

Oxford Professional Education

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Reference number 46

Maladministration and Malpractice Policy

Policy statement:

Oxford Professional Education (OxPE) will not tolerate suspected or actual cases of malpractice or maladministration at any time and if there is such incident a full investigation will be instigated.

Purpose:

OxPE recognises it has a responsibility to prevent instances of malpractice and maladministration, to establish and maintain, and always comply with, up-to-date written procedures for the investigation of suspected or alleged malpractice or maladministration.

Maladministration Definition

Maladministration referred to within this policy is noncompliant practice in abiding by administrative rules, processes and requirements laid out by awarding organisations (AOs) End Point Assessment Organisations (EPAOs) and other Qualification Regulators. This includes frequent mistakes in administration committed within an OxPE Centre.

Examples of maladministration

The categories listed below are examples of centre and learner maladministration. Please note that these examples are not exhaustive and are only intended as guidance in respect of the definition of malpractice:

- Persistent failure to adhere to our learner registration and certification procedures;
- Persistent failure to adhere to our centre recognition and/or qualification requirements and/or associated actions assigned to the centre;
- Late learner registrations (both infrequent and persistent);
- Unreasonable delays in responding to requests and/or communications from the AO Inaccurate claim for certificates;
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence.
- Withholding of information, by deliberate act or omission, from us which is required to assure the AO of the centre's ability to deliver qualifications appropriately;

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- Misuse of our logo and trademarks or misrepresentation of a centre's relationship with the AO and/or its recognition and approval status with the AO;
- Failure to adhere to, or to circumnavigate, the requirements of our ALN & Reasonable Adjustment guidance.

Malpractice Definition

Malpractice referred to within this policy is any practice which deliberately contravenes regulations and compromises the assessment process and/or the validity of certification and achievement of qualification and apprenticeships. It covers deliberate actions and neglect that compromises the assessment process, the integrity of qualifications and apprenticeships, the validity of a course or assessment result, validity of certification or the validity of the actual course completion certificate and includes failure to keep up to date and correct records and systems and /or to the falsification of records in order to certificate and claim achievement. It also covers misconduct and discrimination towards learners.

Examples of Malpractice

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance in respect of the definition of malpractice:

- Denial of access to premises, records, information, learners and staff to any authorised the AO representative and/or the regulatory authorities;
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with our requirements;
- Deliberate failure to adhere to our learner registration and certification procedures;
- Deliberate failure to continually adhere to our centre recognition and/or qualification approval requirements or actions assigned to your centre;
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence;
- Fraudulent claim(s) for certificates;
- The unauthorised use of inappropriate materials / equipment in assessment settings (e.g. mobile phones);
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards of qualifications;
- Deliberate misuse of our logo and trademarks or misrepresentation of a centre's relationship with the AO and/or its recognition and approval status with the AO;
- Collusion or permitting collusion in exams/assessments;
- Learners still working towards qualification after certification claims have been made;
- Persistent instances of maladministration within the centre;
- Deliberate contravention by a centre and/or its learners of the assessment arrangements we specify for our qualifications;
- A loss, theft of, or a breach of confidentiality in, any assessment materials;
- Plagiarism by learners/staff;
- Copying from another learner (including using ICT to do so);



- Impersonation - assuming the identity of another learner or having someone assume your identity during an assessment;
- Unauthorised amendment, copying or distributing of exam/assessment papers/materials/internal documents including start paperwork, progress reviews or Milestone summaries (for Apprenticeships only);
- Inappropriate assistance to learners by centre staff (e.g. unfairly helping them to pass a unit or qualification);
- Deliberate submission of false information to gain a qualification or unit;
- Forgery of any learner/staff signature on internal documents such as start paperwork, progress reviews or Milestone summaries (for Apprenticeships only).

Important Note:

We will

- Notify Awarding Organisations Immediately
- Ensure that the evidence gathering team is independent
- Respond quickly to all requests for evidence gathering into an allegation of malpractice
- Make available information as requested by Awarding Organisations
- Inform staff members and learners of their individual responsibilities and rights as set out in the Awarding Organisations policies
- Send on to the concerned individuals any correspondence and ensure we fully comply with any requests made by an Awarding Organisation because of malpractice or maladministration.

Note: As part of the Apprenticeship Learning agreement for learners to enrol it is a requirement to submit forms of ID which are photo ID checks (Passport, driving license, birth certificate). This information will confirm to us that the learner is who they say they are and as part of the enrolment pack there is a declaration which the learner and employer are obliged to sign.

Our responsibility:

Stage 1

Conducting of an investigation led by an Internal Quality Assurer.

Stage 2

Establishing the facts by completing the Malpractice & Maladministration IQA will have input but this will be overseen by the Quality Team.



Stage 3

Face-to-face interviews (normally conducted by two people with one person primarily acting as interviewer and the other as note-taker). In some cases, learners or employers may need to be contacted for facts and information. This may be done via face-to-face interviews, telephone interviews, by post or by email.

Stage 4

Wherever possible documentary evidence should be authenticated by this may include asking learners and others to confirm handwriting, dates and signatures.

Stage 5

Once the investigators have gathered and reviewed all relevant evidence, a decision is made on the outcome.

Stage 6

A report is prepared, factual accuracy agreement obtained and shared to members of the Quality Team.

Signed:

Date: December 2022