



Yorkshire
Leadership
Community

Malpractice & Maladministration Policy

PURPOSE

Yorkshire Leadership Community (YLC) treats all cases of suspected malpractice and maladministration very seriously and will investigate all suspected and reported incidents of possible malpractice. The purpose of this Policy and Procedure is to set out how allegations of malpractice in relation to all NPQ qualifications are dealt with. The scope of the policy is to provide:

- a definition of malpractice
- examples of malpractice and maladministration.
- process in cases of malpractice.

INTRODUCTION

For the purpose of this document 'malpractice' is defined as:

Any act, or failure to act, that threatens or compromises the integrity of the assessment process or the validity of qualifications and their certification. This includes: maladministration and the failure to maintain appropriate records or systems; the deliberate falsification of records or documents for any reason connected to the award of qualifications; acts of plagiarism or other academic misconduct; and/or actions that compromise the reputation or authority of Yorkshire Leadership Community.

DEFINITION – MALPRACTICE (BY YLC)

Malpractice is any activity or practice which deliberately contravenes procedures and regulations. It means that there are serious concerns about the integrity of the assessment or the validity of certificates we take it very seriously. Examples of malpractice:

- Deliberate misuse of the YLC logo by the centre/provider
- Contravention of examination regulations by the centre/provider
- Falsification of documents.

DEFINITION – MALPRACTICE (BY PARTICIPANTS)

Malpractice is any activity or practice which deliberately contravenes procedures and regulations. It means that there are serious concerns about the integrity of the assessment or the validity of certificates we take it very seriously. Examples of malpractice:

- Cheating of any nature by participants, including plagiarism
- Deliberate misuse of the YLC logo (or those of an awarding body or external organisation) by the participant
- Contravention of examination regulations by the participant
- Repeated maladministration (normally three consecutive incidents).

DEFINITION - MALADMINISTRATION

Maladministration is an activity or practice which results in non-compliance with regulations, but it is normally the result of a genuine mistake rather than any deliberate plan to gain an unfair advantage. Where YLC or a participant repeatedly makes mistakes then this would eventually constitute Malpractice (see Definition of Malpractice).

Examples of maladministration:

- Late registration of participants with an awarding body
- Claiming certification for incorrect units

Centres, providers and participants should take all reasonable steps to prevent malpractice and/or maladministration from occurring throughout the development, delivery and assessment of qualifications and programmes.

PROCESS

Reporting a suspected case of malpractice:

- This process applies to, employees, facilitators and participants and to any reporting of malpractice by a third party or individual who wishes to remain anonymous.
- Any case of suspected malpractice should be reported in the first instance to the YLC Programme Manager.
- A written report should then be sent to the YLC Programme Manager, clearly identifying the factual information, including statements from other individuals involved and/or affected, any evidence obtained, and the actions that have been taken in relation to the incident.
- Suspected malpractice must be reported as soon as possible to the YLC Programme Manager, and at the latest within two working days from its discovery.
- Wherever possible, and provided other participants are not disrupted by doing so, a participant suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the YLC Programme Manager.
- In cases of suspected malpractice by employees or facilitators, and any reporting of malpractice by a third party or individual who wishes to remain anonymous, the report made to the YLC Programme Manager should include as much information as possible, including the following:
 - the date time and place the alleged malpractice took place, if known.
 - the name of the session facilitator, employee or other person(s) involved
 - a description of the suspected malpractice; and
 - any available supporting evidence.
- In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous, the YLC Programme Manager will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

ADMINISTERING SUSPECTED CASES OF MALPRACTICE

The YLC Programme Manager will investigate each case of suspected or reported malpractice relating to NPQ's to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. We will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of YLC and its reputation is taken.

The YLC Programme Manager will acknowledge all reports of suspected malpractice within five working days. All the parties involved in the case will then be contacted within 10 working days of receipt of the report detailing the suspected malpractice. We may also contact other individuals who may be able to provide evidence relevant to the case.

The individual(s) concerned will be informed of the following:

- that an investigation is going to take place, and the grounds for that investigation.
- details of all the relevant timescales, and dates, where known.
- that they have a right to respond by providing a personal written response relating to the suspected malpractice (within 15 working days of the date of that letter).
- that, if malpractice is considered proven, sanctions may be imposed.
- that, if they are found guilty, they have the right to appeal.
- that YLC has a duty to inform DfE and other relevant authorities/regulators, but only after time for the appeal has passed or the appeal process has been completed. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.

Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.

The individual has a right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.

Records of all malpractice cases and their outcomes are maintained by the YLC Programme Manager for a period of at least five years and are subject to regular monitoring and review.