

## DH Associates Malpractice & Maladministration Policy

### Scope of policy

This policy applies to all qualifications offered by DH Associates (DHA). This policy sets the process DHA will follow in responding to and investigating an allegation of suspected malpractice or maladministration.

### Definition

‘Malpractice’ means a contravention or the ignoring of the regulatory requirements pertaining to the assessment process (including the conduct of examinations), which puts at risk the integrity, credibility and validity of a qualification, its assessment and learner certificates. The term ‘malpractice’ also covers both maladministration and misconduct.

‘Maladministration’ is defined as any activity, practice or omission which results in centre or learner non-compliance with administrative regulations and requirements. For example: persistent mistakes or poor administration within a centre resulting in the failure to keep appropriate learner assessment records.

If DHA discovers or suspects malpractice, the head of centre is required to report it to awarding body Investigation & Compliance team within 10 working days and prior to the commencement of any internal investigation.

Malpractice and maladministration is any activity, practice or omission which is either wilfully negligent or deliberately contravenes regulations and requirements and compromises one or more of the following:  
Internal or external assessment process

- Integrity of a qualification
- Validity of a result or certificate
- Reputation and credibility of DHA & the awarding body.

### Purpose of policy

The purpose of the policy is to explain the circumstances in which DHA will undertake an investigation and to provide key information to those preparing to make an allegation of malpractice. The policy is informed by guidance from awarding bodies, eg City & Guilds publication *Managing cases of suspected malpractice in exams and assessments V6.1 2018*. Any member of centre staff, learner or other member of the public who suspects assessment malpractice/maladministration may contact the Quality Assurance Manager at DHA.

### Circumstances Resulting in Malpractice

- Centre staff failing to meet awarding body centre and approval requirements
- Centre staff influencing the assessment, certification or examination process
- Centre staff failure to meet the requirements for the conduct of examinations
- Learners breaching examination or assessment rules or regulations
- Learner behaving inappropriately during an exam or assessment

Detailed examples are given in City & Guilds publication *Managing cases of suspected malpractice in exams and assessments V6.1 2018*.

### Making an allegation

Centre staff who suspect malpractice must report it immediately to DHA Quality Assurance Manager. Learners, employers or members of the public may report suspected malpractice and the member of staff receiving the report must immediately inform the Quality Assurance Manager.

Those reporting or disclosing suspected malpractice will normally be asked to provide as much evidence as possible to support the disclosure. Each disclosure will be considered sensitively and carefully and appropriate action will be taken.

It should be noted, however, that DHA’s ability to investigate allegations will be dependent on the availability of documentary evidence. This becomes more difficult to produce and authenticate after a

considerable amount of time has elapsed. Therefore we encourage anyone who suspects malpractice to notify us as soon as possible.

We will endeavour to keep a complainant's identity confidential where asked to do so, although this cannot be guaranteed and identity may need to be disclosed. Those disclosing information should also recognise that they may be identifiable by others due to the nature or circumstances of the disclosure. Information received in disclosures may be shared with third parties where necessary. Individuals who are concerned about being identified should discuss their concerns at the time of disclosure. Anonymous disclosures will be considered but it may not always be possible to investigate them.

### **Investigating an allegation**

The Quality Assurance Manager will report suspected malpractice to the awarding body Investigation & Compliance Team. A plan will be agreed to investigate the suspected malpractice/maladministration. The awarding body will decide if they will investigate or if the Head of Centre will investigate.

Investigations will be planned within 3 days of receipt of disclosure. Individuals will be informed of any notifications, warnings or penalties issued by the awarding body or Head of Centre. Detailed records will be kept and copies of relevant documents retained.

Individuals accused of malpractice will ideally be informed in writing of the allegation, evidence supporting allegation and possible penalties.

The investigation will establish the full facts, circumstances and scale of any irregularities.

Unfounded reports may be resolved quickly. All investigations and reports should be completed within 15 days of start of investigation.

A full report will be provided by or to the awarding body on completion of the investigation.

If malpractice has been found the Awarding Body will consider appropriate action which may include the following:

#### **Learners**

- Written warning
- Assessment evidence is disallowed
- Results will not be issued or will be cancelled
- Disqualified from units of a qualification for specified time
- Disqualified from whole qualification for specified time
- Barred from entering an awarding body qualification for specified time
- Disciplinary proceedings for staff malpractice

#### **Centre Staff**

- Disciplinary proceedings for staff malpractice
- Written warning
- Training required
- Imposition of conditions for staff involvement in awarding body exams and qualification
- Suspension of staff involvement in awarding body exams and qualification

#### **Centre**

- Written warning
- Action Plan
- Additional monitoring
- Suspension or withdrawal of registration and certification
- Withdrawal of approval for specific qualifications
- Withdrawal of centre approval