



## *Malpractice and Maladministration*

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# What is It?

Awarding Organisation's have a duty of care to take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery and awarding of qualifications which it makes available.

As part of this duty of care, monitoring centre activities is a normal function of an Awarding Organisation's operations and both Internal and External Quality Assurers have key responsibilities for ensuring that things are done properly.

SFEDI Awards uses the following two definitions to frame our activities to ensure we maintain our duty of care.

Malpractice is defined as,

*'Any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process and/or the validity of certification.'*

Maladministration is defined as,

*'Any activity, neglect, default or other practice that results in the centre or candidate not complying with the specified requirements for delivery of the qualifications and as set out in the relevant legislation.'*

## Examples

The following are examples of what would constitute both malpractice and maladministration but please note these are examples and should not be seen as an exhaustive list.

### **Malpractice**

- False identification
- Impersonation at assessment
- Falsifying records
- Cheating in assessment
- Cash for certificates
- Fabricated certificates

### **Maladministration**

- Late or no registrations
- Certificate claims prior to completion of the assessment and quality assurance process
- Loss of records or assessment/quality assurance paperwork
- Failure to adhere to the qualification requirements and associated actions assigned to a centre
- Failure to maintain appropriate auditable records
- Failure to provide information on request preventing SFEDI Awards from fulfilling its regulated functions
- Failure to abide by SFEDI Awards operating procedures and centre agreement terms

# What if a Centre Suspects Malpractice or Maladministration

If a centre suspects either an occurrence of malpractice or maladministration they must report this to SFEDI Awards in writing from the Head of Centre without delay.

All SFEDI Awards centres are required to hold a policy on how they intend to deal with malpractice and maladministration, SFEDI Awards can assist in the development of this if required.

SFEDI Awards is committed to supporting centres in meeting all of our requirements and advice can always be sought through our Customer Service and Monitoring Activity teams.

# What if an Individual Suspects Malpractice or Maladministration

If an individual suspects malpractice or maladministration within a SFEDI Awards approved centre but is unable to exhaust the centre's internal processes in the first instance then you should follow the SFEDI Awards Whistleblowing policy.

# Guidance on Preventing Plagiarism

Centres are responsible for ensuring that any work submitted by a learner as part of a SFEDI Awards qualification is their own work. Part of the assessment process is to authenticate learners' work.

It is best not to assume that all learners are aware of and understand what is and what isn't accepted practice and to provide clear information.

Learners need to be provided with information on their responsibilities in making sure that work they submit is their own and on how to attribute any contributions.

A centre should:

- Ensure that learners sign a declaration to confirm all the work they are submitting is their own
- Provide learners with examples of good referencing as well as examples of bad referencing including referencing web pages and date of access
- Ensure that learners understand the consequences of submitting work that is not their own

Centre policies should cover how instances of suspected plagiarism will be dealt with and cases of major plagiarism must be reported to SFEDI Awards who will then take the appropriate action.

# How Will we Handle Suspected Malpractice or Maladministration?

SFEDI Awards will review any suspected occurrence of malpractice or maladministration and gather together initial information to ascertain an overview of the instance.

We will complete an investigation into the suspected occurrence which will take no longer than 10 working days and a report will be finalised within 5 working days of the investigation being completed.

If further time is required due to the nature of the instance reported then we will notify all parties of the new timescales for completion.

In carrying out our investigation we will use all potential sources of evidence including policy reviews and paperwork/electronic documents available and determine any recommended course of action to be taken.

SFEDI Awards will use the details gathered during the investigation to form the basis for the final report. This report will detail;

- the initial reporting of the instance
- the plan for investigation
- the investigation followed and reference to further documentation
- a conclusion of findings
- a recommendation of actions to be taken

The final report and recommendation of actions to be taken will be presented to the SFEDI Awards Senior Management Team to allow for final approval prior to notification of findings to the centre.

Any recommended actions to be taken will be discussed with the centre and timescales set as to when they must be completed by. This process will also allocate nominated persons responsible for each of the actions to be completed.



# Independent Investigation

On receipt of the final report, if the centre or individual is not satisfied with the outcome, they can appeal the decision as long as they have grounds to appeal. The appeal will be submitted, in writing, to the CEO of SFEDI Awards directly.

The CEO will forward an Appeal Acknowledgement letter to the centre or individual within 2 working days and will complete a Request for Invoicing document as detailed in the Invoice Procedure.

The CEO will appoint an independent person to carry out the investigation and all prior documentation will be provided by both SFEDI Awards from the first investigation and the centre or individual to support their grounds to appeal.

The independent person will complete an investigation into the appeal which will take no longer than 10 working days and a report will be finalised within 5 working days of the investigation being completed. If further time is required due to the nature of the instance reported then the independent person will notify all parties of the new timescales for completion.

The independent person will use the details gathered during the investigation to form the basis for the final report as described earlier within this procedure.

The final report and recommendation of actions to be taken will be presented to the SFEDI Awards Board to allow for final approval prior to notification of findings to the centre or individual.

The report will also make recommendations to SFEDI Awards if they are to be found at fault during the appeal process. Any recommendations regarding SFEDI Awards will be presented at the subsequent Senior Management Team meeting for discussion and resolution.

Any recommended actions to be taken by the centre will be discussed and timescales set as to when they must be completed by. This process will also allocate nominated persons responsible for each of the actions to be completed.

## What About the Regulator?

As part of the regulatory conditions, SFEDI Awards will notify the Regulator and other appropriate stakeholders of suspected malpractice or maladministration in the first instance and in doing so will provide information relating to the centre and the suspected instance of malpractice or maladministration and the investigation protocols being adopted.

At this point in time the Regulator may choose to complete their own investigation independently of SFEDI Awards.

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