



XPS Construction and Skills Learning Limited

Malpractice and Maladministration Policy and Procedure



Malpractice and Maladministration Policy and Procedure

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Centre Details

Centre Name:	XPS Construction and Skills Learning Limited	Centre Number:	---
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Throughout this policy, the term 'the Centre' will be used to refer to the Centre details above.

Policy Details

Date Published:	22/02/2025	Version Number:	---
Date of Next Review:	22/02/2026		
Individual Responsible for Policy:	Folajimi Adeloye		

1. Introduction

1.1. This policy and procedure details how the centre will prevent, identify and manage incidents of malpractice and maladministration, in line with awarding organisation requirements.

1.2. The purpose of this policy is to:

- Guide as to what constitutes malpractice and maladministration.
- The responsibilities of centre staff.
- Outline the procedure for dealing with cases of suspected malpractice.
- Outline potential outcomes of instances of malpractice and maladministration.

1.3. In addition to this policy, the Centre will comply with the relevant Awarding Organisation's policies, procedures and guidance regarding examination administration and invigilation.

2. Who is this policy for?

2.1. The intended audience for this policy is:

- Learners/apprentices registered at the Centre.
- Tutors, Assessors and IQAs and other delivery staff at the Centre.
- Individuals involved in the administration and invigilation of examinations, including Invigilators.
- The registered Awarding Organisation for the product being delivered.
- Auditor*

3. What is malpractice and maladministration?

3.1. Malpractice is a deliberate or reckless act which threatens the integrity of qualifications and includes assessments and/or assessment outcomes. This includes dishonestly claiming learning outcomes and/or units for learners through fraudulent or deceptive means. Malpractice is an act that does not comply with the Qualification and Assessment Regulators' conditions

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and compromises the authenticity, reliability and integrity of qualifications, assessments and/or units.

- 3.2. Malpractice can be conducted by any individual involved in the delivery, assessment, quality assurance, administration or study of a qualification. This includes qualifications, units/assessments, end-point assessments and examinations.
- 3.3. Maladministration is often an activity of poor practice rather than improper practice where there has been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude, or it may result from carelessness or inexperience.
- 3.4. To further aid understanding of what constitutes as malpractice, examples are within this section. The examples provided do not provide an exhaustive list of what constitutes as malpractice:

Examples of Centre Malpractice:

- Failure to adhere to the Awarding Organisations suite of policies, procedures and associated documentation, including failure to promptly notify where instances of suspected or proven malpractice have been identified within the Centre.
- The deliberate submission of inaccurate CVs or invalid certificates to NOCN during Centre, staff or qualification approval processes.
- Provision of resources or materials to learners which offer improper assistance or provide an unfair advantage or disadvantage to learners during assessment.
- Providing adjustments or special considerations to learners which have not been approved by the awarding Organisation, where this is required.
- Excessive and improper direction from Assessors to learners during assessments on how to meet assessment criteria, including the provision of prompts or model answers.
- Deception through the manufacturing of learner evidence, records of observations, witness testimonies or any other assessment records.
- Failure to appropriately respond to and investigate suspected cases of malpractice or maladministration, including the failure to notify the Awarding Organisation.
- Using live examination materials for any other reason than the controlled assessment of learners, including using live examination materials, for training, for mock examinations or for the creation of Centre assessment tools.
- Failure to conduct external assessments in line with awarding organisation and qualification requirements, including failure to follow the required Invigilation Policy.

Examples of Learner Malpractice:

- Failure to acknowledge sources properly and/or copying from another's work or notes (either electronically or in person) and submitting it as if it their own (also known as plagiarism). This also includes unauthorised use of Artificial Intelligence (AI) tools, for example, a failure to

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acknowledge AI-generated content as a source or submitting AI-generated content as if it were their own.

- Collusion with others when an assessment must be completed individually.
- Assuming the identity of another learner or having someone assume their identity during an assessment (also known as personation).
- Use of unauthorised aids or physical possession of unauthorised materials (including mobile phones, MP3 players, notes, textbooks, reference material etc.) in an assessment or examination room.
- Dissemination of secure examination and assessment material.
- Unauthorised communication with others during assessments.
- Providing a false declaration of authenticity regarding assessment completion.
- Failure to abide by the instructions or advice, including by Assessors and Invigilators, in relation to the conduct and/or completion of an assessment.
- Obtaining, receiving or exchanging of information which could be related to a secure assessment. This includes unauthorised talking or making notes during assessments or examinations.
- The inclusion of inappropriate, offensive or obscene material in assessment tasks.
- The deliberate destruction of another individual's work.
- Behaving in a disruptive or inappropriate manner in such a way which would undermine the integrity of an assessment.

3.5. A common form of learner/apprentice malpractice is known as plagiarism. This is where the learner/apprentice fails to acknowledge sources properly and/or copies from another individual's notes or work (either electronically or in person) and submits the work as if it were their own.

3.6. Learners may be required to use and refer to information from a variety of published sources to demonstrate their knowledge and understanding. In doing so, they must ensure to that they do not claim this as their own work. Where a learner has included information from published sourced in their work, they must acknowledge this information fully and accurately by:

- Identifying their sources, in a brief format, in the body of their written work (referred to as in-text citation).
- Providing a detailed list of their sources in an alphabetical list at the end of their work (known as a reference list).

3.7. If a learner/apprentice fails to reference their sources, this can constitute as plagiarism and therefore malpractice. By correctly referencing information sources, a learner/apprentice can validate their statements or conclusions. Referencing is a mandatory requirement and could result in an outcome of an assessment being voided. Where elements of plagiarism are identified, it is required to be investigated in line with this policy and procedure.

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- 3.8. If a learner/apprentice fails to reference their sources, this can constitute as plagiarism and therefore malpractice. By correctly referencing information sources, a learner/apprentice can validate their statements or conclusions. Referencing is a mandatory requirement and could result in an outcome of an assessment being voided. Where elements of plagiarism are identified, it is required to be investigated in line with this policy and procedure.
- 3.9. Maladministration is an activity of poor practice rather than improper practice where there has been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude, or it may result from carelessness or inexperience. Examples of maladministration include, but are not limited to:
- Poor, but mostly compliant, invigilation of external assessments.
 - Failure to timely register learners or registering a learner against an incorrect product.
 - Issuing of an incorrect certificate.
 - Failure to submit a timely claim for certification following internal confirmation of achievement.
 - Incorrect completion of examinations or assessments and their associated documentation.
- 3.10. There are a number of actions that may be taken against the Centre, staff or learners if found to have been involved in malpractice:
- 3.11. Example of actions against the Centre:
- Prevention of registration or certification
 - Additional quality monitoring
 - Unannounced visits
 - Withdrawal of Centre approval by the AO
- 3.12. Example of actions against staff:
- Training for the individual.
 - Subjected to further monitoring of their delivery of qualifications.
 - Temporary suspension of their approval to deliver some or all qualifications.
 - Permanent withdrawal of their approval to deliver some or all qualifications.
- 3.13. Example of actions against learners:
- Amendment of an assessment mark or grade.
 - Disqualification from the completion of a qualification or unit.
 - Revoking of an issued certificate.

The above is not an exhaustive list.

4. Centre Process for Instances of Malpractice and Maladministration

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- 4.1. Centre staff will ensure that an explanation of malpractice and maladministration forms a part of a learner's induction. All learners must receive an explanation, including examples, of malpractice and maladministration, as well as being informed of the consequences of them committing such acts. Learners must be asked to confirm their understanding of malpractice and maladministration in writing.
- 4.2. All Centre staff must be familiar with this policy and understand how to manage instances of suspected malpractice and maladministration.
- 4.3. All Centre staff must make every effort to prevent and identify malpractice and maladministration.
- 4.4. Where malpractice or maladministration is identified or suspected it will be reported to Aderonke Aro / Compliance Manager immediately. The person reporting must provide relevant evidence in relation to the suspected malpractice or maladministration.
- 4.5. Aderonke Aro / Compliance Manager must report the allegation to the appropriate Awarding Organisation within 1 working day of receiving the information, by email, to ensure an audit trail. The centre will seek guidance from the AO as to how the matter will be investigated, either by the Centre or by the AO.
- 4.6. Where the AO decides it will investigate the matter the centre will cooperate fully and provide access to premises, relevant documentation, systems, records, staff and learners as requested.
- 4.7. Where it is decided that the centre will investigate the matter then Aderonke Aro / Compliance Manager must decide who will conduct the investigation. The investigating officer will be independent of the individual(s) against who the malpractice is alleged, in order that they are able to take an objective view to the matter. The investigation will be concluded within 10 working days of receipt of the investigation request unless there are extenuating circumstances that will require a deadline extension. The investigating officer will negotiate this with the AO.
- 4.8. Where interviews are conducted with centre staff, these will be documented fully and where appropriate recorded. Centre staff will be informed of the allegation against them, be allowed to be accompanied by a third person when they are interviewed should they wish and provided the opportunity to provide evidence.
- 4.9. Where Centre staff are treated as a witness any witness testimony will be recorded in writing or another other format.
- 4.10. The investigating officer will document all their actions on either the Centre report or a report provided by the AO. The investigating officer will obtain and retain any relevant documentary evidence and make this available to the AO if requested.
- 4.11. After their investigation, the investigating officer will conclude from all the evidence gathered as to whether there has been malpractice and / or maladministration and will inform the Head of Centre. Where malpractice has been identified the investigating officer will make recommendations as to what action should be taken by the Centre to address the issues and to prevent a reoccurrence. In addition, where appropriate, they should also recommend action(s) to be taken against any person(s).

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- 4.12. The report and any associated evidence will be sent to the relevant contact at the awarding organisation for consideration.
- 4.13. The Centre will consider any decision and actions by the AO and will look to implement any actions in an agreed timescale.

5. Version History

Version	Date Published	Changes Made	Signed off by
2025/002	22/02/2025		Folajimi Adeloye