

## **Malpractice and Maladministration Policy**

This policy is designed to enable Dynamo Healthcare Training Ltd (DHCT) to work co-operatively to reduce levels of malpractice through the effective detection of irregularities and the reporting and investigation of any malpractice. This policy is aimed at our customers, including learners, who are delivering/registered on apprenticeship programmes, courses, approved qualifications, or units within or outside the UK, and who are involved in suspected or actual malpractice/maladministration.

### **The centre's responsibility**

It is important that learners and all staff involved in the management, assessment and quality assurance of our qualifications are fully aware of the contents of the policy. They must also be aware that we have arrangements in place to prevent and investigate instances of malpractice and maladministration.

### **Definition of maladministration**

Maladministration is essentially any activity or practice that results in non-compliance with administrative regulations and requirements, including the application of persistent mistakes or poor administration.

### **Definition of malpractice**

Malpractice is essentially any activity or practice that deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records to claim certificates. For the purpose of this policy, this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners

Dynamo Healthcare Training (DHCT) does not tolerate actions (or attempted actions) of malpractice by learners or by staff, in connection with any awarding body qualification, e.g. any acts which undermine the integrity and validity of assessment, the certification of qualifications and the authority of those responsible for conducting assessment and certification.

### **Examples of maladministration:**

- Persistent failure to adhere to our learner registration and certification procedures.
- Persistent failure to adhere to our centre recognition, qualification requirements and/or associated actions assigned to the centre.
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from the awarding organisation.
- Inaccurate claims for certificates
- Failure to maintain appropriate, auditable records, for example, certification claims.

### Examples of Centre staff malpractice:

- Alteration of the awarding body's assessment and grading criteria
- Plagiarism by learners/staff.
- Copying from another learner (including using ICT to do so)
- Withholding of information, by deliberate act or omission
- Knowingly allowing the use of AI in creation of learner work
- Producing falsified witness statements, for example for evidence the learner has not generated.
- Misusing the conditions for reasonable adjustments or special considerations such that 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 fraud
- Fraudulent certificate claims, by claiming for a certificate prior to the learner completing all the requirements of assessment.
- Maladministration, by failing to keep the required records and documents and failing to adhere to awarding body administrative procedures.
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with requirements.
- Collusion or permitting collusion in exams/assessments.
- Learners still working towards qualification after certification claims have been made.

### Examples of Learner malpractice:

- Plagiarism by copying and passing off, as the learner's own, all or part of another person's work, of any kind and, in particular, items from a website, 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. Teamwork is valuable and an essential key skill in many sectors and must be evidenced appropriately.
- Impersonation, by pretending to be someone else.
- Failing to abide by the instructions or advice of an assessor or awarding body regulations.
- Misuse of assessment material
- The alteration of any results document, including certificates

### Prevention of or minimising malpractice

DHCT will take steps to prevent or reduce the occurrences of learner malpractice.

These steps will include:

- Learners will undergo an induction which will inform learners of the centre's policy on malpractice and the penalties for attempted and actual incidents of

malpractice, and they will be provided with a copy of the policy in the learner handbook.

- Showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Learners should not be discouraged from conducting research; indeed evidence of relevant research often contributes to the achievement of higher grades. However, the submitted work must show evidence that the learner has interpreted and synthesised appropriate information and has acknowledged any sources used.
- Introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating, etc. These procedures may include:
  - Periods of supervised sessions during which evidence for assignments, tasks or coursework is produced by the learner.
  - Altering assessment assignments/tasks/tools on a regular basis.
  - The assessor assessing work for a single assignment/task in a single session for the complete cohort of learners.
  - Using oral questions with learners to ascertain their understanding of the concepts, application, etc within their work
- Assessors getting to know their learners' styles and abilities, etc.
- Ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers.
- For qualifications, each learner will provide a written declaration that the evidence is authentic, and that the assessment was conducted under the requirements of the assessment specification.

### **Reporting Alleged Malpractice and Maladministration**

For any accredited courses and qualifications, any malpractice, or attempted acts of malpractice/maladministration, which have influenced the assessment outcomes, must be reported by the Centre to the Awarding Organisation.

Any staff discovering or that suspect malpractice or maladministration has taken place will report the matter immediately to the Managing Director and/or Quality Lead in writing with supporting evidence.

The Director/Quality Lead will report any suspicions to the relevant awarding body.

In all cases of suspected malpractice and maladministration reported, DHCT will protect the identity of the 'informant' in accordance with our duty of confidentiality and/or any other legal duty.

Staff found to have committed malpractice following investigation will be withdrawn from teaching that course, and will be the subject of a disciplinary hearing, which may result in dismissal.

Learners should be aware that awarding bodies will contact police authorities in serious cases and consider prosecution. Also, credits and certificates previously achieved may be withdrawn and details of the offence may be passed to other awarding bodies.

Learners found to have committed malpractice following investigations will be withdrawn from the course and may be excluded from future enrolments on DHCT courses.

### **Investigation timelines and summary process**

We aim to action and resolve all stages of the investigation within 10 working days of the receipt of the allegation.

The fundamental principle of all investigations is to conduct them in a fair, reasonable, and legal manner, ensuring that all relevant evidence is considered without bias.

Where a member of DHCT staff or an associate of DHCT is under investigation, we may suspend them or move them to other duties until the investigation is complete.

### **Malpractice discovered by the Awarding Body**

When dealing with alleged malpractice in a centre, the Awarding Organisation will deal primarily with the Director or Quality Lead.

The Awarding Organisation may require full access to a Centre for investigation purposes. As part of the investigation the Awarding Organisation retains the right to:

- involve the learner and others in the investigation process
- deal with the learner (if aged 18 or above) and/or the learner's representative.

During the investigation period, the Awarding Organisation may:

- refuse learner registrations/entries.
- withhold the release of results/certificate,
- withhold test/examination papers if the security of a test/examination is considered at risk pending the outcome of the investigation.

If malpractice is discovered by an Awarding Organisation representative or has been reported directly to the Awarding Organisation by a third party, the relevant Awarding Body will conduct an investigation in a form commensurate with the nature of the malpractice allegation. Such an investigation will require the full support of the Director and Quality Lead and all personnel linked to the allegation.

In suspected cases of malpractice that involve an Awarding Organisation representative (e.g. EQA); the relevant Awarding Organisation will conduct an investigation appropriate to the nature of the allegation.

For accredited courses and qualifications, any alleged incident of malpractice brought to the awarding body's attention after the issue of certification will result in a full investigation by the awarding body. Depending on the outcome of the investigation, certificates may be recalled and declared invalid.

The Awarding Organisation reserves the right to access any documents held by the Centre in relation to alleged malpractice. Also, as required by the regulator, the Awarding Organisation may report to the regulatory authorities' certain cases (e.g. where members of staff are found to have committed malpractice) and include details of the action taken by the Director or Quality Lead.

It may be necessary during this process to notify the funding authorities and for the Awarding Organisation to share information with other Awarding Organisations. The Awarding organisation may have to notify the police in some cases of malpractice.

### **Investigation report**

After any investigation, DHCT Director will produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and us.

If it were an independent/third party that originally notified us of the suspected or actual case of malpractice, DHCT will also inform them of the outcome (normally within 10 WORKING DAYS of making our decision). In doing so, we may withhold some details if disclosing such information would breach a duty of confidentiality or any other legal duty.

If it is an internal investigation against a member of staff acting on behalf of, or representing DHCT, the report will be agreed by the managing director or Quality Lead, along with the relevant internal managers, and appropriate internal disciplinary procedures will be implemented.

In addition to the above, DHCT Quality Lead will record any lessons learnt from the investigation and pass these onto relevant internal colleagues to help prevent the same instance of maladministration or malpractice from reoccurring.

If the relevant party or parties wish to appeal against our decision to impose sanctions, please refer to our Complaints Procedure and learner handbook.

Appeals to the Awarding Body against penalties and sanctions arising from malpractice may only be made by the Managing Director or Quality Lead on behalf of learners and/or members of staff.

Individual members of Centre staff may appeal to the Awarding Body in respect of decisions taken against them personally.

**Malpractice/Plagiarism  
Investigation Report**

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| Name of person completing the form:                |  |
| Date completed:                                    |  |
| In relation to whom (state name)                   |  |
| Describe issue:                                    |  |
| Actions undertaken:                                |  |
| Any further action required (state details if yes) |  |
|  |  |
| Review date if needed:                             |  |
| Final Outcome / Action Plan                        |  |
| Position of Person investigating                   |  |
| Signed:  |  |