

Malpractice and Maladministration Policy and Procedure

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1. Scope

This policy and procedure detail the responsibility of all BSA staff regarding malpractice and maladministration. This includes an explanation of the steps that must be taken when reporting an actual or suspected occurrence of malpractice or maladministration to the relevant awarding body.

This policy and procedure is not applicable to students, if a student wishes to report a potential instance of malpractice or maladministration they should refer to the Whistleblowing Policy.

2. Purpose

The purpose of this document is to:

- a) Define what constitutes malpractice and maladministration.
- b) Outline BSA's policy and procedures for the identification and investigation of suspected or proven cases of malpractice and maladministration
- c) Minimise any risks to the integrity of the qualifications that BSA deliver and to protect the interests of all students.

This policy and procedure is to be used by staff who have responsibilities for managing, delivering, assessing and quality assuring all qualifications and or training delivered by BSA.

3. Malpractice Definition

Malpractice is a term used for any action, activity, neglect, default or other practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and the validity of results and/or certificates.

Malpractice has serious implications for the BSA centre and students, and it will be treated very seriously by awarding organisations.

Malpractice may include a range of issues, from deliberate failure to maintain appropriate records and systems to the deliberate falsification of records. In this policy and procedure this term will also cover misconduct and any form of unnecessary discrimination or bias towards certain groups of students.

Examples include but are not limited to:

- a) failure to provide staff with necessary resources and support in order for them to perform their role effectively
- b) not having suitably qualified staff to deliver qualifications
- c) deliberate falsification of records to claim certificates
- d) provision of learning resources and materials to students which offer improper
- e) failure to comply with requirements of accurate and safe retention and storage of student evidence and assessment records
- f) deception through the manufacturing of student evidence, records of observations, witness testimonies or any other assessment records

4. Maladministration Definition

Maladministration is an activity of poor practice that results in the centre, or student not complying with specific requirements for the delivery of training or qualification and is often a reflection of poor rather than improper practice.

Some individual instances of maladministration may not require investigation, repeated cases and failure to respond and prevent further instances will escalate to potential malpractice.

Examples of inefficient administration that could result in maladministration include, but are not limited to:

- a. Poor, but mostly compliant, invigilation of external assessments
- b. Failure to register students to the correct qualifications and in a timely manner.
- c. Failure to maintain center records with awarding bodies
- d. Issuing incorrect certificates to students
- e. Failure to submit timely certificate claims following internal confirmation of achievement.
- f. Incorrect completion of examinations and associated records

5. Actions and Responsibilities

The Head of Centre is expected to:

- a. Establish the culture, values and expectations of all BSA staff and the consistency, fairness and reliability of all assessments and practices.
- b. Appoint a named person as Quality nominee for all awarding organisations
- c. Ensure that policies and procedures are appropriate.
- d. Maintain systems for keeping records of any incidents and what action has been taken.
- e. Create communication systems that allow consultation, discussion and dissemination of information.

The Quality Nominee is expected to:

- a. Ensure that all staff are adequately trained on awarding body expectations
- b. Communicate any changes in regulations to staff
- c. Inform awarding organisations of any suspected and/or actual malpractice or maladministration

The Examinations Officer is expected to:

- a. Ensure that timely, accurate and valid registration, transfer, withdrawal and certificate claims for students

All teaching staff are expected to:

- a. Follow a robust initial assessment process to ensure that students meet awarding organisations minimum entry requirements they are being registered to, including having the appropriate levels of language abilities
- b. Ensure that students are provided with information during induction on assessment requirements including cheating and plagiarism and the consequences if any instances are found
- c. Ensure that students are not given improper and excessive direction during assessments on how to meet the criteria, including provision of prompts or model answers
- d. Safely store and secure student evidence and assessment records
- e. Ensure that there is sufficient evidence to support student achievement

Internal Quality Assurers are expected to:

- a. Ensure that there is sufficient evidence to support any claims for student achievement and certification
- b. Ensure that every portfolio has a start, interim and final IQA during its life cycle and that all records are maintained and stored securely
- c. Ensure that during the IQA process that adequate checks for plagiarism is evident

Students are expected to:

- a. Submit work for assessment that is their own original work
- b. Attend all timetabled sessions
- c. Avoid sharing any of their own work with other students

6. Investigating a case of suspected or actual malpractice or maladministration

The fundamental principle will be to conduct an investigation in a fair, reasonable and legal manner, ensuring all relevant evidence is considered without bias. In doing so investigations will be underpinned by terms of reference based around the following broad objectives:

- a. To establish the facts relating to allegations to determine whether any irregularities have occurred
- b. To identify the cause of the irregularities and those involved
- c. To establish the scale of the irregularities
- d. Interviewing those established as needing to be involved in the investigation
- e. To evaluate what action is to be taken

Awarding organisations will be notified if relevant and BSA will follow their individual processes and timescales.

Where staff and/or students are under investigation they may be suspended or in the case of staff moved to other duties until the investigation is complete.

7. Linked Policies and Procedures

- Staff Disciplinary Procedure
- Appeals Against Assessment Decisions Policy and Procedure