



Tula Training Ltd

Policy for preventing malpractice and maladministration

Introduction

This policy applies to both staff and learners, and provides the appropriate steps to follow in the event of dealing with suspected or actual cases of malpractice/maladministration.

All staff and learners are made aware as part of the Tula Training Ltd's induction process of the procedure available concerning the reporting of alleged malpractice or maladministration.

Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates and associated achievement; it covers any deliberate actions, neglect, default or other practice that compromises, or could compromise; the assessment process, the integrity of a regulated qualification, the validity of a result or certificate, the reputation and credibility of Tula Training Ltd or ActiveIQ. It may include issues ranging from the failure to maintain appropriate records or systems, to the deliberate falsification of records concerning certificates. Examples of malpractice are as follows:

- Denial of access to premises, records, information, learners and staff to any authorised representative from ActiveIQ or the regulatory authorities.
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with ActiveIQ requirements.
- Deliberate failure to follow our learner registration and certification procedures.
- Deliberate failure to continually adhere to ActiveIQ centre recognition and actions assigned/or qualification approval requirements.
- Deliberate failure to maintain appropriate records for audit, e.g. certification claims and/or forgery of evidence.
- Fraudulent claims for certificates; unauthorised use of inappropriate materials/equipment in assessment settings (eg mobile phones) Intentional withholding of information from ActiveIQ which is critical to the rigorous standards of quality assurance and standards of qualifications.
- Deliberate misuse of ActiveIQ's logo and trademarks or misrepresentation of the relationship with ActiveIQ and/or recognition and approval status with ActiveIQ.
- Collusion or permitting collusion in exams/assessments.
- Certification claims being made prior to Learners' completion of qualification requirements.

Definition of Maladministration

Maladministration concerns any activity or practice resulting in non-compliance with proper administrative processes, such as inappropriate learner records, or persistent mistakes.

Examples of maladministration are as follows:

- Deliberate contravention by a centre and/or learners of the assessment arrangements ActiveIQ specifies for its qualifications.
- The loss, theft of, or a breach of confidentiality in, any assessment materials.
- Plagiarism by learners/staff.
- Copying from another learner.
- Assuming the identity of another learner or having someone assume your identity during an assessment.
- Unauthorised amendment, copying or distribution of exam/assessment papers/materials.
- Inappropriate assistance to learners by staff (e.g. unfairly helping them to pass a qualification/unit)
- Deliberate submission of false information to gain a qualification/unit.
- Deliberate failure to adhere to, or the circumnavigation of, the requirements of ActiveIQ's 'Reasonable Adjustments and Special Considerations Policy'.

Procedural steps concerning an allegation of Malpractice or Maladministration

Stage 1 - Briefing and record - keeping

1. Investigators must have a clear brief and understanding of their role
2. Investigators must record every action during the investigation to demonstrate that they have acted appropriately
3. The member of staff who assigns the Investigator(s) will stipulate and/or provide secure storage for all material associated with the investigation in case of subsequent legal challenge. Where there is a joint investigation with ActiveIQ (who in that case will clarify roles) Tula Training is responsible for passing on ActiveIQ's clarifications concerning roles and processes to its Investigator(s)

Stage 2 - Establishing the facts

Investigators should review the evidence and associated documentation, including relevant Active IQ guidance on the delivery of the qualifications and related quality assurance arrangements, determining:

1. The substance of the allegation/s - what happened.
2. Why it happened.
3. Who was involved.
4. Where it occurred (there may have been more than one location).
5. What action, if any, Tula training has taken.

Stage 3 - Interviews

Interviews should be thoroughly prepared for, conducted appropriately and underpinned by clear records of the interviews. For example:

All interviews should be recorded; interviewers may find it helpful to use the 'PEACE' technique:

- plan and prepare
- engage and explain
- account

- closure
- evaluation

Face-to-face interviews should normally be conducted by two people with one person primarily acting as the interviewer and the other as note-taker.

Those being interviewed should be informed that they may have another individual of their choosing present and that they do not have to answer questions. These arrangements aim to protect the rights of all individuals. Both parties should sign the account as a true record/reflection of what was covered/stated/agreed.

Stage 4 - Other contacts

In some cases, learners or employers may need to be contacted for facts and information. This may be done via face-to-face interviews, telephone interviews, by post or email.

Whichever method is used, the investigator will have a set of prepared questions. The responses will be recorded in writing as part of confirmation of the evidence. Investigators should log the number of attempts made to contact an individual. Again accounts should be signed for agreement with written records to be formatted as non-editable PDF.

Stage 5 - Documentary evidence

Wherever possible documentary evidence should be authenticated by reference to the author; this may include asking learners and others to confirm handwriting, dates and signatures.

Receipts should be given for any documentation removed from Tula Training

Independent expert opinion may be obtained from subject specialists about a learner's evidence and/or from a specialist organisation such as a forensic examiner, who may comment on the validity of documents.

Stage 6 – Conclusions

The Investigator/s will gather and review all relevant evidence, and draw a conclusion, to be included in the report.

Stage 7 - Reporting

A draft report is prepared and factual accuracy agreement obtained. The final report is submitted to the relevant staff member within Tula Training Ltd for review and sign-off and shared with Active IQ and relevant parties within the organization.

Stage 8 - Actions

The implementation of any resulting action plan will be monitored appropriately, and ActiveIQ will be notified.