



Malpractice and Maladministration Policy

1 Purpose

This policy sets Staffordshire Police's procedure to prevent and manage any form of malpractice or cheating which undermines the credibility of accredited and nonaccredited qualifications and candidate achievements.

2 Definitions

For the purpose of this policy and procedure, the term "malpractice" is used to include both malpractice and maladministration.

For clarity, malpractice is deemed to be those deliberate actions and practices that threaten the regulatory, integrity and validity of any none or accredited qualifications attained with Staffordshire Police, or threaten the reputation of Staffordshire Police. Maladministration can be deliberate or accidental which results in a noncompliance.

3 Roles and Responsibilities

Candidate:

- Understand the implications of malpractice or cheating.
- Are familiar with the centre's malpractice policy and its relationship to the Code of Ethics.
- Will speak to a member of the Internal Quality Assurance Team, if they have any concerns or questions.
- Report any suspected cases/incidents.
- Understand their right to appeal.

Assessors and Internal Quality Assurance Team

- Understand the implications of malpractice or cheating.
- Are familiar with your centre's Malpractice Policy.
- Will be vigilant and report any suspected malpractice to the Compliance and Quality Assurance Lead (CQAL).
- Assist fully in investigations.

Centre Manager:

- Ensure the centre is always compliant with the Awarding Body Centre approval criteria and College of Policing Quality Assurance practices.
- Have a malpractice policy in place for prevention, investigating and dealing with alleged or suspected malpractice.
- Ensure all staff and Candidates understand the Malpractice policy and the associated consequences.
- Monitor centre activity to minimise the risk of any suspected or actual malpractice.
- Promptly investigate any suspected or actual malpractice, using staff who are independent of the alleged or suspected malpractice.

- Promptly report to the Awarding Body, College of Policing details of any malpractice investigations that may have taken place.
- Cooperate fully with the Awarding Body and College of Policing in any further investigation of reported, suspected or actual malpractice.

4 Preventing Malpractice

Staffordshire Police take any form of malpractice or cheating by Candidates or anyone involved in the delivery, assessment and internal quality assurance of its qualifications very seriously.

The Internal Quality Assurance team (IQA) will take all reasonable steps to prevent the occurrence of malpractice, by.

- Identifying where potential malpractice may take place
- Taking preventative action, through continual support to assessors and Candidates understanding of the qualifications.
- Building a robust quality assurance process into working practices.

It is important that all staff involved in the delivery, assessment and internal quality assurance of qualifications, accreditations or courses are aware of this policy and the consequences of malpractice.

Centre Malpractice:

The following are examples of centre malpractice (*the list is not exhaustive and is intended for guidance only*):

- Tampering with assessed work after collection.
- Improper assistance to learners in the production of assessed work.
- Fabricating assessment and/or internal quality assurance/certification records or authentication statements.
- Making fraudulent claims for certificates.
- Deliberate misuse of the Awarding Body logo.
- A centre failing to inform the Awarding Body of an incident or suspected incident of malpractice regardless as to whether the centre believes it has resolved the incident or not.
- Failing to declare a Conflict of Interest.

Candidate Malpractice:

- The following are examples of learner malpractice (*the list is not exhaustive and is intended for guidance only*):
- Cheating
- Plagiarism (i.e. submitting work that is not the candidates own work).
- Forging evidence which is submitted for assessment (e.g. forged letters, signatures, certificates)
- Misrepresentation of their role in a work-based activity in order to secure evidence of competence.
- Collusion.

- Not adhering to the terms set out by the Awarding Body, where Reasonable Adjustments have been granted.

The Awarding Body, College of Policing recognises that whatever preventative measures it or a centre puts in place, malpractice may occur.

Malpractice cases can lead to (the list is not exhaustive and is intended for guidance only):

- Candidates not receiving credit for their work.
- Candidates not receiving certificates/ having certificates revoked.
- Sanctions being applied to the centre e.g.
- Centre not being approved to offer qualifications.
- Centre registration of Candidates suspended/not accepted.
- Suspension of certification.
- Additional financial costs for the centre (e.g. additional centre monitoring visits).
- Loss of Awarding Body Centre Approval and College of Policing approval.

Failure to have in place effective arrangements to prevent instances, to promptly investigate suspected or actual malpractice cases and to promptly report outcomes of concluded investigations to the Awarding Body, College of Policing may lead to sanctions being imposed on the Centre.

Acknowledging the use of AI- In line with the Force policy

- When a candidate uses an AI tool to generate content within written work, they must provide the details of the source, referenced within the work and this must be verified.
- Where the AI tool does not provide the details above, then the Candidate should ensure that they independently verify the generated content with additional referencing of the sources used and how this has been used. This will allow the marker/ assessor to check for appropriateness of content for assessment.
- If an AI tool has been used as a source of information, the Candidate must show an acknowledgement, name of source, date and content generated.
- All questions must be retained with computer content for reference and authentication purposes, such as a screen shot with an explanation of use.
- All must be submitted to marker for review.
- If the above is not submitted the marker/ assessor must follow the Centre Malpractice Policy, next steps

5 Reporting and Investigating Malpractice

Centre Investigating

The Awarding Body, College of Policing expects its approved centres to take full responsibility for any instance of potential or identified malpractice and investigate. However, in serious cases or if the centre/key centre staff are implicated, the investigation will be conducted by the Awarding Body or College of Policing.

The CQAL will investigate all suspected or actual incidents of maladministration and report them to the Awarding Body, College of Policing.

If it is necessary for the CQAL to delegate the responsibility for the investigation to another member of the Quality team, it is essential that this person can act impartially, i.e. does not have connection with the incident, or be involved in the suspected malpractice. Conflicts -of- Interest which may arise may compromise the investigation.

It should not be assumed that because an allegation has been made it is true. The investigator should seek to establish the full facts and circumstances of any alleged malpractice, collecting evidence as appropriate. Evidence could include witness statements, copies of records, photographs, emails.

The investigator will complete a civil statement level 2 and 3.
On indication of malpractice being identified by the IQA team the CQAL will commence the following process.

Level 1- Low risk meeting with the IQA team to discuss the findings. Once it has been established that the evidence is deemed to be a greater risk the CQAL will escalate. At this point a civil statement will be required if escalated.

Level 2- Medium risk meeting will involve HR, PSD. If this meeting decides on additional escalation due to the complexity, severity of the case, then a

Level 3 high risk meeting for malpractice will then be handed over to the PSD and ACU unit pending investigation with all documentation.

The Awarding body will be actively informed of decisions and escalations throughout by the CQAL.

All meetings will be followed up with documented minutes, and all evidence will be stored with the R Drive Appeals folder confidential.

The outcome from stage 2 and 3 will be decided by the force and may lead to Gross Misconduct.

See table below.

Action	Level 1- Low risk	Level 2- Medium risk	Level 3- High risk
Identification	Identification of issue by IQA.	Identification of issue by IQA- Escalated from stage 1.	Identification of issue by IQA- Escalated from stage 2.

Identification	IQA completes Maladministration/ Malpractice form and sends to IQA Lead (following policy and procedure)	Original completed Maladministration/ Malpractice form produced alongside evidence of malpractice / maladministration. (following policy and procedure)	Original completed Maladministration/ Malpractice form produced alongside evidence of malpractice / maladministration. (following policy and procedure)
Notification	Candidate, line manager are notified that the portfolio will be frozen pending investigation.	Candidate, line manager are notified that the portfolio will be frozen pending investigation.	Candidate, line manager are notified that the portfolio will be frozen pending investigation.
Team meeting	Lead IQA requests an IQA meeting to discuss and agree on outcome. Within 7 days of notification Minutes of the meeting to be stored within the individual appeals file. R Drive\PEQF\Appeals	Lead IQA requests a meeting with IQA, HR, PSD. Within 14 days of notification Minutes of the meeting to be stored within the individual appeals file. R Drive\PEQF\Appeals	Lead IQA requests a meeting with IQA, PSD, ACU. Within 14 days of notification Minutes of the meeting to be stored within the individual appeals file. R Drive\PEQF\Appeals
Evidence	• Uncertainty of originality of evidence of Knowledge and Understanding. • Minimum evidence of plagiarism can	• Uncertainty of originality of evidence of Knowledge and Understanding. • Significant evidence of plagiarism can be	• Uncertainty of originality of evidence of Knowledge and Understanding. • Significant evidence of plagiarism can be

	be seen within documents. Created / modified document states differing name to Candidate.	seen within documents. Created / modified document states differing name to Candidate.	seen within documents. Created / modified document states differing name to Candidate.
Evidence	Own practice examples are correct.	Own practice examples are incorrect or suspicion of fictitious events as evidence.	Own practice examples are incorrect or fictitious events as evidence.
Outcome	- Panel agrees on outcome. - Rework is required. - Candidate and line Manager informed of outcome, either rework or escalation to stage 2,3. - Line manager to update PDR to reflect professional development/ self-reflection. - Email stored within appeals folder.	- Panel agrees on outcome. - Stage 1 outcome or escalate to Stage 3. - Candidate and line Manager informed of outcome. - Line manager to update PDR to reflect professional development/ self-reflection. - Email stored within appeals folder. If the incident is deemed to not be resolved at this	- Panel agrees on outcome. - Candidate and line Manager informed of outcome. - Line manager to update PDR to reflect professional development/ self-reflection. - PSD/ ACU continue with own investigation. - Portfolio qualification failure. (NPPF)

	Form is updated and stored within appeals folder. If the incident is deemed to not be resolved at this level, then level 2 medium risk is followed. Assessor retraining required.	level, then level 3 high risk is followed.	IQA provides in-depth report to PSD. Lead IQA to inform Awarding body of outcome via online SFJA form.
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Centre Reporting

Where malpractice is identified and certificates have been issued by the Awarding Body the Head of Centre must arrange for those certificates to be recovered and returned promptly to the Awarding Body, College of Policing by trackable post. Malpractice investigations should be reported promptly in writing to the Awarding Body's, College of Policing Quality & Assessment Manager by the Head of Centre (or appointed investigator) either via email or letter

Emails and letters should state:

- The approved Centre's name and address.
- The name(s) of those involved in the suspected or actual malpractice and if appropriate, their job role.
- The title of the qualification(s) or programme(s) affected by the suspected or actual malpractice.
- The date(s) the suspected or actual malpractice occurred.
- The full nature of the suspected or actual malpractice.
- Full details of internal investigations the centre has conducted (contained within the investigator's report).
- Full details of identified remedial actions to mitigate against the occurrence being repeated (contained within the investigator's report).
- The Awarding Body, College of Policing will adhere to their service level agreement in acknowledgement of receipt and response to outcome of their investigation. If the process is expected to take longer than the agreed timescales the centre will be advised accordingly.
- Based on the information received by the awarding body the nominated Quality & Assessment Manager will then decide to either note the incident and take no further action.

- Ask the Head of Centre to carry out further investigation/provide further evidence
- Take a decision on the case, which may lead to Sanctions being imposed on the centre (outlined in the Awarding Body's, College of Policing Sanctions Policy).
- Carry out their own further investigation into the matter.

The CQAL will be advised of the outcome of the review in writing by the Quality & Assessment Manager of the Awarding Body, College of Policing. Any imposed sanctions will also be conveyed at that time.

The CQAL will be expected to respond within an agreed time frame set by the Awarding Body, College of Policing with details of how they will implement any actions or recommendations set, and by whom. If the Awarding Body, College of Policing does not receive a response, they may increase the level of sanction imposed on the centre, accordingly, based on risk.

Investigations carried out by the Awarding Body, College of Policing

The Awarding Body, College of Policing expects its approved centres to take full responsibility for any instance of potential or identified malpractice and investigate. However, in serious cases, if the centre/key centre staff are implicated, or if a report involves fraud or a serious breach of assessment security, an investigation will be carried out by the Awarding Body, College of Policing. This may involve the Awarding Body, College of Policing notifying other third parties who need to know or may be affected – including, for example but not limited to, the Ofsted, the Charity Commission, funding bodies and other awarding organisations.

Investigations will be carried out promptly, based on facts and evidence obtainable. The Awarding Body, College of Policing will aim to complete this in line with their service level agreement (usually within **30 working days** of informing you that they are commencing the investigation). If the process is expected to take longer, the centre will be advised of this and the likely amended timescale.

Investigations carried out by the Awarding Body, College of Policing will be conducted by the Quality & Assessment Manager or their appointed representative (e.g. an independent External Quality Assurer with no previous involvement with the centre). If it is necessary for the Awarding Body, College of Policing to visit a centre as part of the investigation, this will be at the expense of the centre.

The outcome of the investigation (along with any actions or recommendations set to mitigate similar cases occurring again, with clear timescales for completion) will be communicated in writing by the Awarding Body's, College of Policing Quality & Assessment Manager to the CQAL within **5 working days** of their investigation being concluded. Any imposed sanctions will also be conveyed at that time.

The CQAL will be expected to respond, within **5 working days**, with details of how they will implement any actions or recommendations set, and by whom. If the Awarding Body, College of Policing do not receive a response, they may increase the level of sanction imposed on the centre, accordingly, based on risk.

6 Monitoring

Reported incidents will be monitored by the Awarding Body, College of Policing and will contribute towards the ongoing evaluation and overall Risk Rating of approved centres.

The Awarding Body Quality, College of Policing and Standards Committee will be responsible for monitoring the effectiveness of the process. A summary report will be submitted to the Committee, allowing them to monitor malpractice reports and investigations over time.

Informing the Qualifications Regulator and other awarding organisations/stakeholders:

If a reported incident has the potential to lead to an Adverse Effect, the Awarding Body, College of Policing will notify the Qualifications Regulators and keep them fully informed.

The Awarding Body, College of Policing are required to notify other awarding organisations/stakeholders where cases of malpractice are likely to impact on them. This will be necessary where:

- The centre is approved by another awarding organisation, and the alleged malpractice could affect the awarding organisation's activities
- The centre has indicated they are seeking approval from another awarding organisation.

7 Malpractice Sanctions and Penalties

Where reports of malpractice are found to be proven based on the evidence gathered, the Awarding Body's, College of Policing Quality & Assessment Manager may impose sanction or penalties on those involved. Sanctions and penalties will be proportionate to the case and the level of impact on the learner(s), the credibility of the qualification(s) and the impact on the centre. They will consider legislation that may impact upon the case including:

- Employment Law.
- Health and Safety Legislation.
- Equalities and Human Rights Legislation.

Sanctions will be imposed on a centre if malpractice has been proven, to:

- Minimise any risk to the integrity of awarding body qualifications.
- Ensure that only learners who have achieved the required standard are awarded the qualification.
- Minimise the potential of the malpractice recurring.
- Maintain the confidence of the public in the delivery and awarding of the Awarding Body, College of Policing qualifications.

The sanction to be applied will depend on the nature and scale of the malpractice.

Improvements Applied by Centres

Where a centre undertakes an internal investigation and can prove that malpractice has taken place it is able to suggest improvements for the Awarding Body, College of Policing to agree.

Below are examples of sanctions or penalties that a centre may impose in the event of malpractice (*the list is not exhaustive and is intended for guidance only*):

- Implement revised procedures to mitigate future occurrences.
- Members of staff required to be retrained.

All sanctions and penalties must be issued in writing by the CQAL. A copy should be forwarded to the Awarding Body, College of Policing Quality & Assessment Manager for them to agree.

Malpractice Sanctions and Penalties Applied by Awarding Body

Below are examples of sanctions or penalties that the Awarding Body, College of Policing may impose in the event of malpractice (*the list is not exhaustive and is intended for guidance only*):

- Candidate may not receive credit for their work.
- Issued learner certificates may be revoked.
- Centre undertakes corrective actions and provides evidence that this has taken place.
- Centre loses its Direct Claim Status.
- Centre may be subject to additional monitoring visit(s) by the Awarding Body, College of Policing at the centre's expense.
- Centre's approved status may be removed meaning the centre will no longer be able to offer qualifications through the Awarding Body or College of Policing.

All sanctions and penalties will be issued in writing by the Awarding Body, College of Policing Quality & Assessment Manager

The CQAL will be expected to respond, within **5 working days**, with details of how they will implement any actions or recommendations set, and by whom. If the Awarding Body, College of Policing do not receive a response, they may increase the level of sanction imposed on the centre, accordingly, based on risk.

Sanction and Penalties- EPA

- Where malpractice has been found the Awarding Body, College of Policing can impose sanctions or penalties.
- Sanctions and penalties will be proportionate.
- The sanctions / penalties will consider, Employment law, Health and Safety legislation, Equalities and Human rights legislation.
- Minimise current or future risks.
- Minimise reoccurring risks.
- Maintain confidence.

The sanction applied will consider the nature and scale of the malpractice. Examples can be;

Invalidation or revoking claim for certificates, refusing EPA results, suspending delivery, not accepting registration or bookings of EPA, debarring staff from EPA process, this list is not exhaustive

8 Appeals

Candidates or centres who wish to appeal against a decision regarding malpractice and the sanctions imposed should contact the Awarding Body, College of Policing via their appeals procedure.

9 Policy Review

This policy is to be reviewed following the Force self – evaluations arrangements, with a view to revising as necessary in response to any lessons learned, feedback or changes within legislation, guidance from qualification regulators