Malpractice and Maladministration Policy

Scope and Purpose of Policy

This Policy sets out the quality management process to ensure that any suspected or alleged instances of malpractice or maladministration are investigated rigorously and effectively and comply with the 'General Conditions of Recognition'.

This policy applies to staff and all students on all learning programmes regardless of mode or location of study.

Definitions

'**Malpractice**', which includes maladministration and non-compliance, is essentially any activity or practice, which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- The assessment process
- The integrity of a regulated qualification
- The validity of a result or certificate
- The reputation and credibility of the College

Malpractice may 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. It also includes any activity or practice, which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

'Maladministration' is defined as any activity, practice or omission which results in centre or learner noncompliance with administrative regulations and requirements. For example, persistent mistakes or poor administration within a centre resulting in the failure to keep appropriate learner assessment records.

Policy Statements

This Policy is underpinned by several key principles:

- Students who access Cardiff and Vale College must be free from discrimination.

- Our students must be supported to **enable** them to achieve their **potential** while at College, in an environment which removes or minimises disadvantage, takes steps to meet their needs and which encourages participation. The wellbeing of our students is central so they feel good about themselves and respect others.

- While at College our students will develop the **skills** they need to enable them to progress successfully throughout their lives.

- A commitment to **restorative approaches** to ensure that we foster good relations by tackling prejudice and promoting understanding.

- A commitment to the **social model of disability** where we look at removing the barriers someone could face because of their disability or learning difficulty to promote inclusion.

The College is committed to:

- Developing procedures to support the identification and management of malpractice and maladministration in line with awarding organisation procedures.

- Ensuring that any suspected or alleged instance of malpractice is reported to regulators and awarding organisations in accordance with 'General Conditions of Recognition';

- Ensuring that the College co-operates with any regulator or awarding body as part of an investigation into suspected or alleged malpractice;

- Ensuring any staff and learners are informed of the malpractice policy and associated procedures including the possible consequences, should malpractice be proven;

- Ensuring resource is allocated and systems are developed to mitigate any risk of maladministration and malpractice.

- Ensuring appropriate records are kept and monitoring of instances is in place and that this data is used to inform and improve practice.

Responsibilities

The Governing Body will be responsible for ensuring that:

- The Policy is reviewed on a regular basis (as per the policy terms of review) and appropriate advice is given on content. The Main Board approves the policy.

The Principal will be responsible for ensuring that:

- The College's Malpractice Policy and procedures are fully implemented and followed by staff.
- Sufficient resource is allocated to this area.

The Senior Planning Group will be responsible for:

- Reviewing this Policy and the attached procedures.
- Monitoring the application of the procedures, supporting staff to adhere to the policy and responding effectively to any areas of concern.
- Ensuring that relevant college procedures and practices eg admissions, tutorial etc support the principles of this policy and associated procedures.

The Dean of Quality Improvement is responsible for:

- Maintaining the currency of this policy and associated procedures.
- Ensuring the allocation of appropriate resources to meet the requirements of the policy and associated procedures.
- Providing appropriate training and development.
- Ensuring that appropriate steps are taken to monitor data linked to this policy and that this data is used to inform and improve practice.

All Staff are responsible for:

- Treating all learners with dignity and respect, to ensure their own conduct does not cause offence or misunderstanding.
- Being aware of this policy and the procedures and working in a way that does not contravene their contents.
- Working within the requirements of Data Protection and GDPR.
- Communicating effectively with staff to ensure the needs of learners are met.
- Attending CPD events on aspects relevant to the success of this policy and associated procedures.

Learners are responsible for:

- Attending induction and tutorial sessions to ensure they are aware of the policy and the issues it raises.
- Following procedures related to this policy, specifically using support, training and resources to ensure that they are not at risk of malpractice.
- Providing feedback on the policy in learner focus groups and via other opportunities.

Legislation and Guidance

Equality Act 2010
Additional Learning Needs and Educational Tribunal Wales Act 2018

Equality and Diversity Statement

In accordance with College procedures, this Policy was written with consideration of the impact of individuals as per the Equality Act.

Health and Safety Implications

None.

Welsh Language Standards

This policy provides opportunities for persons to use either the Welsh or English language. The duties which come from the Standards mean that organisations should not treat the Welsh language less favourably than the English language, together with promoting and facilitating the use of the Welsh language ie making it easier for people to use in their day-to-day life.

References
Linked Policies

Quality Policy
Complaints and Compliments
E&D
Plagiarism
Whistleblowing
Bullying and Harassment
Data Protection

Linked Procedures

Malpractice and maladministration
Complaints
IQA
Whistleblowing
Bullying and Harassment
Safeguarding
Data Protection

During Covid various malpractice procedures have been adapted to comply with the process of Centre Determined Grades/Teacher Assessed Grades. These are linked procedures but are time-bound to the specific awarding organisation and assessment period.

Communication and Storage

This policy is published on the company website.
This policy is stored on the company intranet.
This policy is shared with learners.

Glossary

None

Approval, Change and Review

This policy is reviewed every 2 years.

There is a Welsh version of this document available.

Date approved: 15/4/16	**Responsible Manager: Dean of Quality Improvement**
Approved by: CQSA	**Executive Lead: Deputy Principal**
Review date:	**Accessible to Students: : Yes**