

## **Malpractice and Maladministration – Policy and Procedure: Black Country Skills Factory Leadership & Management Programme**

Open College Network West Midlands *Malpractice and Maladministration Policy* can be found here <http://www.opencollnet.org.uk/centres/policies-and-procedures> and contains more detailed information.

### **Definition**

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process 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 or groups of learners.

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 learner records).

### **Examples**

Malpractice may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates.

Maladministration may include failure to adhere to Open College Network West Midlands registrations procedures.

### **Centre Policies and practice**

Malpractice and maladministration may be discovered in a range of ways:

- The centre itself through its own internal monitoring and management activities
- Learner/learners
- Whistle blower
- Third party
- The awarding organisation through its own external monitoring activities

### **Process**

In the event of any suspected Malpractice and/or Maladministration it should be reported to the Black Country Skills Factory who will prepare a written response within 14 working days. In cases where breaches have occurred due to maladministration rather than malpractice the matter will be referred to the provider to agree action to prevent any future occurrences.

The outcome of any investigation will be communicated to Open College Network West Midlands and other relevant parties no more than 21 working days later.

If the investigation confirms that malpractice by a provider or learner has taken place, dependant of gravity and scope, the following are examples of actions that could be taken:

- Disallowing all or part of a learner's assessment evidence or marks.
- The learner's certificate will not be issued
- Impose actions onto the provider with specified deadlines in order to address the instance of malpractice / maladministration and to prevent it from reoccurring;