

		
ISSUED BY: Head of EPA, Caroline Walton	End-Point Assessment Policies and Procedures	ISSUE DATE: September 2022 REVIEW DATE: September 2023
	Malpractice & Maladministration Policy	ISSUE : v4

Scope & Purpose

This policy applies to the delivery of ELS End-Point Assessments (EPA). 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 EPA. The process for preventing, investigating and dealing with Malpractice and Maladministration is described within this policy.

Definitions

Malpractice: deliberate actions or activity that compromise or could compromise the integrity of an EPA.

Maladministration: actions or activity that result in non-compliance with regulations, normally caused by a general mistake.

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

- EPA process and delivery
- result validity
- ELS' reputation and integrity.

Apprentice/Learner

Examples of learner malpractice:

- cheating of any nature, including plagiarism
- deliberate misuse of an accreditation logo
- contravention of examination regulations
- repeated maladministration (three consecutive incidents)
- impersonating someone
- behaving in a disruptive manner
- being in possession of unauthorised materials



For specific guidance on plagiarism and cheating please see the ELS 043. Plagiarism & Cheating Policy.

ELS as an EPA Centre

Examples of centre malpractice include:

- deliberate misuse of an accreditation logo
- contravention of examination regulation
- falsification of documents
- discrimination against a learner
- failure to provide secure storage of exam materials i.e. security breach
- failure to declare conflicts of interest

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 EPA, 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 Head of EPA.

Submission made by customer *i.e. learner, training provider or employer:*

Any case of malpractice and/or maladministration submitted by a learner should be submitted directly to the Head of EPA.

Submission made by ELS staff:

Malpractice and/or maladministration discovered by ELS staff must be reported directly to the Head of EPA.

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



If the Head of EPA suspects any malpractice or maladministration, they must report it to the Managing Director.

Submission made by IQAs:

Malpractice/maladministration discovered by an Internal Quality Assurer (IQA) must be reported to the Quality Assurance Manager.

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 it to epaenquiries@explosivelearningsolutions.com
2. An EPA Coordinator will acknowledge the form within 3 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 final decisions, with the Head of EPA or Managing Director finally checking them. 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.

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

- disallowance of all or part of a learner's assessment evidence or marks
- certificate/qualification will not be issued
- assessment rescheduled and undertaken again
- individual suspected of causing malpractice/maladministration is removed

All Malpractice and Maladministration investigations and the proceeding outcomes are recorded onto the Malpractice and Maladministration log. The log is reviewed on a monthly basis by the Head of EPA 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.

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

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 appeals policy.

For further queries in relation to this policy, contact ELS as below:

Telephone: 01235861805

Email: epaenquiries@explosivelearningsolutions.com

This policy will undergo an annual review process as follows:



1. Reviewer analyses any updates with regards to relevant information i.e. changes to legislation, issue logs etc. If changes have occurred, they will proceed to step 2. If not, the policy is still reviewed regardless of whether amendments are made.
2. Reviewer records their recommendations, and sends these to the relevant project manager, in this case, the Head of EPA.
3. The recommendations are discussed and, if approved, implemented.
4. Version x.2 of the document is created and then sent for quality control.
5. Quality control completed and document re-baselined. Review complete.

RELATED DOCUMENTS:-	APPROVED BY:-
EPA Appeals Policy	James Convery, Director
EPA Malpractice/Maladministration Form	