



## Malpractice & Maladministration Procedure

Date	Review Date	Designated Lead	Deputy Designated Lead
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### Introduction

Liberty Training will investigate instances of alleged or suspected malpractice or maladministration and will take appropriate action where required to maintain the integrity of units and qualifications.

Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates.

Maladministration is any activity, neglect, default or other practice that results in the centre not complying with the specified requirements for delivery of units and qualifications.

Should an alleged malpractice/maladministration arise on the part of the learners, centre staff, or others involved in providing a qualification, Liberty Training will:

1. Report immediately to the awarding body any suspected case of malpractice/maladministration arising after learners have been registered.
2. Investigate and record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

### Examples of learner misconduct could include:

- Non-compliance in observing the mandatory rules of conduct during an assessment
- Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment

### Misconduct procedure (learners)

Where an issue of misconduct occurs and is discovered or reported the following action will be taken:

- The Invigilator/Centre Contact is empowered to expel a learner from the assessment room
- The expelled learner's assessment paper will be securely retained and a report filed to the Centre Contact
- The report and assessment record will be available for submission to the awarding body and the regulatory authority (Ofqual) upon request

If any of the rules of external assessment are deemed to have been broken by a learner, invigilator or other person involved in the assessment process, then Liberty Training and the awarding body may declare the assessment void.

### Examples of centre malpractice/maladministration could include:

- Failure of Liberty Training to report any suspected malpractice reported to the awarding body from other sources

- Failure of Liberty Training to apply the awarding body recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
- Failure of Liberty Training to apply the awarding body's recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process
- Failure of Liberty Training to apply the awarding body recommended security procedures as identified within the centre approval declaration
- Failure on behalf of Liberty Training to comply with the awarding body guidance relating to reasonable assessment adjustments
- Claims for certification being submitted by Liberty Training for units and/or qualifications that have not been approved for delivery by the awarding body
- Delivery and assessment of units and/or qualifications that have not been approved by the awarding body
- Claims for certification being submitted by Liberty Training for learners that have not been registered with the awarding body
- Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment
- Liberty Training becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure
- There is any significant change in control of Liberty. The awarding body should be informed immediately if this occurs

### **Malpractice/maladministration procedure (centres)**

Where an issue of malpractice or maladministration occurs, is discovered or reported Liberty Training will:

- Report the issue to the awarding body's Lead Quality Assurer who will investigate the suspected case of malpractice/maladministration
- Investigate the facts relating to allegation/complaints in order to determine whether any irregularities have occurred

Conclusions will be based on established evidence. A course of proposed actions will be identified, agreed, implemented and monitored in association with the awarding body. All relevant evidence will be considered without bias.