Malpractice and Maladministration policy

Purpose

Malpractice, maladministration and plagiarism is an act that can potentially lead to learners being disadvantaged. Incidents also threaten the quality, integrity and reputation of KBM Training & Recruitment Ltd. (KBM), its staff, learners and the qualifications offered. Therefore, it is desirable to prevent malpractice, maladministration and plagiarism from occurring wherever possible by establishing a culture of overall values between staff and learners. Where it is not possible to prevent, cases of suspected or actual malpractice, misadministration and plagiarism should be dealt with quickly, thoroughly and effectively.

Scope

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

It is the responsibility of all company staff to be vigilant with regard to any events which may lead to malpractice/maladministration/plagiarism occurring and report promptly to the Quality Coordinator where they suspect malpractice/maladministration/plagiarism has and/or may occur so that appropriate action can be taken to address with immediate effect. The Quality Coordinator is responsible for notifying relevant awarding bodies of cases of suspected/actual malpractice/maladministration/plagiarism to ensure the appropriate action may be taken. This policy complies with the procedures of The Office of Qualifications and Examinations Regulation (Ofqual).

Objectives

The objectives of the policy are to:

- identify and minimise the risk of malpractice by staff or learners
- identify and minimise the risk of maladministration by staff
- respond to any incident promptly and objectively;
- standardise and record any investigation to ensure openness and fairness;
- impose appropriate penalties and/or sanctions on learners or staff where incidents (or attempted incidents) are proven;
- protect the integrity of the centre and awarding bodies

What is Malpractice?

Malpractice is any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment or examination process and/or the validity of certificates. For the purpose of this procedure this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

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Candidate Malpractice

Examples of candidate malpractice include:

- Plagiarism – failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own
- Collusion with others when an assessment must be completed by individual candidates
- Copying from another candidate (including using ITC to do so)
- Personation – pretending to be someone else
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment material
- Frivolous content – producing content that is unrelated to the assessment
- Unauthorised aids – physical possession of unauthorised material (including mobile phones, MPs players, notes, etc) during the internal assessment
- Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language

Centre Malpractice

Examples of centre malpractice include:

- Misuse of assessments, including repeated re-assessment contrary to requirements, or inappropriate adjustments to assessment decisions
- Insecure storage of assessment instruments and marking guidance
- Failure to comply with requirements for accurate and safe retention of candidate evidence, assessment and internal verification records
- Failure to comply with Ofqual's procedures for managing and transferring accurate candidate data
- Excessive direction from assessors/trainers to candidates on how to meet national standards
- Deliberate falsifications of records in order to claim certificates

What is Maladministration?

Maladministration is any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

Process for Making an Allegation of Malpractice or Maladministration

Malpractice/maladministration may be discovered or suspected by KBM staff or by others involved in our qualifications, including learners. Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately report the information to Kamran Khan (Director) verbally or by email. To

fully investigate any report, as much as possible of the following information should be provided in writing:

- Learner's name
- Trainer/Invigilator details (name, job role) if they are involved
- Title of the training course/qualification affected or nature of the service affected
- Date(s) suspected or actual malpractice occurred
- Full nature of the suspected or actual malpractice
- Date of the report and the informant's name, position and signature
- Reporting Suspected Malpractice During a Licensed Trade Qualification Exam

Identified by Centre Staff

- Physical possession of unauthorised material – must be told discreetly, to stop and, if applicable, to hand over the unauthorised aid. The candidate can be permitted to resume the paper.
- Inappropriate behaviour – must be told to stop and warned that failure to do so will lead to their removal from the room, which may result in cancellation of the entry for their course
- An Invigilator Incident Report Form must be completed and sent to Ofqual along with the Marker's Report
- The candidate must not be certificated until the incident has been investigated and a decision has been reach

Identified by Candidates

- The candidate will raise their arm to attract attention of the invigilator and report their concerns quietly and discreetly
- The invigilator will follow procedures laid out for Centre Staff detailed above

Confidentiality

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. However, it is always preferable to reveal your identity and contact details to us, and if you are concerned about possible adverse consequences request us not to divulge your identity. While we are prepared to investigate issues which are reported to us anonymously, we shall always try to confirm an allegation by means of a separate investigation before taking up the matter with those to whom the allegation relates.

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Responsibility for the Investigation

All suspected cases of maladministration and/or malpractice will be examined in accordance with the Awarding Body's requirements. Investigations will be carried out by Kamran Khan (Director) and may include:

- Reviewing assessment evidence and records
- Interviewing staff members
- Interviewing candidates
- Seeking a second opinion from internal quality assurance personnel All reasonable steps will be taken to prevent an adverse effect from occurring.

KBM will agree the appropriate course of remedial action with the Awarding Body and in exceptional cases, the Awarding Body may lead the investigation. Where KBM believes the allegation may affect another Awarding Body, we will inform them in accordance with the regulatory requirements.

Investigation Timelines and Process

KBM aims to action and resolve all stages of the investigation within one month of receipt of the allegation. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, we'll advise all parties concerned of the likely revised timescale. We expect all parties, who are either directly or indirectly involved in the investigation, to fully cooperate with us. Where a member of KBM's staff is under investigation we may suspend them until the investigation is complete.

Investigation Report

After an investigation, Kamran Khan (Director) will produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and ourselves. We shall make the final report available to the parties concerned and to the Awarding Bodies. If it was an independent person or organisation that notified us of the suspected or actual case of malpractice, we shall also inform them of the outcome, normally within 10 working days of making our decision. In doing so we may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty. If there has been an internal investigation against a member of our staff the report will be agreed by Kamran Khan (Director) and an HR consultant and appropriate internal procedures will be applied.

If the malpractice involves a criminal act, the matter will be reported to the police.

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Actions and Sanctions if Malpractice is proven

After investigation, those cases of malpractice and/or maladministration which are proven the following actions may be taken:

Staff Malpractice

- Verbal warning about future conduct
- Written warning about future conduct
- Imposition of special conditions for future involvement in conduct, training or administration of candidates and/or exams
- Dismissal

Candidate Malpractice

- A written warning about future conduct
- Re-sit a different version of an exam paper
- Notification to employer
- Notification to the police if malpractice involves a criminal act
- Exclusion from course
- Investigation Outcomes

At the end of any investigation KBM will review the issues raised, record any lessons learned from the investigation and update policies and procedures as necessary with the aim of preventing further maladministration or malpractice. If any party wishes to appeal any decision relating to action to be taken against a learner or centre following a malpractice or maladministration investigation, please refer to the Awarding Body's Appeals Procedure.

Record Retention

All records of investigations of suspected malpractice and the outcomes of these will be kept following Ofqual requirements:

- Where an investigation of suspected malpractice is carried out, KBM will retain related records and documentations for three years for non-regulated qualifications and six years for regulated qualifications. Records to be included will be any work of the candidate, assessment, examination and verification records relevant to the investigation.
- In the case of appeal to Ofqual against the outcome of a malpractice investigation, assessment and examination records will be maintained for six years.
- In an investigation involving a potential criminal prosecution or civil claims, records

and documentation will be retained for six years after the case and any appeal has been heard. If KBM is in and doubt about whether criminal or civil proceedings will take place, it will keep records for the full six-year period.

Agreed/signed by: Salman Khan

Position: CEO/Director

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