

Malpractice & Maladministration Policy for Active Partners Trust delivery of Sports Leaders Qualifications

Introduction

Active Partners Trust (APT) is an approved Sports Leaders Qualification (SLQ) Centre and is committed to providing excellent services through their learning environments and eliminating any suspected malpractice and maladministration in the delivery of qualifications. APT aims to promote accountability and to encourage the openness to disclose any allegations of malpractice and maladministration in the workplace.

APT is responsible for ensuring that this policy is published, implemented and accessible to all personnel, learners and any relevant third parties. APT will also ensure that all personnel have read and understood this policy and that any amendments to the policy are communicated to relevant parties.

Learners should be made aware of this policy at the start of their course/programme (Level 5 Certificate in Primary School Physical Education and the Level 4 Qualification in Supporting Pupils Wellbeing through Physical Education) and the policy should be easily accessible.

It sets out the steps our centre (APT) and learners must follow when reporting suspected or actual cases of malpractice/maladministration and APT's responsibilities in dealing with such cases. It also sets out the procedural steps APT will follow when reviewing the cases.

Definitions:

Centre: A Centre is the organisation that is approved by SLQ to deliver its qualifications. To run a qualification, it is a requirement of SLQ and the regulatory authorities that every organisation must apply to become a Qualification Centre or Professional Learning Centre (PLC) before delivery. The regulatory authorities will audit SLQ to ensure that agreed quality assurance standards are being implemented and maintained. In turn, SLQ must ensure that all Qualification Centres have the resources and training in place to implement the responsibilities to SLQ and to the learners undertaking the qualifications at the Centre.

Centre's responsibility

It is important that APT staff involved in the management, assessment and quality assurance of our qualifications, and our learners, are fully aware of the contents of the policy and that APT has arrangements in place to prevent and investigate instances of malpractice and maladministration.

A failure to report suspected or actual malpractice/maladministration cases or have in place effective arrangements to prevent such cases, may lead to sanctions being imposed on APT by SLQ.

Review arrangements

APT will review the policy annually as part of our annual self-assessment arrangements and quality plan. The policy will be revised as and when necessary in response to customer and

learner feedback, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation or trends identified from previous allegations. In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice/maladministration remain effective.

Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of internal or external assessment processes and/or the validity of certificates. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain groups of learners.

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Contravention of our centre and qualification approval conditions
- Denial of access to resources (premises, records, information, learners and staff) by any authorised APT representative and/or the regulatory authorities
- Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with our requirements
- Deliberate failure to adhere to our learner registration and certification procedures
- Deliberate or persistent failure to continually adhere to our centre recognition and/or qualification approval criteria or actions assigned to our centre
- Deliberate failure to maintain appropriate auditable records e.g. learner files
- Persistent instances of maladministration within our centre
- Fraudulent claims for certificates
- The unauthorised use of materials/equipment in assessment/exam settings (e.g. mobile phones/cameras)
- Intentional withholding of information which is critical to maintaining the rigour of quality assurance and standards
- Deliberate misuse of our logo
- Forgery of evidence
- Collusion or permitting collusion in exams
- Learners still working towards qualifications after certification claims have been made
- Contravention by our centres and learners of the assessment arrangements we specify for our qualifications
- Insecure storage of assessment materials and exam papers
- Plagiarism of any nature by learners
- Unauthorised amendment, copying or distributing of exam papers
- Inappropriate assistance to learners by centre staff or commissioned tutors (e.g. unfairly helping them to pass a unit or qualification)
- Submission of false information to gain a qualification or unit

Definition of Maladministration

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 (e.g. inappropriate use of learner records).

Process for making an allegation of malpractice or maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately report their findings to:

Margaret Blount (Head of Operations) - margaret.blount@activepartnerstrust.org.uk

In doing so they should put them in writing/email and enclose appropriate supporting evidence.

All allegations must include (where possible) the:

- Centre's name, address and number
- Learner's name and awarding organisation number
- Centre/APT personnel's details (name, job role) if they are involved in the case
- Title and number of the APT course/qualification affected or nature of the service affected
- Date(s) suspected or actual malpractice occurred
- Full nature of the suspected or actual malpractice
- Written statements from those informant's name, position and signature

If a centre conducts an investigation before submitting it formally, the centre should:

- Ensure that staff leading the investigation are independent of the staff/learners/function being investigated
- Inform those who are suspected of malpractice that they are entitled to know the necessary details of the case and possible outcomes
- Submit the findings of the investigation to us with your report

In all cases we'll protect the identity of the 'informant' in accordance with our duty of confidentiality and/or and other legal duty - See APT [Whistleblowing Policy](#)

Investigation timeliness and process

APT aim 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. We expect all parties, who are either directly or indirectly involved in the investigation, to fully cooperate with us.

The investigation may involve:

- A request for further information from the centre or APT personnel
- Interviews (face to face or by telephone) with personnel involved in the investigation

Where a member of APT staff is under investigation they may be suspended or they may be moved to other duties until the investigation is complete - [See APT Disciplinary Policy](#)

Investigation Report

After an investigation, a draft report will be produced for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned. APT shall make the final report available to the parties concerned and to the Awarding Bodies. 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 and appropriate internal procedures will be applied.

If the malpractice involves a criminal act, the matter will be reported to the police.

Actions and Sanctions if Malpractice is Proven

After investigation, those cases of malpractice and/or maladministration which are proven the following actions may be taken:

Staff/Tutor Malpractice

- Verbal warning about future conduct
- Written warning about future conduct
- Exclusion from the delivery of the qualification (either at the centre or across all centres)
- Exclusion from the assessment of the qualification (either at the centre or across all centres)
- Exclusion from the internal verification/moderation of the qualification (either at the centre or across all centres)
- Exclusion from the financial/quality management/administration of the qualification (either at the centre or across all centres)
- Temporary suspension
- Work only under supervision
- Undertake specific training

Candidate Malpractice

- A verbal warning about future conduct
- A written warning about future conduct
- Exclusion from course
- Disqualification from the whole qualification
- Notification to the police if malpractice involves a criminal act

Learners must understand that where the allegations are proven, certificates may be invalidated and those already issued may be withdrawn.

Investigation Outcomes

At the end of any investigation APT 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 SLQ Appeals Procedure - [SLQ Appeals Policy](#)

Record Retention

All records of investigations of suspected malpractice and the outcomes of these will be kept following SQA requirements:

- Where an investigation of suspected malpractice is carried out, APT will retain related records and documentations for three years. Records to be included will be any work of the candidate, assessment, examination and verification records relevant to the investigation.
- In the case of appeal to SQA against the outcome of a malpractice investigation, assessment and examination records will be maintained for six years.
- In an investigation involving a potential criminal prosecution or civil claims, records and documentation will be retained for six years after the case and any appeal has been heard. If APT is in and doubt about whether criminal or civil proceedings will take place, it will keep records for the full six-year period.

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