



Malpractice and Maladministration (Training) Policy

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Introduction

This document details Quality Leisure Management Ltd (QLM) policy for malpractice and maladministration. It considers training partners Malpractice and Maladministration policy and it is one of the aims of this policy to deliver the requirements of Quality Leisure Management Ltd to meet the standards of its training partners.

The policy:

- Defines what constitutes malpractice and maladministration
- Provides examples of acts of malpractice and maladministration by the company, tutors and learners
- Details the process that is to be followed to investigate allegations and incidents
- Lists the range of sanctions that the CQI can apply if incidents and allegations of malpractice or maladministration are proven

The policy applies to the delivery of training services within Quality Leisure Management Ltd. Note that, if necessary, Quality Leisure Management Ltd will support training partners in any investigation that is deemed necessary to review any suspected or actual cases of malpractice or maladministration.

Definitions

Malpractice

Malpractice means 'any deliberate activity, neglect, default or other practice that compromises or could compromise the assessment process, the integrity of a Quality Leisure Management Ltd course, the validity of a result or certificate, or the reputation and credibility of Quality Leisure Management Ltd and/or training partner'.

Malpractice includes issues such as deliberate falsification of records in order to claim certification, cheating in examinations and unethical conduct by ATP staff, tutors, branches or subcontractors.

Malpractice also includes failure by Quality Leisure Management Ltd to:

- Investigate allegations and suspected malpractice and notify the training partner promptly
- Co-operate with any training partner investigations

Maladministration

Maladministration means any actions, neglect, default or other practice that results in the company not complying with the company's procedures. This could be due to mismanagement, incompetence or inefficiency.

Examples of malpractice and maladministration

Malpractice or maladministration can be committed by a variety of people both inside and outside the company e.g. learners, tutors, other staff, invigilators, markers, subcontractors etc...

The following are examples of acts that will be deemed to constitute malpractice or maladministration in line with the definitions given above. This list is not exhaustive, and the company reserves the right to deem as malpractice or maladministration other acts that might occur.

Examples of malpractice by learners

- Arranging for someone else to sit an examination on his/her behalf
- Impersonation of another learner
- Being in possession of confidential material in advance of the examination, e.g. examination question paper, model answer or marking guidance
- Being in possession of materials not permitted in the examination room, e.g. notes, books, dictionaries/ calculators (when prohibited), blank paper, mobile phones, smart watches. Possession of such materials will be considered to be malpractice whether or not the learner uses them, or the information contained within the materials is relevant to the examination being sat
- Communicating with other students in the examination room in breach of examination regulations
- Copying the work of another student or knowingly allowing a student to copy from his/her own work.
- Working collaboratively with any other student(s) by whatever means during examinations
- Including inappropriate, offensive material in examination scripts
- Plagiarism or misrepresentation of learner's work
- Failure to adhere to the published examination guidelines
- Failure to adhere to instructions given by an examination invigilator in relation to the examination regulations, e.g. continuing to work beyond the allotted examination time, refusing to hand in the examination script and/or examination paper when requested, not adhering to warnings relating to conduct during the examination
- Disruptive behaviour (including offensive language and aggressive/violent conduct) in the training and examination venue
- Tampering with, or forgery of, results documentation, including certificates

Examples of malpractice by staff, tutors, invigilators and markers working for or on behalf of Quality Leisure Management Ltd.

Breach of Security

Any act which breaks the confidentiality of examination question papers or materials or the confidentiality of learners' examination scripts. This could involve:

- Failure to keep examination question papers, marking schemes or scripts secure before, during or after an examination
- Discussing or revealing in public (e.g. posting on social media channels) secure information relating to examinations
- Tampering with learners' examination scripts Deception

Any act of dishonesty in relation to any examination, such as:

- Inventing or changing examination marks when there is no evidence of learner achievement to justify the marks being given
- When marking examination scripts, not reporting suspected incidents of malpractice by a learner
- Entering fictitious learners for examinations or otherwise subverting the assessment or certification process with the intention of financial gain

Improper Assistance to Learners

- Knowingly allowing an individual to impersonate a learner
- Allowing a learner to possess and/or use materials not permitted in the examination room
- Allowing learners to communicate with each other during an examination in breach of guidance
- Allowing a learner to copy another learner's work or allowing a learner to let his/her own work to be copied
- Allowing learners to work collaboratively during an examination
- Advising and/or assisting a learner with his/her examination answers
- Allowing a learner to work beyond the allotted examination time unless a time extension has been agreed in advance in accordance with CQI examination regulations
- Damaging a learner's work
- Disruptive behaviour (including offensive language and aggressive/violent conduct) in the training and examination venue
- Leaving learners unsupervised during an examination
- Divulging any information relating to a learner's examination performance and/or result to anyone other than the learner him/herself.

- Tampering with, or forgery of, results files and/or associated documentation

Failure to Cooperate with an Investigation

- Failure to make available information reasonably requested by the training partner in the course of an investigation, or in deciding whether an investigation is necessary
- Failure to respond to an instruction from the training partner to investigate an allegation or suspected case of malpractice or maladministration
- Failure to investigate or provide information according to agreed deadlines
- Failure to report all suspicions of malpractice

Examples of maladministration by staff, tutors, invigilators and markers working for or on behalf of Quality Leisure Management Ltd

- Not using current examination papers, marking schemes and documentation
- Failure to train adequately those invigilating examinations
- Failure to ensure that examination venues conform with requirements
- Failure to standardise and moderate tutor marking (includes tutors working for branches and subcontractors)
- Failure to keep accurate learner records
- Failure to record accurate learner data
- Failure to store and despatch certificates securely and in a timely manner

Procedures for dealing with allegations of malpractice and maladministration

The Allegation

Suspected malpractice or maladministration may be identified by:

- The training partners routine monitoring activity e.g. sampling examination scripts, conducting audits
- A learner or tutor making a report
- A third party or whistleblower

If the suspected case of malpractice or maladministration is brought to the attention of QLM by a third party or whistleblower, the company will check the authenticity of the alleged case including seeking permission to use the whistleblower's name to communicate details of the allegation. If the whistleblower refuses permission to use his/her name and the allegation is valid, the company will advise the whistleblower that the investigation may be impaired and that the company will take all reasonable steps not to disclose the identity of the whistleblower.

Quality Leisure Management Ltd will protect the identity of the informant if this is requested, unless legally obliged to disclose the identity.

The response

Quality Leisure Management Ltd will review the allegation and decide one of the following options:

- a) Take no further action
- b) Conduct a full investigation into the alleged incident and submit a written report
- c) Investigate the matter directly

In the case of b) or c), QLM will inform the training partner and any affected learners that an allegation of malpractice and/or maladministration has been made.

The investigation

The main purpose of the investigation is to establish the facts relating to the allegation to determine if any non-conformances relating to QLM or the training partners requirements have occurred, or if the company or the training partners brand and reputation has been put at risk. The investigation will aim to establish the details, circumstances and scale of alleged malpractice or maladministration, and any wider implications for the management and delivery of Quality Leisure Management Ltd or training partners course provision.

The investigation will:

- Identify those involved and the root cause of any irregularities
- Identify and if necessary, act to minimise the risk to current learners
- Review any action already taken
- Review whether remedial action is required to reduce the risk to current learners and to preserve the integrity of Quality Leisure Management Ltd, training partner and course.
- Ascertain whether any action is required in respect of certificates already issued
- Identify any patterns or trends
- Identify any changes to policy or procedure that need to be made by Quality Leisure Management Ltd or the training partner.

The investigation may include interviewing staff and tutors working for the company. It may also include interviewing learners. Individuals being interviewed have the right to have another individual present during the interview. However, the person accompanying the interviewee must not take an active part in the interview and cannot answer questions on the interviewee's behalf.

When an individual is accused of malpractice, they must:

- Be informed in writing of the allegation made against him/her
- Know what evidence there is to support the allegation
- Have the opportunity to respond to the allegation
- Have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)

The report

QLM will produce a report on its investigation of the allegation which will identify any areas of non-conformance against QLM procedures and the training partners criteria and requirements and any reputational risks to the company or to the training partners brand. The report will identify any corrective actions that need to be addressed, and any sanctions to be applied.

Signed:



Date:

24 December 2022

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