



MALRPACTICE AND MALADMINISTRATION POLICY AND PROCEDURE

INTRODUCTION DATE	:	10 NOVEMBER 2014
REVIEWED BY	:	QUALITY MANAGER
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Policy Purpose and Scope

This policy applies to all learners, staff, assessors, verifiers, and partners engaged in the delivery and assessment of qualifications through UK Versity. It aligns with Awarding body Malpractice and Maladministration Policy and the standards of Ascentis, ATHE, OTHM, NCFE, Pearson, and IFA Direct. The purpose is to:

- Define and identify instances of malpractice and maladministration
- Outline reporting, investigation, and sanction procedures
- Preserve the integrity of qualifications and protect learners' interests

Definitions

Malpractice: Deliberate or accidental conduct that undermines the integrity of assessment and certification processes. This includes:

- Learner malpractice (e.g., plagiarism, collusion, cheating, use of AI without attribution)
- Staff or centre malpractice (e.g., falsifying records, improper assistance, assessment bias)

Maladministration: Inefficient, negligent, or improper administration that may result in assessment or certification errors. Examples include:

- Delays in issuing results or certificates
- Poor record-keeping
- Failure to adhere to assessment procedures

Examples of Malpractice

Learner Malpractice:

- Plagiarism or unreferenced use of AI tools
- Impersonation or arranging proxy submissions
- Fabrication or falsification of data
- Collusion or copying during assessments

Centre/Staff Malpractice:**Fabrication or Falsification of Records:**

- Creating fake learner records, attendance registers or qualification certificates.
- Manipulating or altering assessment outcomes to favour certain learners.

Improper Assistance to Learners:

- Providing learners with information about assessment questions before the assessment takes place.
- Offering undue help during an examination or assessment, such as giving answers or guiding learners on how to respond.

Failure to Maintain Security of Assessments:

- Failing to keep assessment materials, such as exam papers or coursework, secure before the assessment.
- Allowing unauthorized personnel access to confidential assessment materials.

Inappropriate Recruitment and Admission Practices:

- Admitting learners who do not meet the entry requirements by falsifying qualifications.
- Allowing learners to enrol in programs without proper verification of previous qualifications.

Conflict of Interest:

- Staff members marking the work of close relatives or friends without declaring a conflict of interest.
- Allowing decisions on assessment outcomes to be influenced by personal relationships.

Centre Maladministration

Centre maladministration refers to the mishandling or poor administration of processes, leading to errors or mismanagement. Examples include:

Incorrect or Incomplete Submission of Data:

- Submitting incorrect information to ATHE, such as learner details or assessment results.
- Failing to register learners for assessments or qualifications in a timely manner.

Failure to Follow Procedures:

- Not adhering to the guidelines set by ATHE for conducting assessments or submitting coursework.
- Inadequate training or monitoring of staff on assessment procedures.

Poor Record-Keeping:

- Inaccurate or incomplete maintenance of learner records, attendance registers or assessment documentation.
- Losing or misplacing important documents, such as examination scripts or certification records.

Inadequate Communication:

- Failing to inform learners or staff about assessment schedules, changes to procedures or important deadlines.
- Not providing clear guidelines or support for learners or staff on assessment requirements.

Mismanagement of Assessment Resources:

- Inadequate provision or maintenance of assessment facilities, such as exam halls or equipment.
- Overlooking the necessary accommodations for learners with disabilities during assessments.

Learner Malpractice

Learner malpractice involves any dishonest or unethical behaviour by learners that compromises the integrity of assessments or qualifications. Examples include:

Cheating:

- Cheating is the act of deceitfully gaining an unfair advantage during assessments. This can take various forms, including:

- **Using unauthorized materials:** Learners may bring notes, cheat sheets, or electronic devices, such as smartphones or smartwatches, into an examination to access information that is not permitted. This also includes using hidden earpieces or other communication devices to receive answers during the assessment.
- **Copying:** During an exam or assignment, a learner might copy another learner's answers without permission or consent, or allow others to copy their own work. This can happen through visual means, such as looking at another student's paper, or through covert communication.
- **Pre-knowledge of exam content:** Obtaining or attempting to obtain assessment questions or answers before the exam is administered. This includes hacking into secure systems, soliciting information from others, or purchasing exam papers.
- **Using a proxy:** Hiring or persuading someone to take an exam or complete an assignment on the learner's behalf, with the intent of submitting the work as their own.

Plagiarism:

- Plagiarism involves presenting someone else's work or ideas as one's own, without proper acknowledgment. It is a serious violation of academic integrity and can include:
 - **Direct Copying:** Reproducing text or ideas from another student's work, books, journals, websites, or other sources without citation. This could be verbatim copying or slight modification of the original text.
 - **Submitting Purchased Work:** Buying essays, assignments, or projects from online services or third parties and submitting them as if they were personally completed. This practice not only violates academic honesty but also undermines the learning process.
 - **Paraphrasing Without Acknowledgment:** Rewriting someone else's ideas or arguments in different words without giving credit to the original

source. Even if the wording is changed, the underlying idea must be credited to its original author.

Inappropriate Use of Artificial Intelligence (AI) Tools

- Inappropriate use of AI refers to inappropriate use of artificial intelligence tools, e.g., text generators, code generators, translation software and other technologies, to create content in a manner that breaches either the guidelines of an assignment or originality in a learner's work. AI misuse includes, but is not limited to:
 - **submitting AI-generated content without modification or disclosure**
 - **using AI tools to complete assignments intended to assess personal understanding or individual skills**
 - **representing AI-assisted work as completely one's own without attribution.**
- ***Learners should refer to Section 6 of this document for more information on appropriate use of AI.***

Collusion:

- Unpermitted collaboration: When learners work together on an assignment that is meant to be completed individually, leading to similar or identical work being submitted by multiple learners.
- Answer sharing during exams: Communicating with peers during an examination or assessment to share answers or solutions, either verbally, through written notes, or using electronic devices.
- Group assignments: In a group project, one or more learners may contribute significantly less than others but still receive the same credit, sometimes facilitated by dishonest reporting of individual contributions.

Impersonation:

- Impersonation involves one person taking on the identity of another for academic purposes, usually with the intent of deceiving the educational institution. This can happen in various ways:

- **Exam impersonation:** Arranging for another person to sit an exam on the learner's behalf, using fake identification or other means to mislead the examination officials.
- **Assignment impersonation:** Having another person complete coursework, online quizzes or assignments, and submitting the work under the learner's name.
- **Digital impersonation:** In online assessments, using another person's login credentials to take an exam or complete assignments, or hiring someone to do so.

Disruptive Behaviour:

- Engaging in behaviour during an assessment that disrupts other learners, such as talking, using a mobile phone, or causing disturbances.
- Tampering with assessment materials, such as removing pages from answer booklets or altering answers after submission.

Learner Maladministration

Learner maladministration refers to the mishandling or poor administration of one's own academic responsibilities, leading to errors or non-compliance with procedures.

Examples include:

Failure to Submit Work on Time:

- Consistently missing deadlines for submitting assignments or coursework without valid reasons.
- Not following submission guidelines, such as failing to upload work to the correct platform or format.

Inaccurate Information Provision:

- Providing incorrect personal details or academic information during registration or assessment processes.
- Misreporting extenuating circumstances to gain unfair advantages, such as extra time for assessments.

Neglecting Communication Requirements:

- Ignoring official communications from college such as assessment notices, feedback, or policy updates.
- Failing to respond to requests for information or clarification related to assessments or academic standing.

Non-compliance with Academic Procedures:

- Ignoring the requirements for reassessment or resubmission of work after feedback.
- Failing to adhere to the college policies on group work, peer assessment or academic conduct.

The Use of Plagiarism and AI Software

College employs AI GPT, which is reputable plagiarism detection software to analyse all learner work prior to assessment, ensuring originality and adherence to academic integrity, and will scan to detect any AI-generated text in learner work.

Guidelines to Learners

College has developed “**A Guide to Citing and Referencing for Learners**” which explains what citing and referencing are, how and when to cite and reference, and how citations and references should be formatted. This is provided and explained to learners during the course induction.

Use of Artificial Intelligence (AI) in Assessments

UK Versity recognises the emerging role of AI tools in education. However, their use in assessment must align with academic integrity standards.

Misuse of AI includes:

- Copying or paraphrasing AI-generated content without attribution
- Using AI to complete assessments or generate responses that are not the student's own
- Presenting AI-generated material as original work
- Submitting content with over 20% AI-detected material without disclosure

- Providing incomplete, deceptive, or fabricated references or citations

Learner Responsibility:

- All submitted work must be the learner's own effort
- If AI tools are used, learners must cite and explain how these tools contributed to the work
- AI-generated work does not fulfil the learning outcome criteria unless it is critically evaluated and correctly referenced

Staff Responsibility:

- Teachers and assessors must be vigilant about authenticity of learner submissions
- Where AI misuse is suspected, staff must initiate a malpractice inquiry and apply policy sanctions

By proactively addressing AI-related misconduct, UK Versity preserves fairness and fosters a responsible academic environment.

Preventive Measures

- Clear learner induction and handbook guidance on malpractice
- Signed learner declarations on assignment authenticity
- Assessor and internal verifier training on plagiarism detection and assessment integrity
- Use of plagiarism detection and AI content analysis tools (e.g., Turnitin, GPT detectors)

Reporting Suspected Malpractice

All stakeholders may report concerns. Reports should be directed to the Quality Assurance Team and include:

- Nature of suspected malpractice
- Names and roles of those involved
- Evidence or description of the incident

Reports can be anonymous but must include sufficient information to initiate an investigation.

Investigation Procedure

Stage 1 – Preliminary Review:

- Conducted by the Quality Manager or nominee within 5 working days
- Learner/staff is informed in writing and invited to respond

Stage 2 – Formal Investigation:

- Internal panel review with statements from involved parties
- Evidence reviewed includes work samples, emails, records, and system logs

Stage 3 – Outcome and Sanctions:

- Findings issued within 10 working days of conclusion
- Sanctions (aligned with awarding body policies) may include:
 - Written warning
 - Disqualification from assessment/unit/qualification
 - Suspension or termination of staff contracts
 - Notification to awarding organisations

Appeals

- Learners and staff may appeal decisions within 10 working days
- Appeals must be submitted in writing to the Principal
- Appeals Panel decisions are final, unless escalated to the relevant awarding organisation

Details on the procedure are given in the annexure 1

Record Keeping

All investigation records, outcomes, and sanctions are stored securely for at least 5 years and may be shared with awarding bodies or regulators on request.

Responsibilities

- **Quality Manager:** Oversees all investigations and liaises with awarding bodies
- **Centre Head/Principal:** Leads on severe cases and appeal reviews
- **Staff:** Ensure awareness and implementation of this policy
- **Learners:** Adhere to academic integrity expectations and reporting procedures

Policy Review

This policy is reviewed every two years or in response to regulatory updates. The review includes analysis of incidents and feedback from stakeholders to ensure continuous improvement.

Contact Details:

Quality Assurance Office

qa@ukversity.co.uk | 0161 273 4745

UK Versity, 4th Floor, Building 3, Universal Square, Manchester M12 6JH

Annexure 1 : Procedures for Dealing with Suspected Malpractice or Maladministration

In all cases, where college suspects or uncovers malpractice or maladministration, the head of the centre will report the incident to ATHE immediately.

The College will follow all requirements set out by the awarding organisation regarding investigating, reporting on and acting upon outcomes of the investigation.

Process for Making an Allegation of Malpractice or Maladministration

If a member of staff or a learner suspects malpractice or maladministration, or is told about suspected malpractice or maladministration, they must immediately notify head of the centre in writing.

All allegations must include (where possible):

- The names of any learners or staff members involved in the suspected malpractice or maladministration.
- The name of the AO course/qualification affected by the suspected malpractice or maladministration.
- Details about the nature of the suspected malpractice or maladministration.

Where cases of suspected malpractice and maladministration are reported, head of the centre will aim to protect the identity of the 'informant.'

Investigation: Malpractice or Maladministration by a Member of Staff

Where a member of staff is suspected of malpractice, the head of the centre must be informed immediately. Malpractice may be considered Gross Misconduct, and the Staff Disciplinary Policy must be invoked.

Unless otherwise instructed by ATHE, the investigation will proceed through the following stages:

Preliminary investigation – This will be conducted by the head of the centre to determine whether a full investigation is necessary.

Where a conflict of interest may be seen to arise, this may be delegated to another appropriate senior member of staff.

The head of the centre will make the individual(s) aware, in writing, at the earliest opportunity of the nature of the alleged malpractice/maladministration and of possible consequences should it be proven.

The preliminary investigation will be completed within 5 working days of receiving the notification.

Full investigation – In cases where the head of the centre considers that the allegation has substance, all assessments by this member of staff will be re-

allocated while a full investigation takes place. The head of the centre will appoint an Independent Investigating Officer to complete the investigation. During this time, the member of staff may be suspended.

The full investigation is likely to be completed within 15 working days of the notification.

Investigation: Malpractice or Maladministration by a Learner

Where a learner is suspected of malpractice, the head of the centre must be informed immediately. Malpractice may be considered Gross Misconduct and the learner agreement should be invoked

Unless otherwise instructed by ATHE, the investigation will proceed through the following stages:

Preliminary investigation – This will be conducted by the Head of Centre / Head of Department / IQA to determine whether a full investigation is necessary.

Where a conflict of interest may be seen to arise, this may be delegated to another appropriate senior member of staff.

The Head of Centre / Head of Department / IQA will make the individual(s) aware, in writing, at the earliest opportunity of the nature of the alleged malpractice/maladministration and of possible consequences should it be proven.

The Head of Centre / Head of Department / IQA will make the learner(s) aware, in writing, at the earliest opportunity of the nature of the alleged malpractice/maladministration and of possible consequences should it be proven.

The preliminary investigation will be completed within 5 working days of receiving the notification.

Full investigation – In cases where the Head of Centre / Head of Department / IQA considers that the allegation has substance, the Head of Centre / Head of Department / IQA will appoint an Independent Investigating Officer to complete the investigation.

The full investigation is likely to be completed within 15 working days of the notification.

Reporting Requirements

Following the investigation into the alleged malpractice or maladministration, the Independent Investigating Officer will submit a written report to head of the centre including the following documentation:

- A statement outlining the facts, along with a detailed description of the circumstances surrounding the alleged malpractice or maladministration.

- Written statements from staff and/or learners who were interviewed during the investigation.
- Any relevant learner work, along with internal assessment or verification records pertinent to the investigation.
- In cases of learner malpractice, details of any corrective actions being taken by College to protect the integrity of AO qualifications, as well as any mitigating factors that should be taken into account.
- The report should be submitted within 20 working days of the notification.

Outcomes and Actions

The report will be reviewed by the head of the centre and a decision will be made on the outcome, of the investigation.

If it is found that malpractice or maladministration has taken place, then appropriate penalties may be put into effect.

For learners, this may be a written warning, revision of marks, cancellation of units, disqualification from future entries, revocation of certificates, suspension or exclusion.

For staff, the procedure will follow the **Staff Disciplinary Policy** and sanctions may include a written warning, suspension or dismissal.

Principles of Investigations

Confidentiality

- Investigations will typically require access to confidential information, about the college its members of staff or learners.
- All information gathered during an investigation must be kept secure in line with Data Protection Policy, and must not be shared with third parties, except with regulators or the police, if necessary.

Rights of individuals

- If a member of staff or a learner is suspected of malpractice or maladministration, they will be informed of the allegations against them, in writing, along with any evidence supporting the claims.
- They will be given the opportunity to review the allegation, respond in writing and seek advice.
- They will also be made aware of the potential consequences if the malpractice or maladministration is proven, as well as the possibility that other parties, such as regulators, police, funding agencies or professional bodies may be notified.
- Information about the appeals process will also be provided.

Proportionality

- Any decision regarding the outcome should be proportional to the weight of the evidence and the severity of the case.

- The learner is not required to admit to malpractice.

Staff Interviews

- Member of staff may request to be accompanied by a friend or colleague during interviews.
- Any friends or colleagues who do attend the interview are present only to support the staff member and cannot contribute to the interview.

Candidate Interviews

- When interviewing a learner who is under 18 or a vulnerable adult, college will consider the need for a parent or representative to be present or will obtain parental consent before proceeding with the interview.
- Learners may request to be accompanied by a friend or colleague during interviews.
- Any friends or colleagues who do attend the interview are present only to support the learner and cannot contribute to the interview.

Retention and storage of evidence and records

- All relevant documents and evidence will be stored in accordance with the policies and procedures of AO and the college.

Decisions and action plans

- Conclusions and decisions should be evidence-based.
- A proposed course of action will be determined, agreed upon by AO and College, implemented, and monitored until completion.
- The actions should also address necessary improvements in the policies and procedures of College as well as any staff-related or resource-related actions.

Appeals against Malpractice or Maladministration Decision

If a staff member disagrees with the outcome of the investigation, they may appeal by following the procedure outlined in the **Staff Disciplinary Policy**.

If a learner disagrees with the investigation's outcome, they may appeal through the Appeals Process outlined in the **Appeals Policy**.