

1. Introduction, Scope & Purpose

1.1. MetaGedu Apprenticeships has a duty to comply with the regulations set out by awarding organisations and any other regulatory organisations such as the Joint Council for Qualifications (JCQ), Ofqual and the Institute for Apprenticeships and Technical Education (IfATE) to identify where significant risks of malpractice/maladministration lie and implement procedures to mitigate the risks and reduce them as far as is reasonably practical.

1.2. This policy applies to all staff, apprentices and other learners undertaking regulated qualifications.

1.3. The purpose of this policy is to inform staff, apprentices and other learners undertaking regulated qualifications about what is meant by malpractice and maladministration, and to explain the systems in place to prevent them. It will explain the procedures in place to reduce the risks and the consequences of malpractice/maladministration.

2. Policy Overview

2.1. Reasons for this policy

MetaGedu Apprenticeships recognises that it is essential that all allegations of malpractice/maladministration in relation to exams and assessment process are investigated, regardless of the intent, cause or individuals concerned to maintain the integrity of the qualifications it delivers.

2.2. Definition of Malpractice

Malpractice is 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.

It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- the assessment process set by the external regulatory body;
- the integrity of delivered qualifications.
- the validity of a result or certificate.
- the reputation and credibility of MetaGedu Apprenticeships or, the qualification or the wider qualifications community.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records in order to claim certificates.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

2.3. Definition of Maladministration

Maladministration is any activity, neglect or other practice which results in non-compliance with specific requirements of an awarding organisation and includes the application of persistent mistakes or poor administration. These requirements are specific to each qualification or assessment and are set out in the awarding organisations policy, centre agreement or qualification specifications documentation.

2.4. Apprentice or Learner malpractice

Apprentice/Learner malpractice is defined as any instance of malpractice committed by an apprentice/learner. This can take place at any point during the completion of apprenticeship or qualification assessments including during the preparation of any controlled assessments or assignments, during the presentation of any practical work or during the compiling of apprentice's/learner's portfolios and assessment evidence or during the completion of an exam.

Examples of apprentice malpractice may include but are not limited to:

- An apprentice/learner submitting the work of another individual or copying from another apprentice/ learner (plagiarism)
 - An apprentice/learner failing to follow exam practices set out by an invigilator (such as the possession of unauthorised materials or communicating with another apprentice during an exam)
 - Intentional deception or dishonesty from an apprentice during the assessment process
- This list is not exhaustive and cases of suspected apprentice malpractice will be reviewed on an individual basis to decide whether a case of malpractice has occurred.

2.5. Staff/Centre malpractice

Staff or centre malpractice is defined as any instance of malpractice committed by a member of staff or by any individual appointed in another capacity such as an invigilator.

Examples of staff and centre malpractice may include:

- A breach of security where the security and confidentiality of assessment materials are broken. Examples of this may include failing to store assessment materials securely or allowing secure material to leave the assessment environment unprotected
- A situation where staff fail to adhere to the regulations regarding the conduct of assessments or a situation where malpractice is committed in the handling of conduct of assessments or handling of assessment materials or results. Examples of this may include permitting apprentices to use prohibited material in an assessment
- Deception relating to any act of dishonesty in an assessment. Examples of this may include inventing or changing marks for internally assessed components or falsifying evidence of competence against the standards
- Improper assistance being given to an apprentice/learner during an assessment relating to where assistance given to an apprentice is beyond what is specified or what has been agreed with an awarding organisation. Examples of this may include permitting assessment adjustments that have not been approved by an awarding organisation or exceeding the adjustments that have been approved
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with our requirements

2.6. Definition of Maladministration

Maladministration is any activity, neglect or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

Examples of maladministration may include:

- Persistent failure to adhere to our learner registration and certification procedures.
- Persistent failure to adhere to our centre recognition and/or qualification requirements and/or associated actions assigned to the centre.
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from Awarding Organisations.
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g., certification claims and/or forgery of evidence.

3. Allegations of malpractice

3.1. Externally identified allegations.

Malpractice may be identified by external parties or organisations such as external examiners, moderators, verifiers or quality assurers. If one of these parties suspects a case of malpractice, they must notify the relevant awarding organisation using their own procedures and documentation. A full account of the incident must be submitted to the awarding organisation alongside objective evidence to support the allegation and an indication of which regulation or requirement has been broken.

When an allegation is made to an awarding organisation, the Head of Quality and Director of Operations should both be informed of this report.

3.2. Centre identified allegations.

Where a staff member suspects that malpractice has occurred during an exam or controlled assessment, they should submit a full report to the Head of Quality and Director of Operations, who will coordinate to report this to the awarding organisation. The report must include a full account of the incident, details of which regulation has been broken and any supporting evidence.

Malpractice committed by an apprentice/learner during the completion of an assignment, piece of coursework or other internal assessment will not be reported to the awarding organisation but will instead be dealt with in accordance with MetaGedu's internal procedures. The only exception to this is in cases of malpractice committed by an apprentice/learner in relation to an internal assessment where the work has already been entered into an external assessment where that work is due to be assessed. In this case, MetaGedu will refer to the guidance available from the relevant awarding organisation before taking action

3.3. Other Allegations and whistleblowing

Allegations of malpractice may also be reported to Head of Quality or Director of Operations by other parties such as employers, centre staff, regulators, funding agencies, regulatory bodies, apprentices, other awarding organisations or members of the public.

If requested by the allegor, the Head of Quality or Director of Operations will not disclose the identity of individuals reporting cases of suspected malpractice unless they are legally obliged to do so. Once reported, the Head of Quality or Director of Operations will investigate the report and assess if this needs reporting the awarding organisation.

3.4. Responsibility for the investigation

In accordance with regulatory requirements all suspected cases of maladministration and malpractice will be examined promptly by MetaGedu Apprenticeships to establish if malpractice or maladministration has occurred and will take all reasonable steps to prevent any adverse effect from the occurrence as defined by Ofqual.

We will acknowledge receipt, as appropriate, to external parties within 48 hours.

The Head of Quality or Director of Operations will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the guidelines and regulations set out by the awarding organisation. They will appoint a relevant member of staff to lead the investigation and establish whether or not the malpractice or maladministration has occurred, and review any supporting evidence received or gathered by MetaGedu Apprenticeships.

Where applicable, the Head of Quality or Director of Operations will inform the appropriate regulatory authorities (including Awarding Organisations) for guidance before an investigation occurs.

Where the allegation may affect another awarding organisation and their provision, we will also inform them in accordance with the regulatory requirements and obligations imposed by the regulator Ofqual. If we do not know the details of organisations that might be affected, we will ask Ofqual to help us identify relevant parties that should be informed.

3.5. Investigation timelines and summary process

MetaGedu Apprenticeship aims to action and resolve all stages of the investigation within 10 working days of receipt of the allegation.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be based around the following broad objectives:

- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities.
- To evaluate any action already taken
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of MetaGedu Apprenticeships and the qualification.
- To identify any adverse patterns or trends.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, we will:

- Ensure all material collected as part of an investigation must be kept secure.
- If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter.
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us.

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, we reserve the right to withhold an apprentice's/learner's/cohort's, results.

Where a member of MetaGedu Apprenticeships staff or a MetaGedu Apprenticeships Associate is under investigation, we may suspend them or move them to other duties until the investigation is complete.

Throughout the investigation our Head of Quality and Director of Operations will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.

3.6. Investigation report

After an investigation, we will produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and MetaGedu Apprenticeships. The report will:

- Identify where the breach, if any, occurred.
- Confirm the facts of the case.
- Identify who is responsible for the breach (if any)
- Confirm an appropriate level of remedial action to be applied.

MetaGedu Apprenticeships will make the final report available to the parties concerned and to the regulatory authorities and other external agencies as required.

If it was an independent/third party that notified us of the suspected or actual case of malpractice, MetaGedu Apprenticeships will also inform them of the outcome, normally within 10 working days of making our decision. MetaGedu Apprenticeships may need to withhold some details if that information would breach a duty of confidentiality or any other legal duty.

If it is an internal investigation against a member of staff, the report will be agreed by the Head of Quality and Director of Operations, along with the relevant line managers and appropriate internal disciplinary procedures will be implemented.

3.7. Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place, we will consider what action to take in order to:

- Minimise the risk to the integrity of apprenticeships and certification now and in the future.
- Maintain public confidence in the delivery and awarding of apprenticeships and qualifications.
- Discourage others from carrying out similar instances of malpractice or maladministration.
- Ensure there has been no gain from compromising our standards.

The action we take may include:

- Imposing actions in order to address the instance of malpractice/maladministration and to prevent it from reoccurring
- In cases where certificates are deemed to be invalid, inform the Awarding Organisation concerned and the regulatory authorities why they are invalid and any action to be taken for reassessment/withdrawal of the certificates. MetaGedu Apprenticeships will also let the affected apprentices/learners know the action we are taking and that their

original certificates are invalid. Where possible, apprentices/learners will be required to return the invalid certificates to MetaGedu Apprenticeships

- Informing relevant third parties (e.g., funding bodies) of our findings in case they need to take relevant action in relation to MetaGedu Apprenticeships

In addition, to the above the Head of Quality will record and share any lessons learnt from the investigation to help prevent the same instance of maladministration or malpractice from reoccurring.

If the relevant party(ies) wishes to appeal against our decision to impose sanctions, they can do so by following MetaGedu Apprenticeships Appeals Process.

3.8. Time for Policy Review

This policy is to be reviewed annually

3.9. Dissemination

The policy is available for current and potential clients and apprentices to view.

3.10. Disclaimer

MetaGedu reserve the right to amend this Malpractice and Maladministration Policy at any time to comply with new legislation and guidance.

4. Roles & Responsibilities

4.7. Head of Quality and Director of Operations

The Head of Quality and Director of Operations are responsible for overseeing the implementation of this policy and any investigations falling under its scope.

4.8. All Staff

All staff are expected to comply fully with this policy and to cooperate with any investigations. They are required to be vigilant for incidences of malpractice/maladministration and report any concerns.

5. Change History

Version	Changes made to previous version	Approved By	Date
v1	Initial release	Eric Sykes	29/03/2023
v2	Font Change and Director Status	Eric Sykes	12/06/2023