1st for Awarding Ltd
Malpractice and Maladministration Policy

1. Policy Purpose

1st for Awarding is committed to protecting the integrity, validity and reputation of the qualifications and assessments it makes available.

This policy sets out the arrangements for preventing, identifying, reporting, investigating and managing suspected or alleged malpractice and maladministration. It defines the responsibilities of learners, Centres, Centre staff, associates, contractors, third parties and 1st for Awarding personnel.

1st for Awarding will take all reasonable steps to prevent malpractice and maladministration and, where concerns are identified, will investigate them appropriately, take proportionate action and implement measures to prevent recurrence.

Suspected or alleged incidents of malpractice or maladministration will be investigated in accordance with 1st for Awarding's Malpractice and Maladministration Investigation Process.

2. Scope

This policy applies to:

- Learners.
- Approved Centres.
- Centre staff.
- Assessors.
- Internal Quality Assurers (including Lead IQAs).
- External Quality Assurers (EQAs).
- Associates.
- Contractors.
- Consultants.
- Employees of 1st for Awarding.
- Any third party acting on behalf of 1st for Awarding.

The policy applies to all activities associated with:

- Qualification development.
- Assessment design.
- Assessment delivery.
- Internal quality assurance.
- External quality assurance.
- Awarding activities.
- Certification.
- Centre management and administration.

3. Definitions

3.1 Malpractice

Malpractice means any deliberate act, default, practice or omission which compromises, or could compromise:

- The assessment process.
- The integrity of a regulated qualification.
- The validity of a result, qualification or certificate.
- The reliability of assessment decisions.
- The reputation of 1st for Awarding.
- Public confidence in qualifications and assessment.

Malpractice may range from failures to maintain appropriate records, controls or systems through to the deliberate falsification of documents, records or evidence.

Failure to identify, investigate, report or appropriately manage malpractice may itself constitute malpractice.

3.2 Maladministration

Maladministration is defined as any activity, practice, neglect, or omission that results in non-compliance with published requirements, where there is no evidence of deliberate intent.

Examples may include:

- Administrative errors.
- Failure to follow procedures.
- Incorrect learner registrations.
- Certification errors
- Inadequate record keeping.
- Failure to communicate requirements correctly.
- Delays impacting assessment or certification.

4. Types of Malpractice

The examples below are not exhaustive.

4.1 Learner Malpractice

Learner malpractice may occur during the preparation, production, submission, authentication or assessment of evidence, or during any activity associated with the assessment, awarding or certification process.

Examples of learner malpractice include, but are not limited to:

- Plagiarism, including presenting another person's work, ideas, research or assessment evidence as their own.
- Collusion with another learner where work is required to be completed independently.

- Copying from another learner during an assessment.
- Impersonation, including arranging for another individual to complete an assessment or produce evidence on the learner's behalf.
- Falsifying, fabricating or misrepresenting assessment evidence, records, documentation or achievements.
- Submitting work that is not the learner's own.
- Failing to acknowledge sources appropriately where required.
- Using unauthorised materials, devices, notes, communication methods or aids during an assessment.
- Cheating or attempting to gain an unfair advantage during an assessment.
- Misusing artificial intelligence (AI) or other technologies in a way that compromises the authenticity, validity or integrity of assessment evidence.
- Altering, tampering with or attempting to amend assessed work or assessment records after submission without authorisation.
- Disclosing, sharing or attempting to obtain confidential assessment materials without authorisation.
- Engaging in behaviour that disrupts or compromises the conduct of an assessment.
- Including inappropriate, offensive, discriminatory or abusive content within assessment evidence where it is unrelated to assessment requirements.
- Making fraudulent claims relating to assessment, prior achievement, identity or eligibility.
- Failing to comply with assessment instructions, assessment conditions or qualification requirements where this may compromise the integrity of the assessment process.

There may be other instances of learner malpractice which could compromise, or have the potential to compromise, the integrity, validity or reliability of an assessment, qualification or certification decision. The examples above are not exhaustive.

4.2 Centre Malpractice

Centre malpractice refers to any act, default, practice, omission or systemic failure by a Centre that compromises, or has the potential to compromise, the integrity, validity, security or quality of qualifications or assessments.

Examples of Centre malpractice include, but are not limited to:

- Failing to maintain the security and confidentiality of assessment materials, assessment records or certification information.
- Failing to provide appropriate assessment conditions, facilities, resources or arrangements required for the delivery of qualifications.
- Failing to comply with awarding organisation requirements, qualification requirements, policies, procedures or regulatory requirements.
- Failing to implement, maintain or monitor effective assessment, internal quality assurance or quality management arrangements.
- Failing to investigate, report or appropriately manage suspected malpractice or maladministration.

- Failing to cooperate fully with investigations conducted by 1st for Awarding or relevant regulators.
- Failing to retain required records or documentation relating to assessment, quality assurance, learner achievement or certification.
- Submitting inaccurate, misleading or fraudulent learner registration, assessment or certification claims.
- Failing to identify, declare, manage or monitor actual, potential or perceived conflicts of interest.
- Failing to protect learner, assessment or awarding organisation information from unauthorised access, disclosure or misuse.
- Permitting practices that provide learners with an unfair advantage or disadvantage.
- Providing false, misleading or inaccurate information to 1st for Awarding, regulators or other stakeholders.
- Systemic failures in assessment, quality assurance or administrative arrangements that compromise qualification integrity.
- Systemic discrimination or failure to provide fair, equal and inclusive access to qualifications and assessments.
- Failing to implement corrective actions or sanctions required by 1st for Awarding following an investigation.
- Any organisational policy, practice, culture or omission that compromises, or could compromise, the validity, reliability, integrity or reputation of qualifications or assessments.

There may be other instances of Centre malpractice which could compromise, or have the potential to compromise, the integrity, validity or reliability of qualifications, assessments or certification decisions. The examples provided above are not exhaustive.

4.3 Centre staff malpractice

Centre staff malpractice refers to malpractice committed by an employee, contractor or representative acting on behalf of a Centre in connection with the delivery, assessment, quality assurance or administration of qualifications.

Examples of Centre staff malpractice include, but are not limited to:

- Breaching assessment security requirements or failing to maintain the confidentiality of assessment materials.
- Falsifying learner assessment evidence, assessment records, achievement records, results or certification claims.
- Altering assessment decisions, learner outcomes or assessment records without appropriate authority or justification.
- Providing unauthorised assistance, guidance, coaching, prompting or support to learners beyond that permitted by qualification requirements.
- Facilitating, encouraging or knowingly permitting plagiarism, collusion, impersonation or other forms of learner malpractice.
- Completing assessment evidence on behalf of a learner or allowing another person to do so.

- Providing learners with information that may give them an unfair advantage before, during or after an assessment.
- Granting, recommending or applying reasonable adjustments or special consideration without appropriate justification, evidence or approval.
- Deliberately failing to apply qualification, assessment or quality assurance requirements.
- Failing to declare, manage or disclose actual, potential or perceived conflicts of interest.
- Concealing, ignoring or failing to report suspected malpractice or maladministration.
- Creating, altering or submitting false, misleading or fraudulent information, records or documentation.
- Breaching confidentiality requirements relating to learners, assessment materials or awarding organisation information.
- Maladministration that results in significant non-compliance, learner disadvantage or risks to qualification integrity.
- Discriminating against, harassing or unfairly disadvantaging learners or other stakeholders.
- Misusing access to learner, Centre or awarding organisation information.
- Deliberately providing false or misleading information to 1st for Awarding, regulators or investigators.
- Failing to cooperate with an investigation into suspected malpractice or maladministration.

There may be other instances of Centre staff malpractice which could compromise, or have the potential to compromise, the integrity, validity or reliability of qualifications, assessments or certification decisions. The examples provided above are not exhaustive.

5. Responsibilities for reporting, investigating and managing suspected or alleged malpractice

5.1 Reporting and Management

1st for Awarding is committed to preventing malpractice and maladministration wherever possible and will work proactively with Centres and other stakeholders to minimise the risk of occurrence.

Any person who identifies, suspects or becomes aware of potential malpractice or maladministration must report their concerns as soon as reasonably practicable.

Concerns may be reported directly to 1st for Awarding or through appropriate Centre management arrangements. Centres must ensure that all suspected incidents are escalated promptly to 1st for Awarding in accordance with this policy.

Upon receipt of an allegation or report of suspected malpractice or maladministration, 1st for Awarding will assess the nature, severity, scope and potential impact of the matter and determine the most appropriate course of action.

Investigations will be undertaken:

- Fairly.
- Impartially.
- Proportionately.
- Promptly.
- Confidentially, where appropriate.
- By individuals who possess the necessary competence and authority.
- By individuals who have no actual, potential or perceived conflict of interest in the outcome.

Where appropriate, immediate action will be taken to prevent, minimise or mitigate any actual or potential adverse effect arising from suspected or confirmed malpractice or maladministration.

The Responsible Officer has overall responsibility for ensuring that suspected or confirmed malpractice and maladministration are managed in accordance with regulatory requirements, this policy and associated procedures.

The Responsible Officer is responsible for determining whether suspected or confirmed malpractice or maladministration requires notification to the relevant regulator(s) in accordance with applicable regulatory requirements.

The Responsible Officer will notify the relevant regulator(s) without undue delay where 1st for Awarding has reasonable cause to believe that malpractice or maladministration has occurred, or is likely to occur, and where it could:

- Invalidate the award of a qualification or assessment.
- Affect learners, Centres, employers or other stakeholders.
- Affect another awarding organisation.
- Result in an adverse effect.
- Otherwise require notification under applicable regulatory requirements.

5.1.1 Reporting concerns

Any person who identifies, suspects or becomes aware of potential malpractice or maladministration should report their concerns as soon as reasonably practicable.

Reports of suspected or alleged malpractice or maladministration should be made to:

Quality and Compliance Team

quality@1stforawarding.co.uk

Reports should include, where available:

• details of the allegation or concern.

• the individuals involved.

• any supporting evidence.

• details of any actions already taken.

Reports may be submitted by learners, Centres, Centre staff, employers, associates, contractors, members of the public or any other interested party.

5.2 Regulatory notification and adverse effects

The Responsible Officer is responsible for determining whether an incident of malpractice or maladministration is required to be reported to the relevant regulator(s).

1st for Awarding will notify the relevant regulator(s) without undue delay where it has reasonable cause to believe that malpractice or maladministration has occurred, or is likely to occur, and where the incident:

- could invalidate the award of a qualification or assessment;
- could affect the integrity, validity or reliability of qualifications or assessments;
- could adversely affect learners, Centres, employers or other stakeholders;
- could affect another awarding organisation;
- could result in the issue of invalid certificates or incorrect assessment outcomes;
- could lead to an adverse effect; or
- otherwise meets the criteria for notification under applicable regulatory requirements.

Where malpractice or maladministration is identified, 1st for Awarding will take all reasonable steps to identify, manage, mitigate and, where possible, correct any adverse effect arising from the incident.

Such action may include:

• placing a temporary hold on certification;

• reviewing assessment decisions;

• conducting additional quality assurance activities;

• correcting learner records;

• withdrawing or reissuing certificates;

• implementing corrective and preventive actions;

• notifying affected parties where appropriate.

1st for Awarding will maintain records of all regulatory notifications, associated actions and outcomes.

5.3 1st for Awarding's responsibilities

1st for Awarding will:

- Take all reasonable steps to prevent malpractice and maladministration in the development, delivery, assessment and award of qualifications.
- Maintain and implement effective policies, procedures and controls for preventing, reporting and investigating malpractice and maladministration.
- Ensure that investigations are conducted rigorously, effectively and proportionately.
- Ensure investigations are carried out by suitably competent individuals with no conflict of interest in the outcome.

- Maintain appropriate records relating to allegations, investigations, findings, actions and outcomes.
- Monitor and review Centre arrangements for preventing and managing malpractice and maladministration.
- Provide guidance and support to Centres where appropriate.
- Take prompt action to identify, manage, mitigate and, where possible, correct any adverse effects arising from malpractice or maladministration.
- Impose proportionate sanctions where malpractice is confirmed.
- Notify regulators and other affected parties where required.
- Take appropriate steps to prevent recurrence.

Where malpractice or maladministration is identified, 1st for Awarding will take all reasonable steps to:

- Establish the facts.
- Determine the extent and impact of the issue.
- Protect the interests of learners.
- Safeguard the integrity of qualifications and assessments.
- Address any adverse effects.
- Prevent recurrence.

5.4 Centre responsibilities

Centres must take all reasonable steps to support 1st for Awarding in complying with regulatory requirements.

Centres must:

- Maintain effective arrangements for preventing, identifying and managing malpractice and maladministration.
- Ensure relevant staff are aware of, and comply with, malpractice and maladministration requirements.
- Review malpractice and maladministration arrangements regularly to ensure they remain effective and fit for purpose.
- Investigate suspected incidents promptly and appropriately.
- Notify 1st for Awarding immediately of any actual, suspected or alleged malpractice or maladministration.
- Cooperate fully with any investigation undertaken by 1st for Awarding.
- Provide access to records, documentation, systems, staff, learners, contractors and any other information required during an investigation.
- Implement corrective and preventive actions identified by 1st for Awarding.
- Take appropriate and proportionate action against those responsible for confirmed malpractice or maladministration.
- Maintain records of investigations, actions taken and outcomes achieved.

Where requested by 1st for Awarding, Centres must provide written reports, action plans and evidence demonstrating completion of required actions.

5.5 Associates, Contractors and Third Parties

Associates, contractors and third parties acting on behalf of 1st for Awarding must:

- Comply with all relevant regulatory, contractual and organisational requirements.
- Maintain confidentiality and security of information.
- Declare any actual, potential or perceived conflicts of interest.
- Report suspected malpractice or maladministration promptly.
- Cooperate fully with investigations.
- Provide information or evidence reasonably requested by 1st for Awarding.

6. Identifying malpractice and suspected malpractice

Malpractice and suspected malpractice may be identified through quality assurance activity, assessment activities, Centre monitoring, complaints, whistleblowing reports, stakeholder feedback, audit activities or information received from regulators, Centres, employers, learners, members of the public, other awarding organisations, or other relevant stakeholders

Individuals who raise concerns honestly and in the reasonable belief that malpractice or maladministration may have occurred will not be disadvantaged as a result of making a report. Malpractice or suspected malpractice may be identified at any stage of the qualification lifecycle, including:

At Centre level, through:

- Ongoing quality assurance activity and monitoring.
- Complaints, concerns or feedback received from Centre staff, learners, employers or other stakeholders.
- Internal reviews or audits conducted by the Centre.

At assessment level, through:

- Assessment delivery and quality assurance activities.
- Monitoring of assessment practices and learner evidence.
- Intelligence, complaints, concerns or feedback received, for example from learners, Centre staff, employers, whistle blowers or other stakeholders.
- Information received from other organisations, for example other awarding organisations.

At awarding organisation level, through:

- Scheduled quality assurance activity and monitoring.
- Audit and Compliance Reviews
- Intelligence, complaints or feedback received, for example from learners, Centre staff, whistle blowers or other stakeholders.
- Information from other organisations, for example other awarding organisations.

At regulator level, through:

- Intelligence, complaints or feedback received.
- Regulatory monitoring and oversight activities

7. Investigation arrangements

All allegations of suspected malpractice or maladministration will be reviewed and investigated in accordance with the Malpractice and Maladministration Investigation Process.

Investigations will normally commence as soon as reasonably practicable following receipt of an allegation or suspicion of malpractice or maladministration.

Investigations may be conducted by 1st for Awarding, by a Centre acting on behalf of 1st for Awarding, or jointly, depending on the nature, severity, scope and associated risk of the allegation.

Where a Centre is requested to undertake part of an investigation, 1st for Awarding will retain overall responsibility for reviewing the evidence, determining the outcome and applying any sanctions or corrective actions where appropriate.

The purpose of an investigation is to:

- Establish the facts.
- Determine whether malpractice or maladministration has occurred.
- Identify those responsible.
- Assess the impact on learners, qualifications and stakeholders.
- Evaluate any potential adverse effect.
- Determine whether corrective action is required.
- Identify whether any certification decisions may be affected.
- Determine whether sanctions are required.
- Identify any lessons learned.
- Prevent recurrence.

All relevant parties are required to cooperate fully with investigations and provide information, documentation, records, statements or evidence reasonably requested.

Where allegations relate to a learner, the learner will normally:

- Be informed of the allegation.
- Be given an opportunity to respond.
- Be informed of the outcome.
- Be advised of any right of appeal.

1st for Awarding may undertake investigations directly or may require a Centre to undertake part of an investigation on its behalf. In such cases, the Centre must provide a written report, supporting evidence and details of any actions taken.

1st for Awarding reserves the right to conduct its own investigation or to extend the scope of a Centre investigation where necessary to protect the integrity of qualifications or meet regulatory requirements.

Records of all allegations, investigations, findings, decisions, sanctions and actions will be retained in accordance with 1st for Awarding's document retention arrangements and regulatory requirements.

8. Sanctions and penalties

Where malpractice is confirmed, 1st for Awarding may impose sanctions proportionate to the nature, severity and impact of the matter.

Where appropriate, 1st for Awarding will seek the cooperation of third parties in taking such action. Where malpractice by a member of staff in a Centre is established, any disciplinary action is the responsibility of the Centre as the employer. The action taken should be appropriate and proportionate.

Sanctions may include:

8.1 Learners

- Loss of marks.
- Invalidation of assessment results.
- Disqualification from an assessment.
- Disqualification from a qualification.
- Restrictions on future assessment entry.

8.2 Centres

- Increased monitoring.
- Suspension of registrations.
- Suspension of certification claims.
- Action plans.
- Withdrawal of qualification approval.
- Withdrawal of Centre approval.

8.3 Centre staff

- Restrictions on involvement in qualification delivery.
- Mandatory retraining.
- Removal from assessment activities.
- Referral to professional or regulatory bodies where appropriate.

9. Appealing against decisions and penalties

Learners, Centres and other affected parties have the right to appeal decisions arising from malpractice or maladministration investigations where they are directly affected by the outcome.

Appeals will be managed in accordance with the Complaints and Appeals Policy at www.1stforawarding.co.uk/policies

If you have any questions or queries relating to this policy or the procedures, please contact 1st for Awarding.

10. Contacts

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This document will be reviewed annually and updated as required