

## Malpractice and maladministration – Awarding Organisation Policy

### Introduction

1. This policy sets out how FDQ aims to prevent malpractice and maladministration and to deal with any suspected or alleged cases of malpractice and maladministration in its activities as an Awarding Organisation.

FDQ aims to provide high quality assessment products to all its learners/Apprentices and therefore takes all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery and award of its products. If any malpractice or maladministration is suspected or alleged and there are reasonable grounds for the suspicion or allegation, FDQ will investigate to establish whether or not malpractice or maladministration has taken place. If it has, FDQ will take all reasonable steps to prevent any adverse effect or where it does occur, mitigate it as far as possible.

2. Where malpractice or maladministration is shown to have taken place in the development, delivery or award of FDQ assessment products, its processes will aim to prevent this recurring. FDQ will also take action commensurate with the gravity and scope of the occurrence against those responsible. For centres, this will be via use of the Sanctions Policy; for staff or contractors, this will be governed by FDQ's disciplinary and contractual procedures. FDQ will inform any centre or other awarding organisation/ end-point assessment organisation that might be affected and will keep the Regulators informed at all stages.
3. For the purposes of this policy and in accordance with the Regulators' Conditions:
  - a) Malpractice is defined as any activity or practice which deliberately contravenes regulations and compromises the integrity of the assessment process and/or the validity of certificates – it also covers misconduct.
  - b) Maladministration is any activity or practice which results in non-compliance with regulations, including cases of persistent mistakes or poor administration within a centre.

## Prevention of malpractice and maladministration

4. FDQ has systems and procedures in place covering the development, delivery and award of its assessment products. These have been specified in such a way that malpractice and maladministration should be prevented and so need to be carefully implemented at all times.
5. Centres must also be aware of FDQ's malpractice and maladministration policy. They are also required to have their own policies to prevent the occurrence of malpractice and maladministration and to deal with it should it occur. To this end, FDQ has a malpractice and maladministration policy which is included in its Centre Handbook and centres must have malpractice and maladministration policies that are checked at centre approval and during on-going quality assurance. FDQ will offer further guidance on requests from any centre, as how best to prevent, investigate and deal with malpractice and/or maladministration.
6. The categories listed below are examples of centre and learner/ Apprentice malpractice. These examples are not exhaustive and are only intended as guidance on the definition of malpractice:
  - a) Contravention of centre, qualification and end-point assessment approval conditions
  - b) Denial of access to resources (premises, records, information, learners/apprentices and staff) by any authorised FDQ representative and/or the Regulators
  - c) Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with requirements
  - d) Deliberate failure to adhere to learner/apprentice registration and learner certification procedures
  - e) Deliberate or persistent failure to adhere to centre recognition or assessment product approval criteria or actions assigned to the centre
  - f) Deliberate failure to maintain appropriate auditable records, e.g. certification claims
  - g) Persistent instances of maladministration within the centre
  - h) Fraudulent claim for learner certificates

- i) The unauthorised use of inappropriate materials / equipment in assessment settings (e.g. mobile phones)
  - j) Intentional withholding of information from FDQ which is critical to maintaining the rigour of quality assurance and standards of its assessment products
  - k) Deliberate misuse of FDQ's logo and trademarks or misrepresentation of a centre's relationship with FDQ and/or its recognition and approval status
  - l) Forgery of evidence
  - m) Collusion or permitting collusion in exams and assessments
  - n) Learners still working towards a qualification after certification claims have been made
  - o) Contravention by centre(s) or learner(s)/apprentice(s) of the assessment arrangements specified for FDQ assessment products
  - p) Insecure storage of assessment materials and exam papers
  - q) Plagiarism of any nature by learners/apprentices
  - r) Unauthorised amendment, copying or distributing of exam papers
  - s) Inappropriate assistance to learners/apprentices by centre staff (e.g. unfairly helping them to pass a unit or qualification)
  - t) Submission of false information to gain a qualification or unit
  - u) Deliberate failure to adhere to the requirements of FDQ's reasonable adjustments and special consideration policy.
7. Where malpractice or maladministration is suspected or has been alleged, FDQ will carry out an investigation. If a centre has discovered irregularities, it may be appropriate for its staff to undertake the initial investigation after reporting the matter to FDQ and under its direction.
8. Whenever malpractice or maladministration is suspected or alleged, there is the potential for an adverse effect to occur. In order to ensure that these are recorded and dealt with in a consistent manner, the Incident Record (included in FDQ process documents) should be completed. This will include, inter alia, notes of any investigation that has taken place,

where records are held, when the Regulators have been informed, and all actions taken.

The Record should be completed for all allegations even if no action is taken so that there is an opportunity for cross-referencing if further evidence comes to light.

### Dealing with malpractice and maladministration

9. If FDQ establishes that malpractice or maladministration has occurred, either at a centre or within its own development, delivery or awarding procedures, it will take appropriate and immediate action against those responsible to prevent it from recurring. If the issue is with a member of staff or a contractor, appropriate disciplinary procedures will be instigated; if at a centre, the Sanctions Policy will come into force and one or more of the following actions will be taken until such time as FDQ is satisfied that appropriate corrective measures have been taken:
  - a) Compulsory approval of assessment tasks and activities
  - b) An increased level of monitoring activities
  - c) A suspension of learner/apprentice registrations and learner claims for certification
  - d) Suspension or withdrawal of centre approval.
10. If the occurrence of malpractice or maladministration could affect another centre or another awarding organisation or end-point assessment organisation, FDQ will inform that organisation. For example, if malpractice in marking exams were found, FDQ would inform the affected centres; if an issue of malpractice were found at a centre which operated with other awarding organisations, FDQ would inform them. All such information sharing will be recorded on the Incident Log.