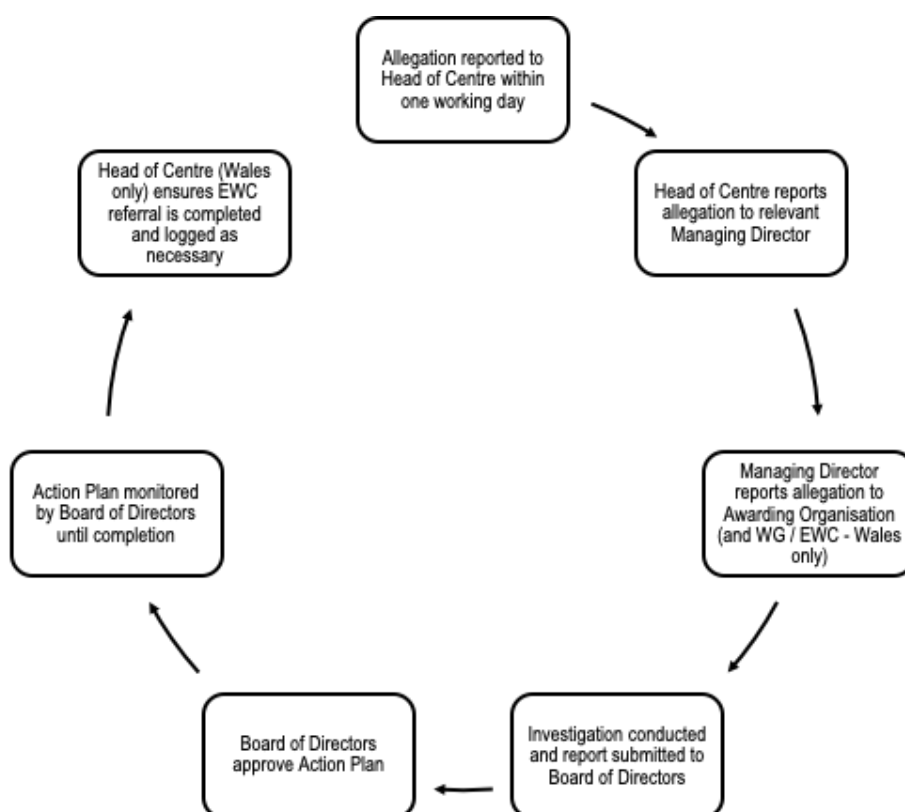
Wales only: The Head of Centre will ensure the Welsh Government and the EWC are advised, as appropriate, in line with any contractual agreement and guidance.

6.4 Staff:

It is the responsibility of all Aspiration Training Ltd employees to adhere to this policy and to uphold the integrity of the organisation and the qualifications which it delivers. All employees will remain vigilant to the possibility of malpractice or maladministration being committed by other employees or learners. All employees will report such occurrences to the Head of Centre at the earliest opportunity.

It is the responsibility of all learning delivery staff to ensure that learners are made aware of this policy.

7. Implementation:



8. Communication:

This policy and any updates will be disseminated to all Aspiration Training Ltd employees through the Staff Handbook. All new employees will be advised of this policy as part of initial induction

All learners will be advised of this policy as part of the learning programme induction process.

This policy is available in large print on request.

9. Monitoring and review process:

This policy will be routinely reviewed on an annual basis and where there are changes to regulatory requirements. Reviews will be validated by the Board Operational Directors.

10. Complaints:

All complaints will be taken seriously and dealt with in a timely and sensitive manner, in accordance with the Board Complaints Policy and Procedure.

11. Contacts:

If you would like to discuss this policy further, please contact:

Wales	England
Neil Tamplin	Mike Jones
Managing Director	Managing Director
Aspiration Training Wales, First Floor, Building Two, Eastern Business Park, St Mellons, Cardiff, CF3 5EA	Aspiration Training England, Fourth Floor, Grosvenor House, Prospect Hill, Redditch, B97 4DL
Email: ntamplin@aspirationtraining.com	Email: mjones@aspirationtraining.com
Tel: 02921 175352	Tel: 01527 359646