

Malpractice and Maladministration Policy

Fit4Training at all times maintains and implements a robust malpractice and maladministration policy with respect both to our own operations and our learners.

Policy Overview

This document sets out Fit4Training's approach to preventing and investigated malpractice and maladministration within both Fit4Training and our learners. The structure of this document is as follows:

1. Definition of malpractice and maladministration.
2. Fit4Training's approach to preventing malpractice and maladministration in our operations and activities.
3. Preventing and dealing with learner or staff malpractice and maladministration:
 - a. Example incidents of malpractice and maladministration.
4. Fit4Training investigations
 - a. Appeals

This policy should be read in conjunction with our Terms and Conditions, Conflict of Interest Policy and Appeals Policy available on our website.

1. Definition of malpractice and maladministration

Malpractice is defined as any deliberate activity or practice that is illegal and/or compromised:

- The integrity of the assessment process
- The integrity of the regulation of qualifications
- The validity of certificates
- The reputation of credibility of Fit4Training, the qualification, the awarding organisation, or the wider education/industry sector.

Maladministration is any activity or practice that results in the learner failing to comply with the specified requirements for the completion of Fit4Training qualifications.

2. Fit4Training's approach to preventing malpractice and maladministration in our operations and activities.

In the delivery and assessment of our qualifications, we take steps to reduce the risk of incidents of malpractice or maladministration occurring. These steps include:

- Adhering to our own policies, practices and procedures that reduce the risk of malpractice and maladministration.
- Taking reasonable steps to prevent malpractice and maladministration from arising by complying with YMCA Awards' published policy and guidance.

- Advising learners of our and YMCA Awards' policies on malpractice and maladministration during learner induction.
- Implementing systems and procedures for recording all suspected instances of learner malpractice and making this information available to YMCA Awards during external quality assurance activity.
- Being vigilant to possible instances of malpractice and maladministration.
- Notifying YMCA Awards of any incidents or allegations of malpractice or maladministration as soon as reasonably possible.
- Assisting with any YMCA Awards' requests for information.
- Cooperating with YMCA Awards' malpractice and maladministration investigations.
- Carrying out investigations of malpractice and maladministration under the guidance of YMCA Awards.
- Implementing any actions required during and after investigation into a case of malpractice, including those identified by YMCA Awards.
- Taking action required to prevent the recurrence of malpractice or maladministration.

3. Preventing and dealing with learner or staff malpractice and maladministration at Fit4Training

Example incidents of malpractice and maladministration.

Examples of learner malpractice may include:

- Misconduct during an assessment (i.e., where the learner has contravened the rules of the assessment) such as:
 - One learner copying answers from another learner (both learners may be at fault if this copying is carried out with the knowledge of the learner whose work it being copied)
 - A learner using a mobile phone or other prohibited device during an external assessment (for example, to seek answer to questions in the test)
 - Two or more learners jointly completing an assessment without being authorised to do so.
- A learner applying for a reasonable adjustment or special consideration for an external assessment without legitimate reason.
- A learner presenting a fraudulent certificate to evidence prior achievement or to claim an exemption.

Example of Fit4Training malpractice or maladministration may include:

- Failure to apply to YMCA Awards invigilation procedures for external assessment, as laid out in their published External Assessment Policy
- Failure to ensure that external assessment materials are stored securely and are not accessed by learners or unauthorised centre staff.
- Failure to apply YMCA Awards procedures for internal assessment (including accurate record keeping in the form of summary of records of achievement for

each learner and documented internal quality assurance planning and standardisation activity)

- Failure to report any suspected malpractice to YMCA Awards
- Application of a reasonable adjustment or special consideration without an appropriate rationale
- Delivery and/or assessment of qualifications that the centre has not been approved by YMCA Awards to deliver.
- Delivery and/or assessment of qualifications by staff who are not qualified to carry out the role, and without seeking prior approval for the staff member involved in delivery or assessment.
- Claims for certification being submitted for learners that have not been registered with YMCA Awards
- Issuing learners registered on YMCA Awards qualifications with a centre certificate only and not submitting a claim for a YMCA Awards certificate.
- Breaching the requirements of Direct Claims Status.
- Copying of (or other tampering with) external assessment materials.
- A significant change in control of the centre which has not been disclosed to YMCA Awards.

Whether an incident is determined to be malpractice or maladministration will depend on several features which may include the intent of the party responsible for the incident, the severity of the issue and/or severity of the outcomes.

Actions to take when an incident occurs

Where an incident of misconduct is discovered or reported during or after an external assessment, Fit4Training will follow our documented policy and procedure for dealing with suspected malpractice and maladministration which should include the following actions:

- The invigilator or centre contact may decide to remove the learner suspected of misconduct from the assessment situation, particularly if the misconduct is disrupting other learners or is likely to undermine the integrity of the assessments being taken by other learners.
- The learner's assessment materials (question paper, response sheet and any notes) will be retained and accompanied by a summary written report completed by the invigilator (in cases where the assessment has been taken online this should be noted in the invigilation report).
- The report and learner assessment materials will be kept securely and a copy submitted to YMCA Awards.

For all types of malpractice or maladministration (alleged or proven) Fit4Training will ensure that it complies with our own written policies and procedures when taking action. Advice, specific to the incident or allegation, may also be sought from YMCA Awards upon notifying them of the incident or concern. In all cases, Fit4Training will ensure that timely action is taken to maintain the integrity of our delivery and assessment of YMCA Awards qualifications and that learners are not disadvantaged (or unfairly advantaged).

4. Fit4Training investigations

Fit4Trainings' response to notifications of suspected malpractice and maladministration

Fit4Training will always carry out an investigation into malpractice or maladministration when one or more of the following apply;

- The information supplied is from a credible source
- The information supplied fits a wider pattern of information regarding learner or staff member

In cases of learner's malpractice, Fit4Training will conduct an internal investigation in accordance with our malpractice investigation procedure, along with any additional guidance from YMCA Awards, and report the findings and outcome to YMCA Awards by an agreed date.

In cases of Fit4Training staff malpractice, Fit4Training will conduct an internal investigation in accordance with our malpractice investigation procedure, along with any additional guidance from YMCA Awards, and report the findings and outcome to YMCA Awards by an agreed date.

Carrying out investigations

The objective with any investigation we carry out is to establish the facts relating to an allegation of malpractice and maladministration to determine whether any irregularities have occurred and whether corrective action are required. To establish the facts of the incident, we may need to carry out interviews with our staff or students, take written statements and/or review written material (such as assessment materials or content relating to teaching or exam preparation); evidence gathered through any of these means (and others) will be kept securely and disclosed only to the relevant parties within the centre and externally.

Once we have decided that it is necessary to carry out an investigation into an allegation of malpractice or maladministration, we write to the learner with the following information:

- An outline of the allegation
- Notification that Fit4Training is carrying out an investigation into the allegation.
- A request that the learner or staff member respond to the allegation (including submitting any requested documentation or information relating to the allegation or circumstances of the allegation)

Fit4Training investigations may include one of more of the following approaches:

- Telephone and/or in person discussions with the learner or staff member
- Reviewing written or audio-visual material (such as learner assessments or teaching materials)
- Obtaining witness statements from centre staff, learners or other relevant persons
- Requesting, in writing, any further information as necessary.

The outcomes of an investigation will be provided to the learner or staff member in a written report outlining the findings in relation to the original allegation and any other

information we have gathered in relation to the allegation. The report makes an informed decision whether maladministration and/or malpractice has occurred and, if so, the appropriate action to be taken.

The decision from the investigation is likely to be one of the following:

- Maladministration or malpractice not proven and no further action to be taken under this policy
- Maladministration or malpractice not proven (as a result of insufficient evidence) although Fit4Training has remaining concerns which require learners/centre staff to take proportionate and reasonable actions.
- Maladministration or malpractice proven, resulting in action proportionate to the seriousness, impact and/or frequency of the occurrence.

Learners and centre staff should be aware that a sanction of the highest level is withdrawal from the qualification or cessation of work.

During an investigation, Fit4Training will consider whether immediate corrective actions and/or steps to mitigate reoccurrence of the type of malpractice or maladministration should be implemented immediately, rather than wait for the investigation to be concluded.