



Inspiring Great British Manufacturing

Maladministration and Malpractice Policy

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1 Introduction

The Maladministration and Malpractice policy is intended to provide a clear process to ensure a prompt response for all in the unlikely event of an intentional/unintentional event which could potentially, adversely affect learners and undermine confidence in the delivery and award of our qualifications.

1.1 Purpose & scope

The policy provides clear definitions with examples of maladministration and malpractice that are specific to staff and learners with a clear process by which an intended or unintended instance of malpractice or maladministration can be reported, investigated and recorded, allowing for effective administration and the integrity of assessment to be maintained whilst ensuring that learners are not adversely affected.

Examples of malpractice and maladministration include but are not limited to (apply to colleagues):

- Centre issuing an incorrect certificate or incorrect results to learners
- Failure to follow procedures when entering learner data or recording assessment decisions
- Inaccurate production of assessment records
- Negligent or uninformed destruction of assessment or qualification records
- Failure to keep unseen assessment papers or mark schemes secure prior to assessment
- Failure to keep learner data secure
- Failure to declare a conflict of interest.

Examples of malpractice include but are not limited to (apply to learners):

- Criminal offences such as bribery or fraud
- Fraudulent claim for certificates
- Failure to declare a conflict of interest
- Assisting learners in the production of evidence, to such an extent that the evidence is not authentic (i.e., does not represent the learner's own achievement)
- Actions compromising the credibility of awarding body's and its products and services

- Actions compromising the reputation of awarding body's regulators, or which bring the wider qualifications systems into disrepute
- Exam irregularities of any nature by learners/staff
- Plagiarism – failure to acknowledge sources properly and/or the submission of another person's work as if it were the learners own
- Collusion with others when an assessment must be completed by individual learners
- Copying from another learner
- Personation – pretending to be someone else
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment material
- Frivolous content – producing content that is unrelated to the assessment
- Unauthorised aids – physical possession of unauthorised material (including mobile phones, MP3 players, notes, etc) during the internal assessment
- Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language

1.2 Internal and external policies and legislation

This policy should be read alongside all MTC and MTC Training policies and procedures but especially:

- Professional Development Policy APP-026
- Equality, Diversity and Inclusion Policy/Procedure HR-006
- Learner Appeals Procedure APP-012-G2
- Fair Access to Assessment Policy APP-012-G1
- Disciplinary Procedure HR-036
- Learner Disciplinary Procedure APP-033
- Learner Appeal and Complaints Procedure APP-012-G2
- Code of Conduct Policy APP-008-G3
- Whistleblowing Policy HR-003
- Anti-Corruption and Bribery Policy HR-005
- Data Protection Policy GDPR-001
- Pearson centre guidance: Dealing with malpractice and maladministration 2022
- EAL centre guidance: Malpractice and Maladministration Policy 2020

- EAL: 'HOW TO...PREVENT EXAMS MALADMINISTRATION AND MALPRACTICE' 2021
- EAL: Pearson centre guidance: Dealing with malpractice and maladministration 2022

2 Communication, training and CPD

2.1 Communication (Staff & Learner)

The MTC Training is responsible for informing staff and learners involved in the management, assessment and quality assurance of qualifications, of the contents of this policy.

This policy is reviewed annually and presented to the Education Committee for approval. Once the policy is approved it is disseminated to MTC Training Colleagues with a policy acceptance form to confirm it has been accepted, read and understood. Each new version should be published on BMS to ensure everyone can access it.

During the induction process all learners (apprentices and HNC students) will be made aware of this policy and asked to confirm they have read and understood the contents in the **documents I have read** section in Pro Portal.

Learners under 18 years of age should inform their parents/legal guardians about this policy and its content.

2.2 Training

All new colleagues who join the MTC Training as Trainers, Assessors, or in a Quality role are required to review this policy during their induction. Their line manager should ensure they are informed about this policy and where to find it. Further training is delivered throughout the probation period which is monitored and reviewed by the Quality Enhancement, Compliance and Systems Manager.

All colleagues can request training regarding this policy by informing their line manager via email or monthly10201 forms. The relevant manager should then inform Quality Enhancement, Compliance and Systems Manager about training needs expressed by colleagues. Training can be delivered on 1-2-1 basis or during CPD sessions to wider audience.

2.3 CPD

All staff at the MTC are required to participate in regular CPD to update their knowledge, skills and professional standards. This policy will be regularly reviewed by the MTC Training and amended where necessary and disseminated to staff for them to read, acknowledge and sign.

3 Containment/ Investigation

3.1 Investigation stage

All suspected cases of malpractice will be examined in accordance with the Awarding Organisation's procedures and regulatory requirements, ensuring the investigation is carried out in a prompt and effective manner and in accordance with this policy. All reasonable steps will be taken to prevent an adverse effect from occurring.

At any time during an investigation the Awarding Organisation reserve the right to impose sanctions on our centre in accordance with their Sanctions Policy; to withhold a learner's and/or cohort's results for all qualifications and/or units they are registered on; and/or apply appropriate restrictions in order to protect the interests of learners and the integrity of their qualifications.

3.2 Containment

In the event that an MTC member of staff is under investigation, MTC Training may suspend them from the specific duty (for example, assessment, delivery or invigilation of examinations) and remove their PIN until the investigation is complete. Disciplinary process in line with the MTC Disciplinary Policy may be triggered.

3.3 Internal investigation process

When a case of malpractice is reported to the MTC Training, the Centre Coordinator will determine if this is the case. If malpractice has taken place the Centre Claims Manager will be notified along with the Quality Enhancement, Compliance and Systems Manager and the Deputy Director - Delivery. A thorough investigation by the coordinator will ensue with all relevant parties involved. On completion, a report will be presented to a third party for confirmation of accuracy and report actions; the report will be returned to the Awarding

Organisation.

3.4 Customer complaint

In the event of a customer complaint as a result of the subsequent reported incident the customer will be directed to the customer complaints policy.

4 Monitoring

Regular monitoring by the MTC Training Senior Leadership Team of the policy and any associated processes will take place on a quarterly basis to ensure compliance with this policy. This monitoring will include vulnerable learners as identified, in particular those who are recent care leavers, in receipt of free school meals (where appropriate) and looked after children. In addition, the MTC Training senior management team will analyse the data with reference to the equality strands to ensure that all learners have equal opportunity for success and that there are no significant gaps in achievement for any groups or sub-groups of learners.