



**Assessment Malpractice & Maladministration Policy
21st February 2021 to February 2022**

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- **Managing Malpractice and Maladministration:**
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- CWLC, its employees and learners should be vigilant regarding the assessment of qualifications concerning malpractice or maladministration. CWLC is responsible for any matters relating to the conduct of the learner whilst undertaking the qualification. We will investigate any allegations in compliance with published company policy and procedure which is to be inclusive of:
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- Investigation of the allegation of possible malpractice
- Notification to the individual/learner concerned, in writing, of the nature of the alleged malpractice and of the possible consequences should malpractice be proven
- Provision of the opportunity for the individual/learner concerned to respond, in writing, to the allegations made
- Report all proven cases to the relevant awarding organisation at the earliest opportunity
- Investigation documentation to be rigorously maintained and forwarded to the AOs/ regulators
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- Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify the Head of Quality (contact details below).
- The following information should be put in writing including appropriate supporting evidence:
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- Your name and contact details
- Learner's involved names
- Course name, venue and dates (if applicable)
- CWLC employees name and job role - if they are involved
- Details of the suspected or actual malpractice or maladministration
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- CWLC will conduct an initial investigation.
- Where irregularities in assessments are discovered prior to learners signing the declaration of authenticity, CWLC may decline to accept the work for assessment purposes.
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- Where irregularities in assessments are discovered, full details will be submitted to the awarding organisation, immediately, providing full details of the allegation and malpractice / maladministration.
- The matter will then be treated as a formal case of suspected malpractice and CWLC will follow the awarding organisation's guidance and procedures in force at that time.
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- CWLC will co-operate fully with any investigations carried out by the awarding organisation.
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- **Investigation timelines and summary process**
- We aim to resolve all investigation stages within 10 working days of receipt of the allegation.
- The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be based around the following broad objectives:
- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities.
- To evaluate any action already taken
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of [centre name] and the qualification.
- To identify any adverse patterns or trends.
- The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, we will:
- Ensure all material collected as part of an investigation will be kept secure.
- If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for six years thereafter.
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us.
- Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, we reserve the right to withhold a learner's, and/or cohort's, results.
- Where a member of CWLC staff or a CWLC associate is under investigation we may suspend them or move them to other duties until the investigation is complete.
- Throughout the investigation the Head of Quality will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.
- Investigation report
- After an investigation, we will produce a report in order to have and keep a record of findings and share those findings with the AO and regulators
- Any subsequent amendments will be agreed between the parties concerned and ourselves. The report will:
- Identify where the breach, if any, occurred.
- Confirm the facts of the case.
- Identify who is responsible for the breach (if any)
- Confirm an appropriate level of remedial action to be applied.

- CWLC will make the final report available to the parties concerned and to the regulatory authorities and other external agencies as required.
- In the event of an internal investigation against a member of our staff, the report will be agreed by the Managing Director, along with the Head of Quality and the relevant internal managers. In the event of malpractice being proven, appropriate internal disciplinary procedures may be implemented.
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- **Investigation outcomes**
- If the investigation confirms that malpractice or maladministration has taken place, we will consider what action to take in order to:
 - Minimise the risk to the integrity of certification now and in the future.
 - Maintain public confidence in the delivery and awarding of qualifications.
 - Discourage others from carrying out similar instances of malpractice or maladministration.
 - Ensure there has been no gain from compromising our standards.
 - The action we take may include:
 - Imposing actions in order to address the instance of malpractice/maladministration and to prevent it from reoccurring
 - In cases where certificates are deemed to be invalid, inform the Awarding Organisation and the regulatory authorities concerned as to why they are deemed invalid. Further, inform the Awarding Organisation and the regulatory authorities concerned of any action to be taken for reassessment and/or for the withdrawal of the certificates. We will also let the affected learners know the action we're taking and that their original certificates are invalid and ask – where possible – to return the invalid certificates to CWLC.
 - Informing relevant third parties (e.g. funding bodies) of our findings in case they need to take relevant action in relation to the centre.
 - In addition to the above the Head of Quality / Managing Director will record any lessons learnt from the investigation and pass these onto relevant internal colleagues to help prevent the same instance of maladministration or malpractice from reoccurring.
 - If the relevant party/ies wishes to appeal against our decision to impose sanctions, please refer to our Appeals Procedure.
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- **Contactable Person for reporting Malpractice / Maladministration:**
- Head of Quality - Keith Horkan
- Email: Keith.horkan@cwlc.co.uk
- Mob: 07981 159426

Signed:



(Keith Horkan)

Position in company:

Head of Quality

Date: 21st February 2021

Due for Review: February 2022