



## 1.19 Malpractice Policy

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## **Malpractice Policy**

EMA Training Limited must report any malpractice suspected after candidate registration to the awarding body. If the awarding body suspect malpractice or maladministration is suspected in a centre or a partner organisation, then they will suspend the centre from making claims for certification. The key factor will be to determine whether there are reasonable grounds to doubt the integrity of the assessment process.

For the purposes of this policy, malpractice is defined as the deliberate falsification of records and/or using unfair means during assessment to obtain a qualification or certificate.

Examples include:

- The evidence assessed is not the candidate's own work, therefore certificates have been claimed based on falsified records
- The candidate is still working towards the qualification after the certificate has been claimed.
- The awarding organisation has issued certificates contrary to appropriate codes of practice and the accreditation agreement.

It is distinguished from maladministration, which is the accidental claiming or issuing of certificates. The former is a deliberate act to deceive, the latter incompetence or a simple mistake.

## **Responsibility**

The responsibility for the assessment and certification of candidates is shared between a centre and an awarding organisation. Centres and awarding organisations need to work together to resolve the issues whilst considering the following:

- Following the principle of seeking to protect the interests of candidates, in so far as is reasonable and possible in the circumstances.
- The awarding organisation will contact the candidates involved and notify them of the status of their certificates and any arrangements for re-assessment and/or certification.
- The awarding organisation and centre will cancel the original certificates on its database so that duplicates cannot be issued
- The awarding organisation will give the regulatory authorities details of the invalid certificates and, if appropriate, make the information available to public funding bodies.



### **Reporting Malpractice**

All EMA Training Limited staff have a responsibility to report any alleged or suspected malpractice at the first instance to the Directors; in their absence, the lead Internal Verifier should be informed. The Directors will then investigate the alleged irregularities, and in all cases, notify the awarding organisation, once malpractice has been proven. The Directors will also indicate the proposed action and an estimated timescale for the investigation to the awarding organisation.

### **Failure to Cooperate**

The Directors have the power to disqualify candidates, suspend employees and take disciplinary action where gross malpractice is proven. After this, the centre will inform the awarding organisation in question of the outcomes of procedures. They will cooperate with any follow up investigations required by the awarding organisation and agree on appropriate remedial action if there is evidence that certificates may be invalid.

### **Report Instigation**

The individual responsible for reporting the suspected malpractice should complete the following template and discuss the incident in detail with the Directors. This template is very important as it will form the basis of the investigation and should be completed in a timely, accurate and detailed manner. These documents should be treated with confidentiality and should be filed away safely and securely.

### Report of Suspected Malpractice

Details of Programme			
Award:		Course Reg. No.	
Start Date:		Location of malpractice:	
Date of Incident:		Time (am/pm session):	
Candidate Details			
<b>Candidate Name</b>			
<i>Name(s) of Assessor/Internal Verifier or other(s) involved in suspected malpractice</i>			
<b>Name</b>			<b>Role</b>
Give details of the suspected malpractice (please continue on a separate sheet if necessary)			
Please complete all sections that are relevant			
<i>Assessment/Examination Procedures</i>			
Were the candidates made aware of the assessment regulations?	YES		NO
Was the 'Examination in Progress' sign displayed?	YES		NO
Were the 'Invigilators Instructions' read/explained to the candidates?	YES		NO
Were candidates informed of exam regulations at the start of the exam?	YES		NO
<i>Portfolio Completion</i>			
Had the candidate(s) signed the confirmation of completion of worksheets?	YES		NO
Had candidate(s) signed written declaration stating evidence is authentic?	YES		NO
Had the assessor/tutor signed the written declaration?	YES		NO
If the malpractice is plagiarism, please give full details and include copies if possible:			
<i>Candidate Behaviour</i>			

If malpractice involved disruptive behaviour, did this disturb other learners?	YES		NO	
Does the malpractice involve the use of unauthorised material?	YES		NO	

<b>Supporting Evidence Submitted</b>			
Statement from Assessor		Statement from IV	
Statement from Invigilator		Statement from Examiner(s)	
Statement from Candidate(s)		Candidate(s) Portfolio(s)	
Unauthorised material removed			
Assessment records		Source Copies of plagiarised material	
If statement(s) from those accused of malpractice are not enclosed, please tick the box to indicate that the opportunity to make a statement was given, but was declined.		Other (please give details)	

<b>Declaration</b>	
The information supplied above is in support of the suspected malpractice that has been indicated on this form:	
Name:	_____
Position:	_____
Signature:	_____
Date:	_____