TRAIN'D UP's MALPRACTICE AND MALADMINISTRATION POLICY & PROCEDURE

1. General Scope

This policy covers malpractice and maladministration for all activities carried out by Train'd Up, in its capacity as a Training Provider. This policy includes all learners, Train'd Up employees and those working with our learners in the capacity of an associate, freelance and subcontractor.

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, studying an approved qualification(s) or unit(s) with any Awarding Organisation/ Assessment Organisation or completing an End Point/ Apprenticeship Assessment whether 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

Malpractice consists of those acts which undermine the integrity and validity of assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification. Train'd Up has a duty to ensure that highest standards are maintained in the conduct of assessment.

'Learner malpractice' means malpractice by a learner in the course of any examination or assessment, including the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper.

The proper discharge of this duty is essential to safeguard the legitimate interests of learners and the reputation of Train'd Up. Malpractice is taken very seriously. Train'd Up will take action against any learner or colleagues who contravenes the policy through negligence, foolishness or by deliberate intent.

Maladministration

Any actions, neglect, default or other practice that compromises the accreditation or quality assurance process including the integrity of accredited qualifications, the validity of any certificates, or the reputation and credibility of Accreditation.

Any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate or incomplete learner records).

3. Learner malpractice

3.1 What constitutes Learner 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.

Attempting to or actually carrying out any malpractice activity is not permitted by Train'd Up. The following are examples of malpractice by learners. This list is not exhaustive and other instances of malpractice may be considered by Train'd Up, in consultation with the Awarding Organisations, End Point Assessment Organisations (EPAO) and Assessment Organisations:

- Plagiarism by copying and passing off, as the learner's own, the whole or part(s) of another person's work, including artwork, images, words, computer generated work (including Internet sources), thoughts, inventions and/or discoveries whether published or not, with or without the originator's permission and without appropriately acknowledging the source
- Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work. Learners should not be discouraged from teamwork, as this is an essential key skill for many sectors and subject areas, but the use of minutes, allocating tasks, agreeing outcomes, etc., are an essential part of teamwork and this must be made clear to the learners
- Impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one's place in an assessment/ examination/ test
- Fabrication of results and/or evidence the alteration of any results document, including certificates
- Failing to abide by the instructions or advice of an Assessor, a Tutor or an invigilator
- Failing to abide by Awarding Organisation, EPAO or Assessment Organisation conditions in relation to the assessment/examination/test rules, regulations and security
- Misuse of assessment/examination material
- Introduction and/or use of unauthorised material contra to the requirements of supervised assessment/examination/test conditions, for example: notes, study guides, personal organisers, calculators, dictionaries (when prohibited), personal stereos, mobile phones, smart watches or other similar electronic devices
- Obtaining, receiving, exchanging or passing on information which could be assessment /examination/test related (or the attempt to) by means of talking or written papers/notes during supervised assessment/examination/test conditions
- Behaving in a way as to undermine the integrity of the assessment/ examination/ test
- Cheating to gain an unfair advantage
- Deliberate destruction of another learner's work for assessment

3.1.1 Artificial Intelligence (AI)

The use of Artificial Intelligence(AI) for assessment in most circumstance is prohibited and would be classed as maladministration. Please refer to the AI Misue use policy for further details.

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3.2 Dealing with learner malpractice

The overall responsibility of dealing with malpractice lies with the Head of Centre. It may also under some circumstances be dealt by a person nominated by the Head of Centre. As a part of the procedure the alleged malpractice incident must be reported to the Awarding Organisation, EPAO or Assessment Organisation. Train'd Up will consult with appropriate Awarding Organisation, EPAO or Assessment Organisation when conducting the investigation and following any specific requirements as laid out in their malpractice and maladministration policies. See appendix A for more detail.

Once the alleged malpractice is suspected, the alleged person involved in the activity has to be informed in writing of:

1- Nature of alleged malpractice
2- Possible consequences if malpractice is proven
3- The process for the individual to explain their actions
4- Appeals Procedure following any outcome/ decision

3.3 Investigating Learner Malpractice

Train'd Up will conduct an internal investigation in a predefined and structured way, into the alleged incidents of malpractice. The structure of the investigation is as follows:

- The report of alleged incident is documented and recorded on the malpractice/ maladministration tracker
- The alleged individual is informed about the allegation of the malpractice in writing by the assigned Assessor/ Tutor (or Delivery Director if the Assessor/ Tutor is not available)
- The investigation process will be explained to the alleged individual as well as their right to appeal in case the incident is proven to be true and the process in which to appeal
- The individual is then given 5 day working days to respond to the incident which has to be done in writing
- The response of the individual is then considered thoroughly
- Where suspected malpractice is identified, the Head of Centre or nominated person must submit full details of the case to the relevant Awarding Organisation, EPAO or Assessment Organisation in line with their own policy and procedures.

The Awarding Organisation/EPAO/ Assessment Organisation can:

- Suspend EPA/ Apprenticeship Assessment for the individual
- Withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants it
- Apply the sanctions and penalties listed in this document in cases of proven malpractice
- Report the matter to the regulators and other Awarding Organisations/EPAOs/ Assessment Organisations in accordance with the regulators General Conditions of Recognition
- Report the matter to the police and/or other appropriate authorities if proven malpractice involved the committing of a criminal act

When the investigation is completed, the decision is then passed on to the individual in writing within 5 working days of the investigation being concluded. All stages of an investigation are to be documented, and the records are kept for 3 years after the decision. If at any point, there is any delay in the process the Head of Centre or Nominated person will communicate the delay to the individual with revised timeframes.

3.4 Learner Penalties

There is a variety of sanctions and/or penalties that could be applied upon learners. These sanctions totally depend upon the intensity of the incident and therefore vary in nature. The sanctions/ penalties issued will

be in line with the Awarding Organisations, EPAO and Assessment Organisation's malpractice/ maladministration policy. Following are the few sanctions that could be applied if the malpractice is proven:

- The learner is issued with a written warning about future assessment conduct.
- In the case where there is repetitive conduct of malpractice by a learner, they may be refused to achieve that particular unit or be disqualified for the whole qualification/programme and hence not receive the certificate.

4. Colleague malpractice and maladministration

4.1 What constitutes Colleague malpractice and maladministration

The following are examples that would constitute malpractice by Train'd Up colleagues.
The list is not exhaustive and other instances of malpractice/maladministration may be considered in consultation with the Awarding Organisations, EPAOs and Assessment Organisations:

- Alteration of assessment and grading criteria
- Assisting learners in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves a colleague producing work for the learner
- Producing falsified witness statements, for example for evidence the learner has not generated
- Allowing evidence, which is known by the colleague not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework
- Facilitating and allowing impersonation
- Misusing the conditions for special learner requirements, for example where learners are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment
- Failing to keep learner computer files secure
- Falsifying records/certificates, for example by alteration, substitution, or by fraud
- Fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment
- Failing to keep assessment/examination/test papers secure prior to the assessment/ examination/test
- Failure to maintain integrity of supervised assessments/exams
- Failure to comply with or deliberate breach of JCQ, Awarding Organisation, EPAO and Assessment Organisation regulations/codes of practice
- Any action that compromises the reputation and credibility of Train'd Up as an approved centre
- Forgery of certificates
- Threats or inducements to any person involved in the assessment process intended to influence the outcomes of assessment
- Administrative fault, such as making a mistake or not following rules or procedures
- Failure to comply with Train'd Up procedures for registering learners

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- Delay in registering learners, or in issuing certificates
- Unreasonable delay in responding to requests for information or other communications from Train'd Up
- 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

4.2 Dealing with Colleague Malpractice and Maladministration

The overall responsibility of dealing with malpractice lies with the Head of Centre. It could also, under some circumstances, be dealt by a person nominated by the Head of Centre. As a part of procedure, the alleged malpractice/maladministration incident has to be reported to the Awarding Organisation, EPAO or Assessment Organisation once the alleged malpractice is suspected, the alleged person involved in the activity has to be informed in writing of:

1) Nature of alleged malpractice/maladministration
2) Possible consequences if malpractice/maladministration is proven
3) The process for the individual to explain their actions
4) Appeals Procedure following any outcome/ decision

4.3 Investigating colleague Malpractice and Maladministration

Train'd Up will conduct investigation in a pre-defined and structured way, into the alleged incidents of malpractice. These investigations are supported by the Head of Centre

The structure of the investigation is as follows:

- The report of alleged incident is documented, and the People & Culture Team will be informed
- The alleged individual is informed about the allegation of the malpractice/maladministration in writing following guidance form the People & Culture Team
- The alleged individual is then explained the right and procedures regarding appeal in case the incident is proven to be true
- The individual is then given time and opportunity to respond to the incident this has to be done in writing
- The response of the individual is then considered thoroughly
- The investigation is then completed, and decision is then passed on to the individual in writing within 5 working days
- All stages of this investigation are to be documented, and the records are kept for 3 years after the decision

If at any point, there is any delay in the process the Head of Centre or Nominated person will communicate the delay to the individual with revised timeframes.

After investigating an allegation of malpractice/maladministration, the Head of Centre must submit a full written Report of the case to the relevant Awarding Organisation, EPAO or Assessment Organisation.

The report should be accompanied by the following documentation, as appropriate:

- A statement of the facts, a detailed account of the circumstances of the alleged malpractice/maladministration, and details of any investigations carried out by the centre
- Written statement(s) from the invigilator(s), assessor, internal verifier(s) or other colleague/s who are involved
- Written statement(s) from the candidate(s)
- Any mitigating factors
- Information about the centre's malpractice/maladministration procedures
- Seating plans showing the exact position of candidates in the examination room;
- Any unauthorised material found in the examination room
- Any work of the candidate and any associated material (e.g. source material for coursework) which is relevant to the investigation
- If relevant to JCQ reporting, the following need to be completed and submitted:
  Form **JCQ/M1** or Form **JCQ/M2 and JCQM3** should be used as the basis of the Report.

  Forms are available from the JCQ website: www.jcq.org.uk/exams-office/malpractice

The Awarding Organisation, EPAO or Assessment Organisation will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The Head of Centre will be informed accordingly.

4.4 Colleague Malpractice and Maladministration Penalties

There is a variety of sanctions and/or penalties that could be applied upon colleagues. These sanctions totally depend upon the intensity of the incident and therefore vary in nature.
Following are the few sanctions that could be applied if the malpractice/ maladministration is proven:

- The colleague is issued with a verbal, written or final warning about future assessment/administration conduct. Depending on the severity of the malpractice/maladministration, they may have their employment terminated. The People & Culture Team would be involved in all colleagues' disciplinary actions.

- In the case where malpractice/maladministration is proven against a Assessor/ Tutor they will be subject to 100% sampling as per the IQA strategy and observations would increase as per the Quality Improvement Strategy.

- The colleague may also be barred from the use of certain administrative tools depending upon the nature of malpractice/maladministration.

- Once the investigation finding is reported and investigated by an Awarding Organisation, EPAO or Assessment Organisation they may impose the sanctions or penalties against the colleague or Train'd Up.

- If a colleague moves to another centre while being subject to a sanction, the Head of Centre must notify the Awarding Organisation, EPAO or Assessment Organisation of the move.

- Awarding Organisation, EPAOs and Assessment Organisation reserve the right to inform the Head of Centre to which the colleague is moving to as to the nature of, and the reason for the sanction.

The Quality Director is the owner of this document and has approved its publication. The document owner is responsible for ensuring that this procedure is reviewed annually.
This document is issued on a version-controlled basis and is available to all colleagues on the corporate intranet.

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5. Identification/ Suspected malpractice or maladministration

Where malpractice or maladministration is suspected the following form must be completed.

Suspected Malpractice, Maladministration and AI Misuse Reporting Form

6. 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).

7. Responsibility

Overall responsibility for this policy and procedures rests with the Quality Director.

8. Monitoring and Review

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, advise 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 cased of malpractice or maladministration remain effective.

9. Director Policy Approval

This Policy is reviewed as a minimum on an annual basis and is approved and endorsed by the Senior Leadership Team.

Signed on behalf of Company Directors:



Name: Fallon Southwell
Position: Quality Director
Date: 13/08/2026

10. Document management

Owner:	Quality Director
Effective Date:	Pre 2026
Next Review Date:	12/08/2027
Document reference:	Malpractice & Maladministration Policy & Procedure V7

11. Change History Record

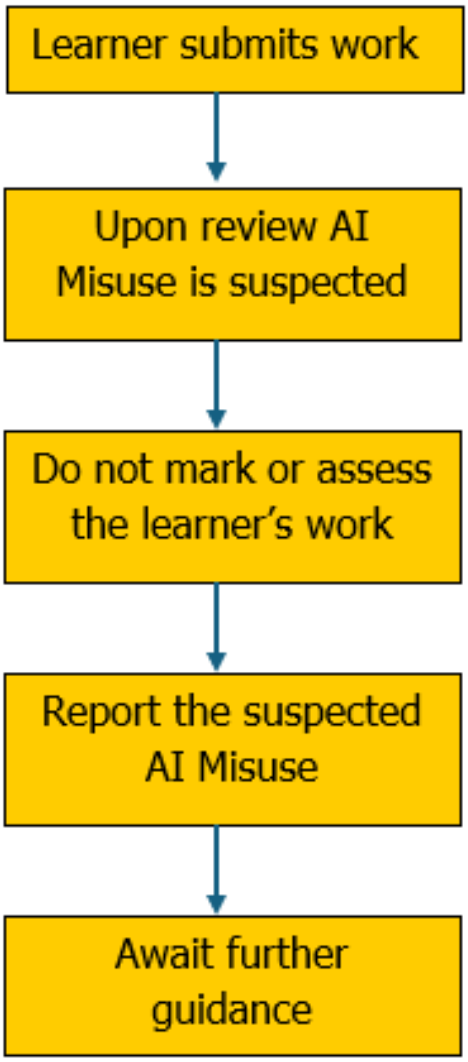
Version control	Substantive change narrative	Author of substantive change	Date of substantive change
7.0	1) provided more clarity of procedure 2) updated responsibilities 3) removed subcontracting malpractice	Quality Director	12/08/2026

	4) included links to external guidance		

Appendix 1- Awarding Organisation/ EPAO/ Assessment Organisation's Malpractice and maladministration policy's

Company	Awarding Organisation Assessment Organisation EPAO	Policy location
ECITB	Awarding Organisation	ECITB Awarding Organisation Malpractice, Maladministration and Whistleblowing Policy and Procedures
Pearson	Awarding Organisation	Centre guidance for dealing with malpractice and maladministration Underpinned by JCQ
City and Guilds	Awarding Organisation EPAO	Centre document library | City & Guilds Underpinned by JCQ
ILM	Awarding Organisation EPAO	Centre document library | City & Guilds Underpinned by JCQ
NOCN	Awarding Organisation EPAO	NOCNMalpracticeandMaladministrationPolicyandProcedure(V6.2202508).pdf
EAL	Awarding Organisation EPAO	EAL Maladministration and Malpractice Policy V8.1 - March 2026.pdf
Energy and Environment Awards	EPAO	Malpractice-Maladministration-Policy-v9.pdf
SIAS	EPAO	SIAS-Pinnacle-Malpractice and Maladministration Policy.pdf
The Rail Academy	EPAO	TRA-L1-INT-004-Malpractice-Maladministration-Policy.pdf
Rail Professional Development (RPD)	EPAO	RPD_Malpractice_&_Maladministration_Policy.pdf
Highfield	EPAO	TBC
JCQ	NA	Malpractice – Joint Council for Qualifications

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Learner submits work
Upon review AI Misuse is suspected
Do not mark or assess the learner's work
Report the suspected AI Misuse
Await further guidance

END.

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