		
ISSUED BY: AO Director Caroline Walton	Awarding Organisation Policies and Procedures	**ISSUE DATE:** January 2026 **REVIEW DATE:** January 2027
	Malpractice & Maladministration Policy	**ISSUE:** V8

Scope and Purpose

This policy applies to the delivery of ELS Apprenticeship Assessments (AA). The policy defines and provides examples of malpractice and maladministration, which may occur in connection with ELS, or any other partners involved in conducting an Apprenticeship Assessment. The process for preventing, investigating and dealing with Malpractice and Maladministration is described within this policy.

Definitions

Malpractice: Illegal, careless or dishonest behaviour while in a professional job.

Maladministration: Lack of care, judgment or honesty in the management of something.

Malpractice and maladministration could have an impact on the following areas:

- AO process and delivery
- Result validity
- ELS' reputation and integrity.

Annex A provides examples of Malpractice and Maladministration.

Aims

ELS and learners should take all reasonable steps to prevent malpractice and/or maladministration from occurring throughout the development, delivery and assessment of all qualifications and programmes.

To reduce the risk of malpractice and/or maladministration occurring, all staff involved in the administration or delivery of assessments will be familiar with this policy and any other specific processes or procedures involved.

In the event of an investigation into Malpractice and Maladministration, all parties involved in the investigation are treated fairly throughout. Evidence pertaining to the investigation will be impartially reviewed.

In addition, a copy of this Policy will be brought to the attention of all learners prior to the commencement of their Apprenticeship Assessments, with a copy made available on request.

Responsibility

All suspected or alleged cases of Malpractice or Maladministration must be brought to the attention of the AO Director.

Submissions can be made by:

- **Customer i.e., learner, training provider or employer:**
- **ELS staff**
- **IQAs** - must be reported to the Quality Assurance Manager.

Any malpractice/maladministration accusations made against the AO Director must go to the Quality Assurance Manager or Managing Director.

Procedure

Investigations into suspected malpractice or maladministration will aim to establish the facts, circumstances, and scale of the alleged issue. This includes identifying the cause, identifying those involved and collating any gathered evidence.

The Quality Assurance Manager will be the main lead throughout any investigation and will ensure all records and evidence presented remain accurate throughout. The investigation process will be conducted as follows:

1. An individual or team completes a malpractice/maladministration report form (provided alongside this policy and available on our website) within 24 hours of the incident and submits to: assessments@explosivelearningsolutions.com

2. An Apprenticeship Assessment Coordinator will acknowledge the form within **three working days** of receiving the allegation. The Quality Assurance Manager will review and verify the malpractice/maladministration report form as well as any evidence available that may justify the allegation.

3. If an investigation into a Malpractice and Maladministration is required, then all parties involved in the claim will be notified in writing within **10 working days** of receiving the allegation. A record of a new claim will be created in the Malpractice and Maladministration Log.

4. The Quality Assurance Manager will conduct an investigation by firstly analysing the evidence provided. They will acknowledge their findings on the Malpractice and Maladministration Log.

5. If required, The Quality Assurance Manager will conduct interviews with relevant parties to find out further information on how and why the Malpractice and Maladministration claim has occurred. The interviews will be carried out by phone call.

Details and outcomes from these interviews will be recorded on the Malpractice and Maladministration Log to use towards the overall decision of the claim.

6. Quality Assurance Manager is responsible for making decisions. Final approval rests with the AO Director or Managing Director. A response to the allegation will be provided along with a full explanation on the outcome. This response will be sent within **10 working days** of acknowledging the allegation. Potential actions appear later in this policy.

7. If the submitter is not content with the decision and outcome provided, they have the right to appeal. Appeals are explained in more detail later in this policy and in our Appeals Policy.

All claims, including materials and evidence within the investigation will be handled appropriately and treated with the highest level of confidentiality as per ELS Data Protection Policy.

Investigation Outcome

If an investigation identifies that allegations are unsubstantiated, then no further action will be taken, and ELS will close the investigation.

If an investigation confirms that malpractice and/or maladministration has taken place, one or more of the following actions may be implemented:

Maladministration

- Process failure or error identified

Malpractice

- Disallowance of all or part of a learner's assessment evidence or marks
- Certificate/qualification will not be issued
- Results withdrawal
- Assessment rescheduled and undertaken again
- Individual suspected of causing malpractice/maladministration is removed

All sanctions are:

- Proportionate
- Consistent
- Documented

Notification of Relevant Parties

ELS also may notify:

- Affected learners
- Employers
- Other AO's

- Centres
- Ofqual, where required

Appeals

All individuals involved have the right to appeal any decisions made regarding malpractice/maladministration. An appeal must be submitted within **10 working days** of the decision being made, detailing why the individual is unhappy. The appeal and decision will be reviewed, and if the decision remains final, a full explanation will be provided. For specific guidance on appeals, see ELS AO Appeals Policy.

For further queries in relation to this policy, contact the Apprenticeship Assessments Team on:
Telephone: 01235 861805 Option 3
Email: assessments@explosivelearningsolutions.com

Continuous Improvement

All Malpractice and Maladministration investigations and the proceeding outcomes are recorded onto the Malpractice and Maladministration Log. The log is reviewed monthly by the AO Director and the Quality Assurance Manager and will be used towards continuous improvement and the preventative approach to ensuring further Malpractice and Maladministration does not occur.

These reviews help ELS identify areas where developments have been identified during the investigation where an outcome has determined that Maladministration and/or Malpractice has been identified.

Every month, the Director of AO reports on the log at the manager's meeting. Any issues are also reported to the Board of Governors.

Review and Version Control

ELS is committed to ensuring all policy documentation is subject to document control and reviewed annually.

RELATED DOCUMENTS: -	**APPROVED BY: -**
004AO Appeals Policy	Caroline Walton, AO Director

Annex A
Examples of Malpractice

- Bringing prohibited materials into an exam
- Impersonation (someone sitting the exam for another learner)
- Collusion between learners.
- Use of AI and presenting it as their own work. AI may be used in an apprentice's job role, but it must NOT be used to create assessment evidence. Apprentices must ensure work submitted for end point assessment is their own. AI includes but is not limited to:
    - Chatbots: Google Bard, Bing, ChatGPT, Drift, Jasper Chat, Bot Makr, Jasper, Google, Hugging Chat, Chatspot, Bloomin etc
    - AI Tools: Midjourney, Grammarly, Chatbot AI, Deep Brain etc.
- Any tools/platform/formula, macro, algorithm used in the course of their work is acceptable.
- Falsifying evidence for portfolios or coursework
- Altering assessment results or certificates

For specific guidance on plagiarism and cheating please see the 008EPA Plagiarism & Cheating Policy.

Centre Malpractice

Examples involving approved centres or training providers:

- Assessor giving learners answers
- Allowing learners extra time without authorization
- Falsifying learner evidence
- Claiming certificates for learners who have not achieved requirements
- Failure to maintain assessment security
- Inventing assessment records
- Assessor or IQA signing work not actually assessed
- Substituting learner work
- Unqualified staff conducting assessments
- Systematic over-marking to inflate achievement rates

Staff / AO Malpractice

Examples involving AO employees, contractors, examiners, or associates:

- Leaking confidential assessment materials
- Altering marks improperly
- Bribery or corruption
- Failing to declare conflicts of interest
- Manipulating moderation outcomes
- Issuing certificates fraudulently
- Fabricating quality assurance records
- Deliberately ignoring suspected malpractice
- Sharing live exam content before or during assessments
- Assessor/examiner collusion with centres

Examples of Maladministration

Assessment Administration Errors

- Incorrect exam timetabling
- Failure to provide approved access arrangements
- Late registration of learners
- Incorrect learner entries
- Sending wrong assessment materials to centres
- Failing to invigilate correctly due to poor training
- Losing learner scripts or coursework
- Administrative mistakes in mark entry
- Incorrect certification details
- Delayed results processing

Quality Assurance Failures

- Inadequate internal quality assurance (IQA)
- Poor record keeping
- Missing assessment documentation
- Failure to standardise assessors
- Incomplete audit trails
- Failure to retain evidence for required periods
- Inconsistent assessment decisions caused by weak controls
- Failure to follow AO procedures correctly

Centre Management Issues

- Staff not trained properly
- Failure to communicate assessment rules to learners
- Weak security over assessment materials
- Poor complaints handling
- Delays responding to AO requests
- Failure to monitor assessor performance
- Inaccurate learner tracking
- Failure to update policies or procedures

Online / Digital Maladministration

- Incorrect setup of remote assessment systems
- Technical failures not managed properly
- Poor password/security controls
- Failure to back up assessment records
- Incorrect upload of learner evidence
- Accidental release of assessment materials early