

TRAIN'D UP

ALLEGED OR SUSPECTED MALPRACTICE OR MALADMINISTRATION POLICY

Part A: Policy

1. General Scope

This document covers malpractice and maladministration for all activities carried out by Train'd Up, in its capacity as a Training Provider.

It sets out Train'd Up's policy and procedures for responding to allegations of malpractice and maladministration and for action where the allegations are upheld.

This document is for use by the following:

- Users of Train'd Up's services, including learners, who are delivering or registered on City and Guilds, EAL, Pearsons or ILM approved qualifications or units within or outside the UK and who are involved in suspected or actual malpractice and maladministration or suspect that it may have occurred;
- Train'd Up staff to enable them to deal with all malpractice and maladministration investigations in a consistent manner.

2. Definitions

The following definition shall apply

Malpractice

For the purposes of this policy it is defined as:

any deliberate activity, act, neglect, default or other practice by an individual (learner, assessor, subcontractor employee, Train'd Up employee, or any other individual involved in providing a qualification), by a centre, by an organisation, or by Train'd Up which, deliberately or wilfully contravenes or ignores the requirements of the regulatory authorities or of Train'd Up, or deliberately or wilfully subverts or compromises the integrity, validity or reliability of any assessment process and/or the validity of any certificates.

For the purposes of this policy it also includes some forms of misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

Maladministration

For the purposes of this policy this is defined as:

Any administrative act, neglect, default or other practice by a subcontractor, or by Train'd Up (or by their employees) which fails to comply with the requirements of the regulatory authorities or of Train'd Up or which otherwise acts to the detriment of the interests of a learner. For the purposes of this policy it also includes persistent mistakes or poor administration by any relevant party.

3. Examples of actions that may constitute malpractice

Examples of actions that may constitute malpractice are listed below. These are examples and Train'd Up reserves the right to consider as malpractice other actions not listed but falling under the general definitions above.

3.1 Learners

- Dishonesty in presenting work for assessment, including
 - Introduction of unauthorised material, instruments or devices into the assessment room
 - Plagiarism, including the copying of work of another learner
 - Collusion between two or more learners

- Deliberate destruction of another learner's work for assessment
- Behaving in such a way as to undermine the integrity of the assessment for themselves or others
- Acting in a disruptive manner during an assessment

3.2 Employees

- Unfair discrimination in assessment (for example, on the grounds of age, sex, ethnicity, marital status etc)
- Deliberate or wilful failure to assess in accordance with
 - The assessment criteria or other assessment requirements
 - The agreed timetable for assessment and certification
- Assisting or prompting learners with the production of answers
- Obtaining unauthorised access to assessment material prior to or after assessment
- Failure to abide by the conditions of supervision designed to ensure the security of assessment

3.3 Subcontractors

- Failure to provide appropriate facilities for the security of assessment and of assessment records
- Failure to keep externally set assessment papers secure prior to or after assessment
- Failure to keep learner, computer or other files secure
- Failure to provide assessment records of learners to Train'd Up or any person acting on behalf of Train'd Up
- Failure to register learners with Train'd Up such that learners are prevented from obtaining the units or qualifications that they are taking
- Denial of access to premises, records, information, learners and staff to any authorised Train'd Up representative and/or regulatory authorities
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with Train'd Up requirements
- Deliberate and persistent failure to adhere to Train'd Up learner registration and certification procedures
- Deliberate and persistent failure to adhere to Train'd Up's requirements as stated in the Subcontractor agreement
- Deliberate failure to maintain appropriate auditable records, e.g. for certification claims and/or forgery of evidence
- Fraudulent claim for certificates
- Permitting the unauthorised use of inappropriate materials or equipment in assessment settings (e.g. mobile phones)
- Intentional withholding of information from Train'd Up which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Deliberate misuse of Train'd Up logo and trademarks or those of the QAA or misrepresentation of a subcontractor's relationship with Train'd Up and/or its recognition and approval by Train'd Up
- Collusion or permitting collusion in exams and assessments
- Learners still working towards qualification after certification claims have been made
- Persistent instances of maladministration within the centre
- Deliberate contravention by the centre and/or its learners of the assessment arrangements Train'd Up specifies for its qualifications
- A loss, theft of, or a breach of confidentiality in, any assessment materials
- Plagiarism by learners or staff
- Unauthorised amendments, copying or distributing of exam/assessment papers/materials
- 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

3.4 Any persons (including acts by those listed above or by members of the public)

- Forgery of certificates
- Threats or inducements to any person involved in the assessment process intended to influence the outcomes of assessment

4. Examples of actions that may constitute maladministration

Examples of actions that may constitute maladministration are listed below. These are examples and Train'd Up reserves the right to consider as maladministration other actions not listed but falling under the general definition of maladministration.

- Administrative fault, such as making a mistake or not following rules or procedures
- Failure to comply with Train'd Up procedures for registering learners
- Delay in registering learners, or in issuing certificates
- Unreasonable delay in responding to requests for information or other communications from Train'd Up
- Inaccurate claims for certificates
- Incorrect action or failure to take any action
- Failure to provide information when reasonably requested to do so
- Inadequate record-keeping
- Failure to investigate
- Misleading or inaccurate statements
- Providing inaccurate advice to learners

5. Relationship with appeals

A learner, in submitting an assessment appeal, may allege malpractice or maladministration as the basis, or one the bases of the appeal, or a suspicion of malpractice or maladministration may arise in the course of an appeal or an enquiry. In such cases these procedures will take precedence over the appeals procedure. (see Policy and Procedure for Appeals).

6. Investigation and actions

In accordance with the requirements of the regulatory authority, all allegations of malpractice or maladministration must be investigated. The nature of the investigation, and of the actions taken if malpractice or maladministration is proven, will be commensurate with the nature and the gravity of the malpractice or maladministration. Train'd Up regards all allegation and suspicions of malpractice or maladministration as potentially serious issues, and as such all must be investigated and recorded formally, no matter how trivial they may at first appear. Any investigations will be reported to the appropriate awarding or funding body on discovery and the results of any investigation, outcome and action taken will also be reported.

7. Responsibility

Overall responsibility for this policy and procedures rests with the General Manager and Train'd Up Directors.

8. Monitoring and Review

An annual report on any cases of malpractice or maladministration including those found not proven, will be made to the Train'd Up Directors.

Train'd Up will review the policy annually as part of its annual self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback, changes in its practices, advice from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous instances of malpractice or maladministration.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice or maladministration remain effective.

Director Policy Approval

This Policy is reviewed as a minimum on an annual basis and is approved and endorsed by the Board of Directors and Senior Management Team.

Signed on behalf of Company Directors:



Name: Alan Wilson
Position: Managing Director
Date: 12/08/2024

END.

