



Malpractice & Maladministration Policy

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Introduction

This policy relates to suspected or actual malpractice and maladministration on the part of candidates, centre staff and any others involved in providing the qualification under consideration.

It is also for use by The Outdoors Group staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner. It sets out the steps we as a centre, learners or other personnel must follow when reporting suspected or actual cases of malpractice/maladministration and The Outdoors Groups' responsibilities in dealing with such cases.

It also sets out the procedural steps The Outdoors Group will follow when reviewing the cases.

Definitions

Maladministration

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).

Malpractice

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. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- the assessment process
- the integrity of a regulated qualification
- the validity of a result or certificate
- the reputation and credibility of The Outdoors Group
- the qualification or the wider qualifications community.

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

For this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain, or groups of, learners.

Examples of maladministration

Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework and examinations or malpractice in the conduct of the examinations/assessments and/or the handling of examinations papers, candidate scripts, mark sheets, cumulative assessment records, results and certifications claim forms etc.

For example:

- Failing to ensure that candidates' coursework or work to be completed under controlled conditions is adequately monitored and supervised
- Under-qualified or non-qualified or unauthorised members of staff assessing candidates for access arrangements
- Failure to use current assignments for assessments
- Failure to train invigilators adequately
- Failing to issue to candidates the appropriate notices and warnings
- Failure to keep accurate records in relation to mitigating circumstances and extensions of coursework
- Failing to retain candidates' controlled assessments or coursework in secure conditions and failing to maintain the security of candidate scripts prior to despatch to the outdoors group or moderator
- Failing to despatch candidate scripts / controlled assessments / coursework to the outdoors group or moderators in a timely way
- Failing to report an instance of suspected malpractice in assessments to the appropriate awarding body as soon as possible after such an instance occurs or is discovered
- Failure to maintain appropriate auditable records e.g. Certification claims and / or forgery of evidence
- Failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by itc (the awarding body)
- The inappropriate retention or destruction of certificates
- Persistent failure to adhere to learner registration and certification procedures.
- Persistent failure to adhere to centre recognition and/or qualification requirements and/or associated actions assigned to the centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from itc
- Inaccurate claim for certificates
- Misuse of the itc or the outdoors group logo or misrepresentation of a centre's relationship with itc or the outdoors group and / or its recognition and approval status with itc
- Withholding of information, by deliberate act or omission, which is required to assure itc of the centre's ability to deliver qualifications appropriately

Examples of malpractice by centres

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice.

- Denial of access to premises, records, information, learners and staff to any authorised ITC representative and/or the regulatory authorities
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with ITC' requirements
- Deliberate failure to adhere to learner registration and certification procedures
- Deliberate failure to continually adhere to centre recognition and/or qualification approval requirements or actions assigned to The Outdoors Group
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claim for certificates
- Intentional withholding of information which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Deliberate misuse of ITC' logo and trademarks or misrepresentation of a centre's relationship with ITC and/or its recognition and approval status with ITC
- Permitting collusion in exams/assessments
- Learners still working towards qualification after certification claims have been made
- Persistent instances of maladministration within The Outdoors Group
- Deliberate contravention by The Outdoors Group and/or its learners of the assessment arrangements specified for the qualifications
- A loss, theft of, or a breach of confidentiality in, any assessment materials
- Plagiarism by learners/staff
- Inappropriate assistance to learners by The Outdoors Group staff (e.g. unfairly helping them to pass a unit or qualification)
- Deliberate submission of false information to gain a qualification or unit
- Deliberate failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments and Special Considerations Policy
- False ID used at the registration stage
- Impersonation of a learner for an assessment
- Creation of false records
- Cash for certificates (e.g. the selling of certificates for cash)

- Extortion
- Fraud

Examples of malpractice by learners

- The alteration or falsification of any results document, including certificates
- A breach of the instructions or advice of an invigilator, examiner, or ITC in relation to the examination or assessment rules and regulations
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments
- Collusion: working collaboratively with other candidates, beyond what is permitted
- Copying from another candidate (including the use of ICT to aid the copying)
- allowing work to be copied e.g. Posting written coursework on social networking sites prior to an examination/assessment
- Exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication
- Making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework or the contents of a portfolio
- Allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework
- The misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. Exemplar materials)
- The inclusion of inappropriate, offensive or obscene material in scripts, controlled assessments, coursework or portfolios
- Impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment
- Plagiarism: unacknowledged copying from published sources or incomplete referencing; theft of another candidate's work

Procedure

Terminology

In all cases, to avoid prejudicial language, until an investigation has been complete, The Outdoors Group and ITC will use the term 'alleged malpractice or maladministration' in relation to the case in question.

Review arrangements

The Outdoors Group will review the policy every 3 years as part of the annual self-evaluation arrangements and revise it as and when necessary in response to customer and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous allegations.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective. This section sets out the procedure for investigating alleged malpractice by centre staff or learners.

Centre's responsibility

The Outdoors Group staff involved in the management, assessment and quality assurance of ITC qualifications should be fully aware of ITC's own policy on Malpractice and Maladministration.

A failure to report suspected or actual malpractice/maladministration cases, or to have effective arrangements in place to prevent such cases, may lead to sanctions being imposed on the Outdoors Group (see ITC Sanctions policy for details of the sanctions that may be imposed). Guidance may be given to centres on how to prevent, investigate, and deal with malpractice and maladministration.

The way in which centres take reasonable steps to prevent and/or investigate instances of malpractice and maladministration will be reviewed by ITC periodically through our ongoing centre monitoring arrangements.

Should an investigation be undertaken into The Outdoors Group, the Co-CEOs must:

- respond speedily and openly to all requests relating to the allegation and/or investigation
- cooperate and ensure their staff cooperate fully with any investigation and/or request for information

Reporting suspected malpractice or maladministration

Assessors and Internal Quality Assurers and other staff members of The Outdoors Group who suspect malpractice must report this immediately to ITC, in writing, setting out a full account of the incident together with any supporting evidence. All allegations must include (where possible):

- The Outdoors Group's details: name, address and number

- learner's name and ITC registration number
- centre/ ITC personnel's details (name, job role) if they are involved in the case
- details of the ITC course/qualification affected, or nature of the service affected
- nature of the suspected or actual malpractice and associated dates
- details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances.

Confidentiality and whistle blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. However, it is preferable for those individuals to reveal their identity and contact details to ITC and then to request ITC not to divulge their identity if concerned about possible adverse consequences.

Where applicable, the Responsible Officer, or the relevant Quality Assurance staff member, on behalf of the Responsible Officer, will inform the appropriate regulatory authorities if we believe there has been an incident of malpractice or maladministration.

Where the allegation may affect another awarding organisation and their provision we will also inform them in accordance with the regulatory requirements and obligations imposed on The Outdoors Group by the regulator Ofqual.

The Outdoors Group may request 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 is kept secure. All records and original documentation concerning a completed investigation that ultimately leads to sanctions against us or itc will be retained for a period of no less than five years. 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 five years thereafter.
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us.
- The Outdoors Group also reserve the right to withhold a learner's, and/or cohort's, results for all the course/ qualifications and/or units they are studying at the time of the notification or investigation of suspected or actual malpractice/maladministration.
- Where a member of The Outdoors Group' staff is under investigation we may suspend them or move them to other duties until the investigation is complete. Throughout the investigation the relevant Quality Assurance Manager 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 outcome - notification If we believe there is sufficient evidence to implicate an individual/centre in malpractice/ and/or maladministration we will:

- Inform them (preferably in writing) of the allegation
- Provided them with details of the evidence we found to support our judgment
- Inform them of the possible consequences
- Inform them that information in relation to the allegation and investigation may be, or has been, shared with the regulators and other relevant bodies (e.g. Police)
- Provided them with an opportunity to consider and respond to the allegation and our findings
- Inform them of our appeals policy should they wish to appeal against our decision. We will make a final report available to the parties concerned and to the regulatory authorities and other external agencies as required. If it was an independent/third party who notified us of the suspected or actual case of malpractice, we will also inform them of the outcome – normally within 5 working days of making our decision.

In doing so we may withhold some details, if to disclose such information would breach a duty of confidentiality or any other legal duty. If it is an internal investigation against a member of our staff the report will be agreed by the Head of Compliance and Quality Assurance with the relevant internal managers and appropriate internal disciplinary procedures will be implemented.

Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place, we will consider the action to take 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.
- take action against learners in relation to proven instances of cheating, plagiarism and fraud, such as directly and/or via The Outdoors Group taking one or all of the following:
 - issuing a written warning that if the offence is repeated further action may be taken
 - loss of all marks/credits for the related work/unit
 - disqualification from the unit(s)/qualification
 - placing a ban for a set period of time from taking any further qualifications with us.

ITC address

ITC FIRST

Tranquility House, Harbour Walk, Hartlepool TS24 0UX

www.itcfirst.org.uk

Links to TOG related policies

[Public Interest Disclosure Policy \(Whistleblowing\)](#)