



NPQ Maladministration and Malpractice Policy

Purpose

Incidents of malpractice/maladministration can potentially lead to learners being disadvantaged, can require the conducting of costly and time-consuming investigations and may cause reputational damage. It is, therefore, desirable to prevent malpractice or maladministration from occurring, whenever possible. Where it is not possible to prevent this, cases of suspected or actual malpractice/maladministration should be dealt with quickly, thoroughly and effectively. The policy sets out the steps that staff, leaders, administrators, participants and other personnel must follow when reporting suspected or actual cases of malpractice and/or maladministration and our responsibilities in dealing with such cases. It also sets out the procedural steps we will follow when reviewing the cases.

Definitions and examples

Definition of malpractice: Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the delivery and assessment processes and/or the validity of NPQ accreditation and certification.

It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise the integrity and validity of the:

- NPQ content & assessment framework (GOV.UK)
- NPQ course administration and support
- NPQ course delivery and participation
- NPQ assessment, moderation, quality assurance and outcomes processes
- The reputation and credibility of TELA as well as their partners and associates

Malpractice may also 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.

Examples of malpractice

- Failure to carry out internal assessment, internal moderation or internal verification in accordance with our requirements
- Deliberate failure to adhere to our participant registration and certification procedures
- Deliberate failure to continually adhere to our qualification approval requirements or actions assigned to an office, group or individual
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claim(s) for certificates
- Intentional withholding of information from TELA or DfE which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Collusion or permitting collusion in examinations/assessments
- Participants still working towards qualification after certification claims have been made

- Plagiarism
- Copying from another participant (including using ICT to do so).

Definition of 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.

Examples of maladministration

- Persistent failure to adhere to our participant registration and certification procedures.
- Persistent failure to adhere to our centre recognition and/or qualification requirements
- Late participant registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding of information, by deliberate act or omission, from us which is required for the administration of the NPQ programme and assessment

Process for making an allegation of malpractice or maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify TELA NPQ course director ioflynn@thomasestley.org.uk All allegations must include (where possible): 1. Participant's name 2. Staff member's name and job role (If applicable) 3. Details of the NPQ course or the nature of the programme/assessment affected 4. Nature of the suspected or actual malpractice and associated details, including outcomes of any initial investigation carried out by any associated bodies involved in the case. 5. Any mitigating circumstances where relevant or appropriate.

Investigation timelines and summary process

The NPQ course Director will conduct an initial investigation, ensuring that all personnel possess the necessary competence and have no personal interest in the outcome of the investigation. Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. It is always preferable for the individual(s) to reveal their identity and contact details when reporting a concern. However if an individual is concerned about possible adverse consequences, he/she may request that the Director does not divulge his/her identity. A written response will be provided by the NPQ Course Director to suspected reporting of maladministration and malpractice within 30 working days.

Where applicable, the NPQ Course Director will inform the appropriate authorities if we believe there has been an incident of malpractice or maladministration which could either invalidate the award of a qualification.

After an investigation, the NPQ Course Director will produce a draft report for the parties concerned to check the factual accuracy. The report will: Identify where the breach, if any, occurred; Confirm the facts of the case; Identify who is responsible for the breach (if any); Confirm an appropriate level of remedial action to be applied. When agreed this document becomes final.

Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place TELA will consider what action to take in order 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.

Consequences

Being accused of malpractice or maladministration is a serious offence and has the potential to result in a number of penalties. In the most serious cases, an individual NPQ assessment submission may be terminated and the individual may be subject to further disciplinary proceedings.

Monitoring and Review

TELA will keep or dispose of all correspondence relating to case of malpractice and maladministration in accordance with their data protection management policies. A report on cases of malpractice and maladministration and their outcomes will be produced annually and submitted to the TELA strategic Heads Board. This process will ensure appropriate monitoring of all academic misconduct cases and related outcomes.