
MALPRACTICE AND MALADMINISTRATION POLICY

Introduction.

This policy is aimed at our customers, including learners who are delivering/registered on Active Lancashire Training Centre approved qualifications and who are involved in suspected or actual malpractice/maladministration. It aims to ensure that staff deal with all malpractice and maladministration investigations in a consistent manner.

The policy sets out procedures which must be followed by anyone reporting a case and our responsibilities in dealing with such cases.

Centre's responsibility

It is important that staff involved in the management, assessment and quality assurance of our qualifications and our learners, are fully aware of the contents of the policy and that our centre has arrangements in place to prevent and investigate instances of malpractice and maladministration.

Definition of Malpractice

Malpractice is defined by Active Lancashire Limited as any deliberate activity, neglect, default or other practice that compromises the integrity of the delivery, assessment and administration of qualifications. This includes deliberate non-compliance with regard to established quality standards, by any Active Lancashire Training Centre staff member. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain groups of learners.

Some **examples** of malpractice are:

Contravention of our centre and qualification approval conditions

Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance to our requirements

Denial of access to resources (premises, records, learners, staff) by any authorised Centre representative and/or the regulatory authorities

Deliberate failure to adhere to our learner registration and certification procedures

Forgery of evidence

Collusion or permitting collusion in exams.

Definition of Maladministration

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

Process for making and allegation of malpractice or maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration, at any time, must immediately report their findings to Active Lancashire's Director of Business. Reports relate to any allegations regarding the Training Centre's quality standards, policies and related procedures. Allegations can also be raised regarding Training Centre requirements and/or any qualification-specific issues.

All allegations must include (where possible):

- Centre name and address
- Title of the qualification affected
- Full nature of the suspected or actual malpractice and date occurred
- Details of any consequent actions/investigations carried out by recognised centre staff
- Details of the procedure for informing staff/candidates of consequences of malpractice
- Any unauthorised material found during the assessment process
- Statements which are signed, dated and recorded on Training Centre headed-paper by any member of the Centre staff who are involved (tutors, assessors and invigilators)
- Statements signed and dated by any candidates involved (where applicable)

Reports of suspected mal-practice will be forwarded by the Active Lancashire Training Centre's administrator to NCFE. We will also protect the identity of any individual who raises a case of mal-practice or maladministration, in accordance with our duty of confidentiality.

The Director of Business at Active Lancashire will also regularly review malpractice data, to ensure that there is no recurrence of reported cases within the Training Centre and to ensure improvement to services.

Investigation timelines

Active Lancashire Training Centre aims to action and resolve all stages of the investigation within 20 working days of receipt of the allegation. This may involve a request for further information and interviews with all personnel involved.

Where a member of the Active Lancashire Training Centre staff is under investigation they may be suspended as in line with our Disciplinary Policy and Procedure.

Throughout the investigation our Head of Centre will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence gathered and reviewed and for liaising with and keeping relevant external parties informed.

Data Protection

Active Lancashire processes personal data collected during these processes and any subsequent stages in accordance with its Data Protection Policy. In particular, data collected as part of the investigation stage and any subsequent stages of action is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the procedure. Inappropriate access or disclosure of employee and learner data constitutes a data breach and should be reported in accordance with Active Lancashire's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under Active Lancashire's Disciplinary procedure.

Review Arrangements

We will review this policy annually.