



MALPRACTICE AND MALADMINISTRATION POLICY

SCCU LIMITED
VERSION 1.2

Contents

- Version Control 2
- Introduction 3
- Scope 3
- Roles and Responsibilities 3
- Definitions and Examples 4
 - Malpractice 4
 - Examples of Malpractice 4
 - Maladministration 5
 - Examples of Maladministration 5
- Reporting Concerns or Allegations 6
- SCCU Internal Investigation 7
- Investigation Process 7
 - 1. Briefing and Record-Keeping 7
 - 2. Establishing the Facts 8
 - 3. Interviews 8
 - 4. Alternatives to Interviews 9
 - 5. Documentary and Other Evidence 9
 - 6. Conclusions 9
 - 7. Reporting 9
 - 8. Action Plan 10
- Staff Training 10
- Reviewing 10
- Appendix A: Steps to Prevent Occurrences of Malpractice or Maladministration 11
- Appendix B: The Use of Artificial Intelligence (AI) 12

Version Control

VERSION	REVIEWER NAME	DATE	NEXT REVIEW	COMMENTS
1.0		13/09/2021	13/09/2022	First Draft.
1.1		January 2024	January 2025	Grammar and layout improved.
1.2		February 2024	February 2025	Added use of AI information.

Introduction

1. SCCU is committed to providing excellent services throughout our learning environments and ensuring that our claims from the awarding organisations are valid and that certifications and qualifications are obtained fairly.
2. We, as an organisation, must ensure that we are accountable for delivering courses to their high standards by eliminating malpractice and maladministration, and it is our policy that every learner and staff member understand these rules.
3. By eliminating any suspected malpractice and maladministration in the management of our organisation, we can ensure the appropriate claim and delivery of qualifications.
4. SCCU also aims to encourage the openness to disclose any allegations of malpractice and maladministration within the organisation for us to eliminate them.

Scope

5. This policy applies to all learners, all SCCU venues, offices, staff, and self-employed contractors, without exception.
6. This policy is available to all learners, staff and third parties.

Roles and Responsibilities

7. All staff and learners must:
 - Understand what malpractice and maladministration are.
 - Follow the rules and immediately report any suspected malpractice or maladministration.
8. The Apprenticeship and AEB Manager or Operations Director are responsible for acting as points of escalation and for implementing and overseeing the investigation procedure.
9. Any staff members may be assigned to perform an investigation. These staff members are responsible for conducting the investigation thoroughly and impartially.
10. The Company Directors are responsible for ensuring that reports of malpractice and maladministration are appropriately managed and that action plans are in place and implemented to prevent recurrence.

Definitions and Examples

Malpractice

11. Malpractice refers to any deliberate act or failure to act that compromises, or could potentially compromise, the integrity, validity, and fairness of the educational process, especially in relation to examinations and assessments.
12. Malpractice can be committed by learners, staff, or any individuals involved in the education or assessment process.
13. For this policy, this term also covers misconduct and forms of unnecessary discrimination or bias towards certain groups of learners.

Examples of Malpractice

14. The categories listed below are examples of centre and learner malpractice. This list is not exhaustive:
 - Theft of the work of other learners, including copying or switching papers or the clear intention to do so.
 - Fabrication of results.
 - Theft or misrepresentation of identity (which includes requesting others to undertake an assessment).
 - Failure to carry out an internal assessment, internal moderation, or internal verification following the SCCU policies.
 - Deliberate failure to adhere to our learner registration and certification requirements.
 - Deliberate failure to maintain appropriate auditable records, e.g., certification claims and/or disposal and/or forgery of evidence.
 - Fraudulent claim(s) for certificates.
 - The unauthorised use of inappropriate materials/equipment (e.g., mobile phones in examinations or the inappropriate use of AI – See Appendix B).
 - Collusion or permitting collusion in exams/assessments.
 - Learners still working towards qualification after certification claims have been made.

- Persistent instances of maladministration within the Centre.
- A loss, theft of, or a breach of confidentiality of any assessment materials.
- Plagiarism (including the inappropriate use of AI – See Appendix B)
- The unauthorised amendment, copying or distribution of exam/assessment papers/materials.
- Inappropriate assistance to learners by staff.
- Tampering with learner’s scripts or controlled assessments or coursework after collection and before marking.
- Bribery of others in relation to assessments.

Maladministration

15. Maladministration refers to improper, inefficient, or negligent (not deliberate) administration within educational settings, particularly in the management of examinations and assessments.
16. Maladministration may compromise the integrity, fairness, and standards of the educational and assessment process.

Examples of Maladministration

17. The categories listed below are examples of maladministration. This list is not exhaustive:
 - Unintentional administrative errors, such as mistakes when calculating or recording marks or grades.
 - Unintentional failure to comply with awarding body or end-point assessment organisation procedures.
 - Inaccurate but unintentional claims for certificates.
 - Failure to maintain appropriate auditable records.
 - Allowing cheating through negligence.
 - Improper assistance (unintentionally) being provided to learners.
 - Failure to adhere to, or to circumnavigate, the requirements of the SCCU policies or procedures. For example, the mismanagement of appeals.

Reporting Concerns or Allegations

18. Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify either the Apprenticeship and AEB Manager or the Operations Director at SCCU.
19. In doing so, they should put them in writing/email and enclose appropriate supporting evidence or, alternatively, raise a whistleblowing concern (see our Whistleblowing Policy) if the reporter is a member of staff.
20. Sometimes, the reporter may wish to remain anonymous; however, it is always preferable that the identity of the reporter is known.
21. If concerned about possible victimisation, a reporter may provide their name and contact details and request that we keep their identity confidential. In such cases, we will do our utmost to ensure that confidentiality is maintained.
22. All allegations must include (where possible):
 - The Centre's name and address (include the main address of the SCCU offices if the learning was online and the learning location for face-to-face practical assessments).
 - Details of the course or administrative service affected.
 - The name and address of the Tutor/Assessor (if related to academic malpractice or maladministration) or administrator/support staff member if related to administration or support services.
 - Your name, address, contact details.
 - Nature of the suspected or actual malpractice and/or maladministration and associated dates.
 - The name and contact details of any other relevant person (if known), for example, the learner, Tutor, or member of staff you suspect to be involved in malpractice and/or maladministration or any witnesses.
 - The details of anyone you have already reported your concern to within SCCU and a description of what was done about the report (where known).

SCCU Internal Investigation

23. SCCU will investigate all claims of malpractice and/or maladministration and take all such claims seriously.
24. During investigations into alleged or suspected malpractice or maladministration, SCCU will:
 - Assign the investigation to one or more senior members of the Management Team, ensuring that those involved in the investigation are competent and have no personal interest in its outcome.
 - Where a conflict of interest which cannot be mitigated exists or where the matter is serious in nature, SCCU may either engage a third party to undertake the investigation or self-refer to the relevant authority or body.
 - In all cases, protect the identity of the reporter in accordance with their duty of confidentiality and/or any other legal duty.
 - Keep all investigation records for quality assurance audit purposes and regulatory inspections where necessary.

Investigation Process

25. It is intended that each stage of the investigation will involve generic key activities listed below; however, not all of these will be implemented in every case.
26. We aim to take action and complete an investigation within 10 working days of receipt of the allegation; however, this timeline may be extended as required by the nature of the concern or allegation, the ability to access the necessary resources, and the ability to conduct the relevant interviews.
27. All investigations will be undertaken in a fair, transparent, and legal manner, ensuring that all evidence is considered without bias and kept securely.

1. Briefing and Record-Keeping

28. Anyone involved in an investigation should have a clear brief and understanding of their role.
29. It will be made clear that investigators must maintain an auditable record of every action during an investigation to demonstrate their commitment to fairness and transparency.

30. SCCU will provide secure storage arrangements for all evidentiary material associated with an investigation in case of subsequent legal challenges.

2. Establishing the Facts

31. Issues to be determined by the investigator are:

- What occurred.
- When it occurred.
- Who was involved. (There may be more than one person involved.)
- Where it occurred. (There may be more than one location.)
- Why it occurred. (Were the actions intentional or an oversight?)
- What rules, policies, procedures, laws, or professional standards were breached.

3. Interviews

32. Those being accused of malpractice and/or maladministration, the reporter(s) and any relevant witnesses may be asked to attend an interview with the investigator.

33. Interviews should be thoroughly prepared, conducted appropriately (with minors being accompanied by an appropriate adult) and underpinned by clear minutes of the meetings.

34. Interviewers may find it helpful to use the 'PEACE' technique:

- Plan and prepare.
- Engage and explain.
- Account.
- Closure.
- Evaluation.

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

36. 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.

37. All parties should sign the meeting minutes to confirm that they are a true record/reflection of what was discussed.

4. Alternatives to Interviews

38. In some cases, witness statements may be obtained via telephone interviews or written statements. This approach will often reduce stress and is just as effective as face-to-face interviews.
39. Whichever method is used, the investigator must provide a set of prepared questions to be answered.

5. Documentary and Other Evidence

40. Where collected, documentary evidence should be authenticated. This may include asking learners, staff, or others to confirm handwriting, dates, signatures, etc.
41. In extreme cases, independent expert opinion may be obtained from a specialist organisation, such as a forensic examiner, who may comment on the validity of documents.
42. Where video evidence is collected, this evidence must be treated as highly confidential and should only be shared with those with a legitimate need to know.
43. In some cases, evidence may be available in the form of electronic correspondence, login timestamps, modification logs, technical reports, or the use of anti-plagiarism software to assess work.

6. Conclusions

44. Once the investigators have gathered and reviewed all relevant evidence, a decision will be made as to whether the evidence collected supports or disproves the allegation(s).

7. Reporting

45. The Management Team will, where necessary, share their conclusions with the relevant stakeholders, including but not limited to the parents or guardians, awarding body or end-point assessment organisation, and/or other regulatory bodies.

8. Action Plan

46. Any resultant action plan to minimise any harm caused, protect the business, and prevent recurrence will be implemented and monitored appropriately by the Management Team, with oversight from the Company Directors.

47. Actions may include:

- Informing the authorities where a crime has been committed.
- The disciplining of employees or the termination of self-employed staff contracts.
- Professionals being referred to their professional body.
- Learners being removed from their courses.
- Support being provided to those affected.
- Compensation being provided to those affected.
- Increased staff training on the required standards and Company policies and procedures.
- The implementation of tighter rules, processes and procedures.

Staff Training

- This policy must be made available to SCCU staff, student learners and other relevant organisations.
- Staff and student learners must ensure that they read this policy in full and understand the contents. Any individual with difficulty accessing or understanding this policy should seek assistance from a member of the SCCU Management team.

Reviewing

48. This policy will be reviewed annually or sooner if malpractice or maladministration occurs.

49. All malpractice or maladministration reports and action plans must be reviewed by the SCCU annually to ensure that action plans are progressing appropriately.

Appendix A: Steps to Prevent Occurrences of Malpractice or Maladministration

- All staff are aware of SCCU rules, policies and procedures and receive appropriate induction/training/updates on malpractice and maladministration.
- Staff (including Senior Management and Company Directors) have clear roles and responsibilities in their normal duties and during investigations.
- All staff are aware of and will follow the SCCU and awarding body or end-point assessment organisation processes, procedures, and methodologies.
- There are documented internal procedures/methodologies for all internal processes that are clearly in place and are subject to regular internal reviews.
- Learners are informed of their roles and responsibilities and organisational rules and understand the consequences of failing to abide by this policy.
- All assessment and internal verification activities are accurately recorded and carried out in accordance with the awarding body standards.
- All registration and certification records are subject to appropriate internal review, checking and countersigning before results are disseminated.
- All registration, assessment and certification records will be kept on a secure computer system for up to 5 years after the learner has completed their course. Only authorised and appropriate members of staff will have access to them.

Appendix B: The Use of Artificial Intelligence (AI)

While the use of AI can provide significant benefits in terms of personalised learning and access to a broader range of resources, it is imperative that all learners adhere strictly to the guidelines outlined below.

These guidelines are designed to ensure the ethical and responsible use of AI technologies, preventing any form of malpractice.

Any deviation from these guidelines may be considered malpractice and could lead to disciplinary action, including the possible revocation of qualifications.

Use of AI Guidelines for Learners:

- Work should be the learner's own, and AI must not be used to plagiarise the work of others nor generate assignments (or large parts of assignments) where the learner has simply asked the AI tool to generate a general response based on the assignment brief.
- Where AI tools have been used as a source of information, a learner's acknowledgement must show the name of the AI source used and should show the date the content was generated. For example, ChatGPT 4 (<https://chat.openai.com/>), 01/01/2024.
- The learner must retain a copy of the question(s) and computer-generated content for reference and authentication purposes in a non-editable format (such as a screenshot) and provide a brief explanation of how it has been used.
- This must be submitted with the work so the Tutor is able to review the work and AI-generated content to understand how it has been used by the learner to aid their understanding and assist their writing.
- Where this is not submitted, and the Tutor suspects that the learner has used AI tools, this will need to be referred and actioned to assure that the work is the learner's own.