

Malpractice Policy

Definition

Malpractice which includes maladministration and non compliance means any act, default or practice which is a breach of the Regulations or which:

- Compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity and security of any assessment materials, the validity of result or certificate; and/or
- Damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body centre.

Failure by a centre to notify, investigate and report to an awarding body allegations of suspected malpractice constitutes malpractice. Also, failure to take action as are required by an awarding body, as detailed in this document, or to co-operate with an awarding body's investigation constitutes malpractice.

Policy statement

Signature treats any example of malpractice or maladministration with the greatest seriousness, and will take action in any case where malpractice or maladministration is confirmed. Signature will take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery and award of Signature qualifications.

Scope

- Centres dealing with malpractice involving learners or centre staff.
- Signature dealing with malpractice involving learners or centre staff.

Centres must report any cases of suspected malpractice to Signature immediately.

Centres must co-operate with Signature in all cases of suspected malpractice or maladministration. Signature reserves the right to withhold certificates and/or not accept future registrations from the centre in cases where the centre does not fully co-operate and in cases where malpractice or maladministration is proven.

Candidates

Where maladministration or malpractice on the part of the centre is proven to have an adverse effect on candidates, Signature will promptly take all reasonable steps to protect the interests of the candidates. Signature will ensure that centres understand their responsibilities in protecting the interests of any adversely affected candidates.

Signature will investigate instances of alleged malpractice/maladministration in the following manner:

Follow Signature's malpractice procedure which will involve taking any of the following steps necessary to establish whether or not malpractice or maladministration has occurred:

- Collect evidence from the persons alleging malpractice/maladministration
- Inform the centre of the allegation
- Require centre administrator to conduct an internal investigation and inform Signature of the outcome.
- Visit the centre to establish facts
- Collect counter-evidence
- Examine all evidence.

At the investigative stage, Signature staff will make decisions on straightforward cases. In cases which are unclear or contested, advice and/or direction may be sought from Signature's Board of Trustees or Signature's Qualifications and Standards Committee.

The outcome of implementing Signature's Malpractice Procedure may result in:

- Malpractice not found
- Not issuing certificates
- Sanctions against centre
- Sanctions against individual members of centre staff
- Withdrawal of centre approval
- Restrictions on centre registrations
- Information passed to other awarding bodies, regulatory authority or agencies where appropriate.
- Other appropriate outcome.

The outcome will be recorded. Signature will inform the Qualification Regulator of any case of malpractice and agree appropriate action.

Appeals

Appeals against the outcome of malpractice decisions are allowed. The Appellant must have viable grounds for appeal such as:

- Signature has not followed published procedures.
- New evidence has come to light which could change the decision.
- Reasonable belief that the action taken is not proportionate to the centre or individual's actions.

Appeals must be made within two weeks of Signature informing the centre/individual of the outcome.

Appeals will be heard by a small panel of individuals within Signature who have no prior knowledge of the details or been involved in the malpractice investigation and/or decision following the investigation.

This policy will be reviewed by the Qualifications and Quality Department.