

MALPRACTICE AND APPEALS POLICY

1. Statement of Intent

Total Training Provision are responsible for ensuring they have established, are maintaining and are compliant with up-to-date policies and procedures for the investigation of suspected or alleged malpractice and maladministration. Reasonable actions must have been taken to prevent instances of malpractice and maladministration. All Employees, tutors, assessors, learners or quality assurers must be made aware of the policy contents and the procedures relating to this topic.

Compliance with this policy and how we take reasonable actions to prevent and/or investigate instances of malpractice and maladministration, will be monitored through the external quality assurance procedures. Failure to co-operate may lead to certificates not being issued to learners and future course registrations not being accepted. A failure to comply and to report any suspected or actual malpractice and maladministration cases or have in place effective arrangements to prevent such cases, may lead to sanctions being imposed on Total Training Provision.

2. Aim of the Policy

This document is intended to define malpractice and appeals in the context of assessment and certification for any qualifications delivered by Total Training Provision. Total Training Provision deem any element of malpractice to be a serious issue which must be tackled effectively to ensure the quality systems and practices remain robust. Total Training Provision will ensure all learners are provided with the right to appeal any assessment decisions.

This policy will provide a framework for learners and Employees to outline the principles that Total Training Provision has in place in relation to malpractice and appeals, in particular:

- Learners and Employees will have a robust policy and procedure in place to tackle malpractice.
- Provide an understanding of types of malpractice.
- Provide assurance that all suspected malpractice or learners appeals will be dealt with seriously and in a strict timescale to ensure the learner's best interests are met.

3. Responsibilities

All Total Training Provision employees have the responsibility to uphold the Malpractice and Appeals Policy. Overall responsibility for the policy is the Quality Director. It is important that:

- We ensure that all Employees are vigilant regarding assessment malpractice.
- Where malpractice occurs it must be dealt with in an open and fair manner.
- We ensure all instances of suspected malpractice are investigated.
- We ensure all appeals made by learners are acted on in accordance to our procedure.
- We follow the whistleblowing policy.

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4. Malpractice

Malpractice, which includes maladministration, 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 of a 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 or centre.

Instances of malpractice occur for a number of reasons:

- It can sometimes be intentional and aim to give an unfair advantage in an examination or assessment.
- Some incidents arise due to unforeseen circumstances such as fire evacuation etc.
- Some occur as a direct result of a non-compliance to external regulations.

5. Types of Malpractice

Learner

- Cheating in an assessment, gaining an unfair advantage.
- Plagiarism
- Failure to abide by Total Training Provision and external governing regulations or advice by tutor, supervisor or invigilator.
- Fabrication of information and or evidence.
- Impersonation by pretending to be someone else in order to produce the work for another or arranging for another to undertake your assessment/test.
- Behaving in a way that would undermine the integrity of the assessment/test.
- Misuse of assessment/examination materials.
- Collusion

Employees

- Improper assistance to learners.
- Assisting learners with the production of work.
- Misusing the conditions for special learners requirements, for example where learners are permitted support, such as writer, this is permissible up to the point where the support has the potential to influence the outcome of the assessment.
- Failure to meet the awarding body requirements for conducting exams.
- Failure to follow Total Training Provision and Awarding Body requirements for invigilating exams.
- Falsifying assessment records, for example altering of assessments and grading.
- Fraudulent certificate claims, this is claiming a certificate prior to IQA activity or the learner completing the programme.
- Unprofessional conduct.

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6. Identifying Malpractice

Cases of malpractice can be identified in a number of ways, they can be but are not limited to the below:

- Identified by an Assessor/Tutor when reviewing learner's workbooks or portfolio evidence, or whilst undertaking an online timed assessment.
- Identified by Internal Quality Assurers who may come across identical work in coursework assignments.
- Identified by External Quality Assurers during a verification visit.

7. Preventing Malpractice

Total Training Provision will always aim to take positive steps in preventing any instances of malpractice or reduce the occurrence of learner malpractice. Stated below are some of the steps Total Training Provision will take to ensure this is upheld:

- Using the induction period to inform learners of appropriate policies and procedures used by Total Training Provision.
- Using oral questions with learners to ascertain their understanding of the concepts, application etc within their work.
- Ensuring access controls are in place to prevent learners from accessing and using other learner's work.

8. Communication

It is important that individuals involved in the management, assessment and quality assurance of Total Training Provision programmes and learners undertaking programmes are fully aware of the contents of this policy. Learners must be made aware of this policy within their induction.

Total Training Provision Employees and learners are responsible for reporting any malpractice or attempts of malpractice that have influenced the assessment outcomes.

This policy will be reviewed annually in line with Total Training Provision annual quality reviews.

9. Reporting Procedure for Malpractice

Anybody identifying cases of malpractice should report them to the Quality Manager and ask to be contacted by the Quality Manager regarding a claim of malpractice. There will be a full investigation of all reported cases of malpractice in liaison with the parties concerned and led by HR. If an investigation finds evidence of maladministration, we will have to take the necessary steps to ensure that the learners' interests are protected as far as is reasonably possible. This may include making arrangements for re-assessment. If the investigation reveals that certification is inappropriate we will have to take the necessary steps to revoke the certification.

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Following contact by telephone, you should submit your own report accompanied by supporting evidence. Reports must include:

- The learner's name.
- Total Training Provision Employees' details (name, job role) if they are involved in the case.
- The title of the Total Training Provision programme affected, or nature of the service affected.
- The date(s) suspected or actual malpractice occurred.
- The full nature of the suspected or actual malpractice.

Post or email your completed form or report to our Quality Manager as soon as possible, we will then:

- Acknowledge your report within 3 working days of receipt.
- Arrange for appropriate Total Training Provision Employees to review the report and commence the investigation.
- Aim to action and resolve all investigations within 10 working days of receipt of the report.
- Advise you of the outcome of our investigation within 2 working days of making our decision.

When we receive your report, we will allocate a panel comprising of the management team and, where appropriate, external advisors such as external verifiers. The panel will review the report and supporting evidence and carry out the investigation.

10. Investigations of Malpractice

All instances of suspected malpractice must be raised to the Quality Manager immediately. It will normally be expected that investigations into allegations of malpractice will be carried out by the Quality Manager, however at times other managers may also carry out investigations.

During the investigation the review may involve:

- A request for further information.
- Interviews (face to face or by telephone) with Employees involved in the investigation.
- Informing Awarding body. Where applicable, we will inform the appropriate regulatory authorities of any investigation into suspected or actual cases of serious malpractice and will agree the appropriate course of remedial action with them. Please note that in exceptional cases, the regulatory authorities may lead the investigation.

Total Training Provision will:

- Make informed decisions based on the evidence.
- Protect the identity of the 'informant' as required.
- Share information with other external parties, as required.

The Total Training Provision Employees who conduct an investigation will establish full facts and circumstances of any alleged malpractice. It will not be assumed that because an allegation has been made,

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that it is true. However, if the suspected malpractice is found to be true and upheld, Total Training Provision will action all findings through the HR department in line with the disciplinary process.

Where a conflict of interest may arise, investigations into suspected malpractice will be allocated to an alternative investigator.

11. Awarding Bodies

It is accepted that awarding bodies may apply sanctions or controls to Total Training Provision in the event of malpractice.

Total Training Provision will inform the awarding body in question as soon as any incidence of malpractice or maladministration is suspected or discovered to allow the awarding organisation to decide how the matter will be investigated. Total Training Provision will cooperate fully with any investigation carried out by the awarding organisation.

12. Appeals

In the event that a malpractice decision is made, which the learner deems unfair, the learner has the opportunity to appeal the decision in line with the information below.

All learners that undertake a programme at Total Training Provision have the right to appeal a judgement regarding their work/assessments. It should be noted that the awarding body is the final arbiter of any appeal.

The aim of the appeal process is to:

- Enable all learners to enquire, question or query against an assessment decision.
- Attempt to reach an agreement between the learner and the tutor at the earliest opportunity.
- Standardise and record any appeals to ensure openness and fairness.
- Facilitate the learner's right of appeal to the awarding body, where appropriate.
- Protect the interests of all learners and the integrity of the qualification.

Total Training Provision will:

- Inform the learner at induction/enrolment stage of the appeals policy and procedure.
- Record, track and validate any appeals.
- Monitor appeals to inform quality improvements.