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## Malpractice & Maladministration Policy

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| <b>Responsible post holder</b> | Melanie Hall-Judd |
| <b>Approved by / on</b>        | November 2024     |
| <b>Review due by</b>           | November 2027     |

## **Contents**

|  |   |
|--|---|
| 1. Introduction.....   | 2 |
| 2. School's responsibility.....  | 2 |
| 3. Review arrangements.....  | 3 |
| 4. Definition of Malpractice.....  | 3 |
| 5. Definition of Maladministration.....                                      | 4 |
| 6. Process for making an allegation of malpractice or maladministration..... | 4 |
| 7. Investigation timeline and process.....                                   | 4 |

## **Introduction**

This policy is aimed at our pupils and staff, who are working towards or delivering approved qualifications or units and who are involved in suspected or actual malpractice/ maladministration. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

It sets out the steps our school, and pupils or other personnel must follow when reporting suspected or actual cases of malpractice/maladministration and our responsibilities in dealing with such cases. It also sets out the procedural steps we will follow when reviewing the cases.

## **School's responsibility**

It is important that our staff involved in the management, assessment and quality assurance of our qualifications, and our pupils, are fully aware of the contents of the policy and that our school has arrangements in place to prevent and investigate instances of malpractice and maladministration.

A failure to report suspected or actual malpractice/maladministration cases, or have in place effective arrangements to prevent such cases, may lead to sanctions being imposed on our school.

## **Review arrangements**

We will review the policy annually as part of our annual self-assessment arrangements and quality plan. The policy will be revised as and when necessary in response to staff and pupil feedback, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation or trends identified from previous allegations. In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice/maladministration remain effective.

## **Definition of Malpractice**

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of internal or external assessment processes and/or the validity of certificates.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain groups of pupils.

The categories listed below are examples of school and pupil malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Contravention of our school and qualification approval conditions
- Denial of access to resources (premises, records, information, pupils and staff)
- Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with our requirements
- Deliberate failure to adhere to our pupil registration and certification procedures
- Deliberate or persistent failure to continually adhere to our school recognition and/or qualification approval criteria or actions assigned to our school
- Deliberate failure to maintain appropriate auditable records eg pupil files
- Persistent instances of maladministration within our school
- Fraudulent claims for certificates
- The unauthorised use of materials/equipment in assessment
- Forgery of evidence
- Pupils still working towards qualifications after certification claims have been made
- Contravention by staff of the assessment arrangements we specify for our qualifications
- Insecure storage of assessment materials
- Plagiarism of any nature (the same evidence used for multiple pupils)
- Unauthorised amendment to evidence.
- Inappropriate assistance to pupils by school staff (e.g. stating or evidencing that a pupil has achieved something that they have not)
- Submission of false information to gain a qualification or unit

## **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 within a school (e.g. inappropriate use of pupil records).

## **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 report their findings to the Head teacher. In doing so they should put them in writing/email and enclose appropriate supporting evidence.

All allegations must include (where possible) the:

- Pupil's name and awarding organisation number
- Date(s) suspected or actual malpractice occurred
- Full nature of the suspected or actual malpractice

The Head teacher will then request an investigation is carried out by the Post-16 Lead or the Deputy Head teacher.

## **Investigation timeliness and process**

Heron Academy aim to action and resolve all stages of the investigation within 20 working days of receipt of the allegation.

The investigation report will include:

- Additional fact finding.
- The completion of a written report which should including any mitigating circumstances, face to face interviews written statements from those informant's name, position and signature
- Outcomes of the investigation
- Actions

Throughout the investigation the Head Teacher will be responsible for overseeing the work of the investigator to ensure that due process is being followed, appropriate evidence has been gathered and reviewed for liaising with and keeping informed relevant external parties.