

## Malpractice and Maladministration Policy (version 2).

**Written on:** 01/04/21

**To be reviewed** 01/04/22

### **Introduction by the Director**

Whilst engaging with customers, NCA staff are keen to ensure that all of our clients/stakeholders have the best experience possible. Despite our best efforts, we do recognise that things can go awry for a variety of reasons.

**NCA** will investigate instances of alleged or suspected malpractice or maladministration and will take appropriate action where required to maintain the integrity of units and qualifications.

Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates.

Maladministration is any activity, neglect, default or other practice that results in the centre not complying with the specified requirements for delivery of units and qualifications.

NCA's Malpractice and Maladministration policy is there to advise our staff about best practice responses; there is a clear pathway for our staff to follow. This is re-iterated within our program of CPD.

The designated Malpractice/Maladministration Officer is - **PETE STALEY**

This policy is accessible to learners via the company website ([www.ncagb.co.uk](http://www.ncagb.co.uk))

Every accusation regarding malpractice or maladministration received will be logged. The Malpractice/Maladministration Officer is responsible for keeping the log up to date.

Signed:

**JULIE WOODRUFF**  
**DIRECTOR**

Should an alleged malpractice/maladministration arise on the part of the learners, centre staff, or others involved in providing an awarding organisation qualification, **NCA** will:

- Report immediately to the awarding organisation, any suspected case of malpractice/maladministration arising after learners have been registered.
- Investigate and record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

### **Misconduct Procedure (Learners)**

Where an issue of misconduct occurs and is discovered or reported the following action will be taken:

- The tutor is empowered to expel a learner from the course
- The expelled learner's assessment paperwork will be securely retained and a report filed to the Centre Contact
- The report and assessment record will be available for submission to the awarding organisation and the regulatory authority on request

If any of the rules of external assessment are deemed to have been broken by a learner, invigilator or other person involved in the assessment process, then **NCA** and the awarding organisation may declare the assessment void.

In the event of misconduct, **NCA** reserves the right to cancel the offending learner's enrolment. No refund will be granted and the obligation to pay any outstanding amounts will not be cancelled.

### **Examples of learner misconduct include:**

- Non-compliance in observing the code of conduct during a course.
- Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment. Both learners could be at fault if the copying is conducted with the knowledge of the learner whose work is being copied.

### **Malpractice/Maladministration Procedure (Centres)**

Where an issue of malpractice or maladministration occurs, is discovered or reported **NCA** will:

- Report the issue to the awarding organisations Lead Quality Assurer who will investigate the suspected case of malpractice/maladministration
- Investigate the facts relating to allegation/complaints in order to determine whether any irregularities have occurred

Conclusions will be based on established evidence. A course of proposed actions will be identified, agreed, implemented and monitored in association with the awarding organisation. All relevant evidence will be considered without bias.

**Examples of centre malpractice/maladministration could include:**

- Failure of **NCA** to report any suspected malpractice reported to the awarding organisation from other sources
- Failure of **NCA** to apply the awarding organisation recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
- Failure of **NCA** to apply the awarding organisations recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process
- Failure of **NCA** to apply the awarding organisations recommended security procedures as identified within the centre approval declaration
- Failure on behalf of **NCA** to comply with awarding organisation guidance relating to reasonable assessment adjustments
- Claims for certification being submitted by **NCA** for units and/or qualifications that have not been approved for delivery by the awarding organisation
- Delivery and assessment of units and/or qualifications that have not been approved by the awarding organisation
- Claims for certification being submitted by **NCA** for learners that have not been registered with the awarding organisation
- Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment
- **NCA** or any part (if a consortium group) becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure
- There is any significant change in control of **NCA** (or a change of membership if a consortium group). The awarding organisation should be informed immediately if this occurs

A timeline relating to any accusations of Malpractice or Maladministration is kept on the Malpractice and Maladministration log.