



**NEXT  
GEN  
TEACHING**

**Empower through Education**

# Malpractice and Maladministration Policy

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## 1 Policy Statement

To outline the approach and responsibilities for the prevention, investigation, and management of malpractice and maladministration, ensuring compliance with Ofqual's **General Condition A8**.

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## 2 Scope

This policy applies to all staff, participants, Professional Learning Hubs, contractors, and any third party involved in the delivery, assessment, and award of qualifications provided by **Next Gen Teaching**.

This policy is supported by:

- **Academic Integrity Policy**
  - **Acceptable Use of AI Policy**
  - **Assessment Policy**
  - **Quality Assurance and Regulations of Qualifications Policy**
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## 3 Definitions

**Malpractice:** Any deliberate action or inaction that compromises the integrity of qualifications, including but not limited to cheating, falsification, and unethical behaviour during assessment.

**Maladministration:** Incompetent, inefficient, or careless administration, whether deliberate or accidental, that leads to non-compliance with regulations or standards.

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## 4 Examples of Malpractice and Maladministration

**Malpractice** may include, but is not limited to:

- Plagiarism or collusion by participant
- Tampering with evidence or grades
- Impersonation or fraudulent certification
- Bias or inconsistency in assessment
- Use of AI to write formative or summative assessment submissions

**Maladministration** may include, but is not limited to:

- Late or missing records
  - Inaccurate participant registration
  - Inadequate staff training
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## 5 Responsibilities

- **Governance:** Oversight of policy implementation and compliance, ensuring effective governance and integrity across all functions.
  - **Founder/Director:** Responsible for the strategic leadership of malpractice and maladministration processes.
  - **Industry Expert Advisors:** Provide insight into global and research-based best practices in preventing and identifying malpractice.
  - **Business Development:** Ensure resources and systems support policy compliance and integrity.
  - **Educational Consultants:** Advise on academic integrity, safeguarding, and assessment standards to prevent malpractice.
  - **External Reviewer:** Independently reviews investigation reports and internal appeals to ensure fairness, compliance, and impartiality in decision-making. The External Reviewer supports both the investigation process (Section 8) and the internal appeals procedure (Section 10), providing an objective assessment of the evidence and procedures followed.
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## 6 Prevention of Malpractice and Maladministration

**Next Gen Teaching** will:

- Conduct risk assessments identifying potential malpractice/maladministration in qualifications.
- Ensure staff and Professional Learning Hubs are trained to recognize and mitigate risks.
- Implement robust internal controls, secure assessment materials, and ensure accurate record-keeping.
- Regularly audit and review Professional Learning Hubs and internal processes.

This section aligns with the **Academic Integrity Policy** to uphold honesty and the **Acceptable Use of AI Policy** to ensure AI is not misused in assessments.

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## 7 Detection and Investigation

- All allegations or suspicions will be taken seriously and investigated promptly.
  - Investigations will be:
    - Carried out by individuals with appropriate competence and **no personal interest** (A8.3b).
    - Conducted rigorously, with evidence securely gathered, verified, and documented.
  - Clear records will be kept of all allegations, investigations, outcomes, and actions.
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## 8 Procedures for Investigation

- We will maintain written procedures detailing:
- How allegations are raised, recorded, and escalated.
- Roles and responsibilities of investigators.
- Rights of individuals to respond.
- Safeguards for whistleblowers.
- Confidentiality and data protection compliance.
- Cooperation with Ofqual and other relevant bodies.

### 8.1 Investigation Procedure and Timeframes

1. **Initial Allegation Received (Day 0-1)**
  - Allegation received by **Founder/Director**.
  - Recorded in the Malpractice Log.
2. **Preliminary Review (Day 1-2)**
  - Conducted by **Founder/Director**.
  - Initial check to establish credibility and whether immediate action is needed.
  - Decision if a formal investigation is warranted.
3. **Assign Investigator (Day 2-3)**
  - Investigator selected based on expertise, no personal interest.
  - Could be **Educational Consultant** or **Industry Expert Advisor**.
4. **Investigation Begins (Day 3-10)**
  - Evidence gathered: documents, interviews.
  - Safeguards for whistleblowers and confidentiality enforced.
5. **Investigation Report Drafted (Day 10-12)**
  - Findings summarized.
  - Recommendations proposed.
6. **External Reviewer Review (Day 13-15)**
  - Report reviewed by an **External Reviewer**.
  - Decision on actions, sanctions, or further evidence needed.
7. **Outcome Communicated (Day 16)**
  - Participants and Professional Learning Hub informed.
  - Right to appeal outlined.
8. **Ofqual Notification (Day 16-18)**
  - If applicable, report shared with Ofqual.
  - External bodies contacted if required.
9. **Review and Closure (Day 18-20)**
  - Final documentation.
  - Policy/process improvements noted for future.

## 9 Actions Following Confirmed Malpractice or Maladministration

Where malpractice or maladministration is confirmed:

- Immediate steps will be taken to prevent recurrence.
- Proportionate sanctions will be applied, which may include:
  - Withdrawal of certification.
  - Disqualification of participants.
  - Termination of Professional Learning Hub agreements.
  - Reporting to professional bodies or regulators.
- All relevant parties, including other awarding organisations or Professional Learning Hubs affected will be informed

## 10 Appeals

Any party affected by decisions under this policy has the right to appeal under our appeals procedures.

### 10.1 Internal Appeal Process

Participants and Professional Learning Hubs may submit an internal appeal if dissatisfied with the investigation outcome.

- I. **Appeal Submission (within 10 working days of outcome)**
  - a. Submit written appeal to **Governing Body**.
- II. **Initial Review (within 5 working days)**
  - a. Governing Body acknowledges receipt and appoints an **External Reviewer**.
- III. **External Review (within 10 working days)**
  - a. External Reviewer examines the case, evidence, and procedures followed.
  - b. May request further information or clarification.
- IV. **Governing Body Decision (within 5 working days post-review)**
  - a. Governing Body, guided by the External Reviewer's findings, makes a final internal decision.
  - b. Communicates outcome in writing, with rationale and further rights of appeal.

### 10.2 Appeal Process through Ofqual

If dissatisfied with the internal appeal outcome:

- The participant may escalate the issue to **Ofqual**.
- Appeals to Ofqual must be made in accordance with their published procedures.
- Ofqual will review whether **Next Gen Teaching** has applied its procedures fairly and consistently, and in line with regulatory requirements.
- Further information on Ofqual's appeals process can be found on the **Ofqual website**.

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## 11 Professional Learning Hub Role and Responsibilities

- Professional Learning Hubs and all affiliated staff are **not responsible** for malpractice or maladministration in relation to the delivery of qualifications.
  - Their sole responsibility during the onboarding process is to **report any suspicions** regarding qualification documents that appear misleading or forged.
  - Such reports must be made promptly to a designated member of **Next Gen Teaching** for verification and approval.
  - Members of Professional Learning Hubs who are tasked with checking qualifications will receive **training** from **Next Gen Teaching** staff to ensure they are able to recognize potentially fraudulent or misleading documents.
  - This process supports the integrity of qualifications while clearly delineating the roles of Professional Learning Hubs in relation to malpractice and maladministration.
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## 12 Reporting and Documentation

### 12.1 Internal Reporting

- All allegations, investigations, decisions, and actions related to malpractice or maladministration will be fully documented.
  - A summary of these records will be reported to the **Governing Body** during bi-monthly meetings.
  - These reports will be included in the **Directors' Reports** to ensure transparency and enable effective governance oversight.
  - Records will include:
    - Nature and source of allegation.
    - Investigation process and outcomes.
    - Sanctions or corrective actions taken.
    - Any lessons learned or policy/process improvements identified.
  - This internal reporting ensures accountability and facilitates continuous improvement.
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### 12.2 Reporting to Ofqual

- **Next Gen Teaching** will report any incident with potential Adverse Effect to Ofqual as required under **Condition B3**.
  - Any criminal activity will also be reported to the relevant law enforcement authority.
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## 13 Policy Approval and Review

### Review

This policy, Assessment, will be reviewed annually, or as required, to ensure it remains effective and relevant to the requirements of certifications and qualifications provided by Next Gen Teaching.

### Feedback

Regular feedback is sought from staff, consultants, participants and Professional Learning Hubs, to improve and update this policy, ensuring that, at all times, we are adhering to best practice.

### Approval

This Assessment Policy has been reviewed and approved by a minimum of two members of the Next Gen Teaching Governing Body and the Director of Next Gen Teaching.

### Signatures

**Name:** Samantha Cuthbert  
**Responsibility:** Founder and Director

**Name:** Ian Elliott  
**Responsibility:** Chair of Governors

**Name:** Siobhan Brady  
**Responsibility:** Governor

**Name:** Helen Hemingway  
**Responsibility:** Governor

**Name:** Elizabeth Hidson  
**Responsibility:** Industry Expert Advisor