



## Malpractice and Maladministration Policy

This document is copyright under the Berne Convention. All rights are reserved. Apart from any fair dealing for the purposes of private study, research, criticism or review, as permitted under the Copyright, Designs and Patents Act 1998, no part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form by any means, electronic, electrical, chemical, mechanical, optical, photocopying, recording or otherwise, without prior written permission of the copy owner. Enquiries should be addressed to Future Awards and Qualifications.

Copyright © Future (Awards and Qualifications) Ltd 2014

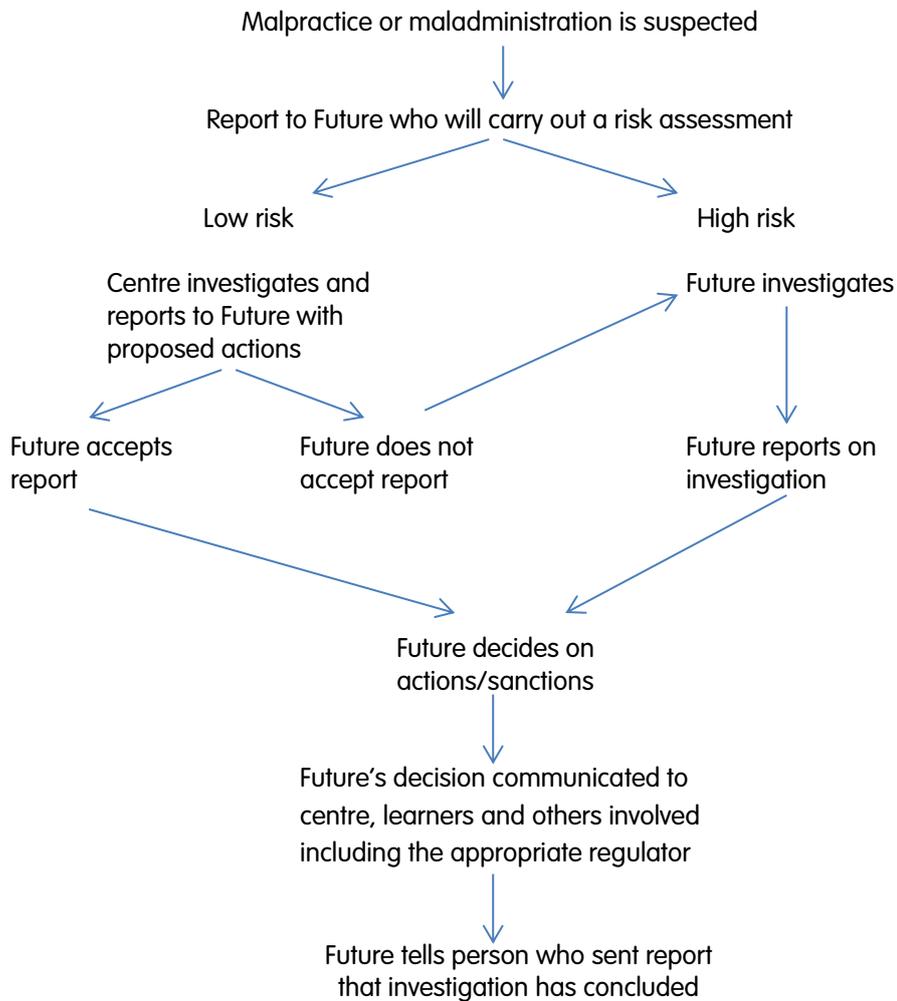
# FAQ Malpractice and Maladministration Policy

## Contents

Summary	2
Section 1 – Overview of the policy	
1.1 Scope of the policy	3
1.2 Purpose of the policy	3
1.3 Location and Communication of the policy	3
1.4 Requirements on centres	3
1.5 Review of the policy	3
1.6 Definitions	3
1.7 A summary of what to do when a case of suspected or actual malpractice is found	4
Section 2 – Reviewing suspected or actual cases of malpractice or maladministration	
2.1 Centre investigation	5
2.2 Future <sup>TM</sup> investigation	5
2.3 The investigation process	5
Section 3 – The outcome of the investigation	
3.1 Centre malpractice	6
3.2 Learner malpractice	6
3.3 Review of Future procedures following confirmed malpractice	6
Section 4 – Reporting the outcome	6
Section 5 – Appeals against our decision	7
Section 6 – Contacting Future (Awards and Qualifications) Ltd	7

## Summary

The detailed procedure for dealing with malpractice and maladministration is laid out in this policy, but for ease of understanding it is shown diagrammatically below. Please see the rest of the policy for full details of what must be done when malpractice or maladministration is suspected.



## Section 1 – Overview of the policy

### 1.1 Scope of the policy

This policy is aimed at all who are using Future qualifications and who are involved in suspected or actual malpractice or maladministration.

### 1.2 Purpose of the policy

Future will act upon reports of suspected or actual cases of malpractice received about activities, personnel or learners which may affect the integrity of its qualifications and quality assurance systems. This policy sets out the steps to be followed when reporting suspected or actual cases of malpractice or maladministration and who is responsible for dealing with such cases. It also lays down how Future will review the circumstances which led to the suspected or actual cases of malpractice and support any investigations.

### 1.3 Location and Communication of the Policy

The policy can be downloaded from our website [www.futurequals.com](http://www.futurequals.com) or requested from Customer Support on 01530 836662, or by emailing [info@futurequals.com](mailto:info@futurequals.com). It is important that personnel involved in the management, assessment and quality assurance of Future qualifications and learners are fully aware of the contents of the policy. The allocated External Quality Assurer will check that the centre is aware of its contents and purpose.

### 1.4 Requirements on Centres

Each Centre is required to have in place a process for preventing and investigating malpractice and maladministration. External Quality Advisors will report on a centre's malpractice and maladministration arrangements on each visit.

### 1.5 Review of the Policy

Future will review the policy annually and revise it as and when required in response to customer and stakeholder feedback, changes in our practices, requirements from the qualifications regulators or changes in legislation. The review will ensure that procedures continue to be consistent with the conditions of recognition and are applied accurately and fairly in arriving at judgements

### 1.6 Definitions

#### Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the assessment process and/or the validity of certificates.

For the purpose of this policy this term also covers misconduct.

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are guidance on Future's definition of malpractice:

- Contravention of our centre and qualification approval conditions.
- Failure to satisfactorily implement conditions of approval within stated timelines.
- Centre postponement of visits by our External Quality Assurer for more than 6 months.
- Denial of access to resources (premises, records, information, learners and staff) by any authorised Future representative and/or qualifications regulators.
- Actions required by our External Quality Assurers not being met within agreed timescales.
- Failure to carry out delivery, internal assessment, internal moderation or internal quality assurance in accordance with our requirements.
- Failure to adhere to our learner registration and certification procedures.

- Failure to adhere to our centre/qualification approval criteria.
- Failure to maintain auditable records, eg certification claims.
- Fraudulent claim for certificates.
- Submission of false information to gain an Award, Certificate or Diploma.
- Breaches of equalities and/or health and safety legislation.
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance.
- Deliberate misuse of our logo and other trademarks.
- Forgery of evidence.
- Plagiarism of any nature by learners.
- Deliberate destruction of another's work.

### Maladministration

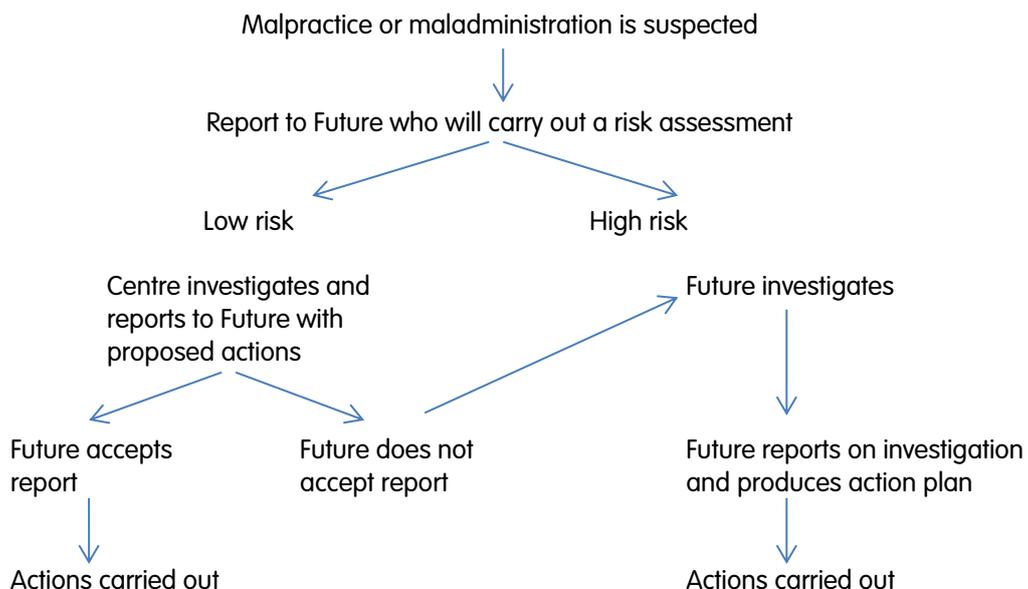
Maladministration is essentially any activity or practice which results in non-compliance with regulations. It includes cases of persistent mistakes or poor administration within a centre.

### 1.7 A summary of what to do when a case of suspected or actual malpractice is found

Anyone who suspects that malpractice or maladministration has been committed must report it to Future by completing the Future Malpractice and Maladministration Report Form, which is available from our website [www.futurequals.com](http://www.futurequals.com) or on request from Customer Support via the contact details at the end of this document. Future will protect the identity of the 'informant' if required.

Future will acknowledge all such reports within 2 working days and review them within 5 working days. This review will risk assess the situation and decide whether an initial centre investigation is appropriate or whether Future needs to immediately carry out a full investigation. If a centre investigation is permitted, the report must be returned to Future for evaluation and if necessary further follow up. Centres should note that sanctions may be imposed whilst the investigation is carried out to protect both learners and the integrity of Future's qualifications. This may include restrictions on centres registering and/or certificating learners.

The reporting and investigation procedure is shown diagrammatically below.



## Section 2 – Reviewing suspected or actual cases of malpractice or maladministration

### 2.1 Centre Investigation

If a centre is given permission to carry out an internal investigation, it must:

- Ensure that staff leading the investigation are independent of the staff/learners/function being investigated.
- Inform those who are suspected of malpractice/maladministration that they are entitled to know the necessary details of the case and possible outcomes.
- Submit the findings of the investigation to Future together with an action plan to deal with the situation and ensure that it does not recur.

### 2.2 Future investigation

Where Future carries out the investigation, it will

- Arrange for a panel to carry out the investigation. This will be made up of at least three people who may be Future personnel or, where necessary, external experts, all of whom will be competent to review the issue raised.
- Ensure that personnel who have had previous involvement in the matter do not participate in the review process.
- Aim to action and resolve all investigations within 30 working days of receipt of either the initial report or the report following a centre investigation where this is deemed not acceptable. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances Future will advise all parties concerned of the likely revised timescale.
- Advise those submitting the initial report of the outcome of our investigation with 12 working days of making our decision.

### 2.3 The investigation process

Future expects all parties, who are either directly or indirectly involved in the investigation to fully co-operate. In instances where co-operation does not take place it may be necessary to permanently or temporarily remove approval status or withdraw learners from the qualification and inform the qualifications regulators.

During the investigation the Panel's review may involve:

- A request for further information from the centre or Future personnel
- Interviews (face to face or by telephone) with personnel involved in the investigation.
- Arranging for Future authorised personnel to carry out a centre visit. In this case, a fee is chargeable for the visit (see the current price list, available from [www.futurequals.com](http://www.futurequals.com) or on request from Customer Support)

The panel will make informed decisions based on the evidence. Where panel decisions are required, the majority vote will apply.

Wherever a report of malpractice or maladministration could lead to an adverse effect, Future will inform Ofqual or the Welsh Government as appropriate. If the issue is in Scotland, Future will inform SQA Accreditation in all cases. In serious cases, Future will agree the course of remedial action with the appropriate regulator. Please note that in exceptional cases, the regulators may lead the investigation.

Future will share information with other external parties, including other Awarding Organisations, as required.

## Section 3 – The outcome of the investigation

Future will consider all factors put forward by the centre and/or the learner(s) in taking its decision after an investigation.

### 3.1 Centre malpractice

If the investigation confirms that centre malpractice or maladministration has taken place, Future may impose a sanction as listed in our Sanctions Policy which is available on the Future website. The level of sanction will be appropriate to the findings of the investigation and the significance of the issues raised. It is the responsibility of the centre to inform personnel and learners affected of the implications of the sanctions.

Future will also agree an action plan with the centre to correct any matters that have come to light through the investigation and to put in place systems to ensure they cannot recur.

In cases where qualification certificates are deemed invalid, Future will inform the centre and the qualifications regulators why the certificates are invalid and any action to be taken for reassessment and/or certification. Future will require the centre to let learners know the action being taken and that the original certificates are invalid. Future will amend its database so that duplicates of the invalid certificates cannot be issued and require the centre to amend records to show that the original awards are invalid.

### 3.2 Learner malpractice

If the investigation confirms that learner malpractice has taken place, Future may impose one or more of the following sanctions on the learner:

- Disallowing all or part of the learners assessment evidence
- Not issuing the learners' certificate(s)
- Not accepting any further registrations for the learner
- Disqualification from the qualification

In cases of malpractice by learners, centres should make learners aware that their final results may be void if the case is proven and any certificates which have already been issued may be deemed to be invalid and will need to be returned to Future.

### 3.3 Review of Future procedures following confirmed malpractice

If an investigation confirms that malpractice or maladministration has taken place, Future will review its systems and procedures to ensure that appropriate checks are in place to prevent a similar situation recurring.

## Section 4 – Reporting the outcome

After an investigation, Future will produce a draft report for relevant parties to check the factual accuracy. Any subsequent amendments will be agreed.

Future will make the final report available to the relevant parties and the qualifications regulators and other external agencies as required.

If an independent/third party notified Future of the suspected or actual case of malpractice, Future will inform them of that the investigation has been completed.

Where Future believes that malpractice or maladministration has occurred, it will inform any centre or other awarding organisation that may be affected, asking the qualifications regulators for assistance in identifying them where necessary.

## Section 5 – Appeals against our decision to impose sanctions

If you wish to appeal against our decision to impose sanctions, please refer to the Appeals Policy available [www.futurequals.com](http://www.futurequals.com) or on request from Customer Support.

## Section 6 - Contacting Future (Awards and Qualifications) Ltd

Future (Awards and Qualifications) Ltd  
EMP House  
Telford Way  
Coalville  
Leicestershire  
LE67 3HE  
Tel: 01530 836662 | Fax: 01530 836668  
Email: [info@futurequals.com](mailto:info@futurequals.com) | Website: [www.futurequals.com](http://www.futurequals.com)

Future is registered under the Data Protection act and handles all data in accordance with the required procedures of the Act.



Head Office Address:

Future (Awards and Qualifications) Ltd  
EMP House, Telford Way  
Coalville, Leicestershire  
LE67 3HE

Contact:

Telephone: 01530 836662  
Fax: 01530 836668  
Email: [info@futurequals.com](mailto:info@futurequals.com)  
Website: [www.futurequals.com](http://www.futurequals.com)