



## Malpractice/Maladministration Procedure

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## **Malpractice/Maladministration Procedure**

Amac will investigate instances of alleged or suspected malpractice or maladministration and will take appropriate action where required to maintain the integrity of units and qualifications.

Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates.

Maladministration is any activity, neglect, default or other practice that results in the centre not complying with the specified requirements for delivery of units and qualifications.

Should an alleged malpractice/maladministration arise on the part of the learners, centre staff, or others involved in providing an awarding body qualification, Amac will:

1. Report immediately to the awarding body any suspected case of malpractice/maladministration arising after learners have been registered.
2. Investigate and record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

### **Examples of learner misconduct could include:**

- Non-compliance in observing the mandatory rules of conduct during an assessment
- Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment,

### **Misconduct procedure (learners)**

Where an issue of misconduct occurs and is discovered or reported the following action will be taken:

- The Invigilator/Centre Contact is empowered to expel a learner from the assessment room
- The expelled learner's assessment paper will be securely retained and a report filed to the Centre Contact
- The report and assessment record will be available for submission to the awarding body and the regulatory authority (Ofqual or SQA) upon request

If any of the rules of external assessment are deemed to have been broken by a learner, invigilator or other person involved in the assessment process, then Amac and awarding body may declare the assessment void.

## **Examples of centre malpractice/maladministration could include:**

- Failure of Amac to report any suspected malpractice reported to Awarding Organisation from other sources
- Failure of Amac to apply the Awarding Organisation recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
- Failure of Amac to apply Awarding Organisation's recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process
- Failure of Amac to apply the Awarding Organisation recommended security procedures as identified within the centre approval declaration
- Failure on behalf of Amac to comply with Awarding Organisation guidance relating to reasonable assessment adjustments
- Claims for certification being submitted by Amac for units and/or qualifications that have not been approved for delivery by Awarding Organisation
- Delivery and assessment of units and/or qualifications that have not been approved by Awarding Organisation
- Claims for certification being submitted by Amac for learners that have not been registered with Awarding Organisation
- Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment
- The Amac or any part (if a consortium group) becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure
- There is any significant change in control of Amac (or a change of membership if a consortium group). Awarding Organisation should be informed immediately if this occurs

## **Awarding Organisation Malpractice/maladministration procedure (centres)**

Where an issue of malpractice or maladministration occurs, is discovered or reported Amac will:

- Report the issue to Awarding Organisation's Lead Quality Assurer who will investigate the suspected case of malpractice/maladministration
- Investigate the facts relating to allegation/complaints in order to determine whether any irregularities have occurred

Conclusions will be based on established evidence. A course of proposed actions will be identified, agreed, implemented and monitored in association with Awarding Organisation. All relevant evidence will be considered without bias.

## Awarding Organisation Non-compliance monitoring guidelines - malpractice

Malpractice Occurrence	Procedure/Rationale	Action and Sanctions
Non-compliance in observing the mandatory rules of conduct during an assessment, resulting in fraudulent claims for certification.	<ul style="list-style-type: none"> <li>• Learner expelled from assessment</li> <li>• Assessment paper retained and report filed securely</li> <li>• Assessment paper and report file made available to Awarding Organisation and regulatory authorities (Ofqual or SQA)</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension of certification (tariff level 3)</li> <li>• Suspension of registration (tariff level 3)</li> <li>• Suspension of Awarding Organisation approval</li> <li>• Possible assessment void decision</li> </ul>
Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment, resulting in fraudulent claims for certification.		

### Current Awarding Body Non-compliance and Procedures

Refer to individual awarding body current policies.