



MEaP Academy Community Training and Institute (MaCTRI)

Malpractice & Maladministration Procedure

Introduction

This procedure is aimed at anyone involved in MaCTRI Academy Training, whether as a learner or any other interested party, who identifies or suspects potential malpractice/maladministration. It also lays out the way MaCTRI Academy Training staff will deal with any such cases to ensure that all malpractice and maladministration investigations are conducted in a consistent manner.

It sets out the steps to be followed when reporting suspected or actual cases of malpractice/maladministration, our responsibilities in dealing with such cases and the procedural steps we will follow when investigating any report.

Review arrangements

We will review the procedure as part of our self-evaluation arrangements and revise it as necessary in response to customer and learner feedback, changes in our practices, requirements of the regulators or other external agencies, changes in legislation or trends identified from previous allegations. In addition, this procedure may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective.

If you would like to feed back any views please contact us via the details provided at the end of this procedure.

Definitions

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

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

Maladministration is essentially any activity or practice which results in non-compliance with Administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre.

Process for making an allegation of malpractice or maladministration

Malpractice/maladministration may be discovered or suspected by centres, MaCTRI Academy Training staff (in particular members of the external verification or exams monitoring teams) or by others involved in our qualifications, including learners. Anybody who identifies or is made aware of suspected or actual cases of malpractice or

maladministration at any time must immediately report the information to MaCTRI Academy Training. All such reports will be held in a central log which will be updated directly if MaCTRI Academy Training staff discover or suspect malpractice or maladministration.

Centres should report their findings or suspicions to MaCTRI Academy Training by phone, email or letter which will then be logged. In order to fully investigate any report, as much as possible of the following information should be provided in writing:

Learner's name, Centre/MaCTRI Academy Training's personnel's details (name, job role) if they are involved in the case title and number of the MaCTRI Academy Training course/qualification affected or nature of the service affected date(s) suspected or actual malpractice occurred full nature of the suspected or actual malpractice date of the report and the informant's name, position and signature.

Confidentiality and whistle blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. However, it is always preferable to reveal your identity and contact details to us, and if you are concerned about possible adverse consequences request us not to divulge your identity.

While we are prepared to investigate issues which are reported to us anonymously we shall always try to confirm an allegation by means of a separate investigation before taking up the matter with those to whom the allegation relates. At all times we will investigate such allegations from whistle-blowers in accordance with relevant whistle blowing legislation and in line with our current Whistleblowing Procedure.

Responsibility for the investigation

All suspected cases of maladministration and/or malpractice will be examined in accordance with MaCTRI Academy Training procedures and regulatory requirements. All reasonable steps will be taken to prevent an adverse effect from occurring.

After an initial investigation, those cases of malpractice and/or maladministration which are considered to be of a significant concern will be submitted to our Malpractice and Maladministration Panel to be reviewed within two working days. The Panel will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this document.

We will allocate a relevant member of staff to lead the investigation to establish whether or not the malpractice or maladministration has occurred by reviewing evidence received from external sources or gathered by MaCTRI Academy Training. At all times we will ensure that MaCTRI Academy Training personnel assigned to the investigation have the appropriate level of investigation training and competence and they have had no previous involvement or personal interest in the matter.

Notifying relevant parties

MaCTRI Academy Training's Centre Co-ordinator will inform any appropriate regulator of any investigation into suspected or actual cases of malpractice according to their requirements, where there is evidence that results or certificates may be invalid or where any other adverse effect could occur. MaCTRI Academy Training agree the appropriate course of remedial action with the regulator and may in exceptional cases, the regulator may lead the investigation. Where MaCTRI Academy Training believes the allegation may affect another awarding organisation, we will inform them in accordance with the regulatory requirements.

Investigation timelines and process

MaCTRI Academy Training aims to action and resolve all stages of the investigation within 20 working days of receipt of the allegation. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, we'll advise all parties concerned of the likely revised timescale.

The investigation may involve: a request for further information from the centre or MaCTRI Academy Training personnel interviews (face to face or by telephone) with personnel involved in the investigation arranging for MaCTRI Academy Training authorised personnel to carry out a centre visit.

We expect all parties, who are either directly or indirectly involved in the investigation, to fully cooperate 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 impose sanctions on the centre in accordance with our Sanctions Procedure in order to protect the interests of learners and the integrity of the qualifications. If the case is deemed to be of a serious nature we also reserve the right to withhold a learner's and/or cohort's results for all the MaCTRI Academy Training qualifications and/or units they are registered for at the time of the notification or investigation of suspected or actual malpractice/maladministration.

Where a member of MaCTRI Academy Training's staff is under investigation we may suspend them or move them to other duties until the investigation is complete.

Throughout the investigation MaCTRI Academy Training Malpractice and Maladministration Panel 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 that relevant external parties have been kept informed.

Investigation report

After an investigation, MaCTRI Academy Training 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 ourselves.

We shall make the final report available to the parties concerned and to the regulators and other external agencies as required.

If it was an independent person or organisation that notified us of the suspected or actual case of malpractice, we shall also inform them of the outcome, normally within 10 working days of making our decision. In doing so we may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty.

If there has been an internal investigation against a member of our staff the report will be agreed by senior management and HR and appropriate internal procedures will be applied.

Investigation outcomes

At the end of any investigation MaCTRI Academy Training will review the issues raised, record any lessons learned from the investigation and update policies and procedures as necessary with the aim of preventing further maladministration or malpractice.

If any party wishes to appeal any decision relating to action to be taken against a learner or centre following a malpractice or maladministration investigation, please refer to the

Contact us:

If you have any queries about the contents of the procedure or wish to receive guidance/advice from MaCTRI Academy Training on how to prevent malpractice or maladministration, please contact the Human Resources (HR) Manager at MaCTRI Academy.

REVIEW

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the MaCTRI Head of Institute.

Date: April 2022

Review Date: April 2023