

## Malpractice and Maladministration Policy

### Definition - Malpractice (by centres/providers)

Malpractice is any activity or practice which deliberately contravenes procedures and regulations. It means that there are serious concerns about the integrity of the assessment or the validity of certificates we take it very seriously.

### Examples of malpractice:

- Deliberate misuse of the Marvellous Minds or ILM logo
- Contravention of examination regulations by personnel or the learner
- Falsification of documents.
- Cheating of any nature by learners, including plagiarism
- Repeated maladministration (normally three consecutive incidents).

For specific guidance on plagiarism and cheating please see the Plagiarism & Cheating Policy

### Definition of Maladministration

Maladministration is an activity or practice which results in non-compliance with regulations, but it is normally the result of a genuine mistake rather than any deliberate plan to gain an unfair advantage. Where a centre of provider repeatedly makes mistakes then this would eventually constitute Malpractice (see Definition of Malpractice)

### Examples of maladministration:

- Late registration of learners with ILM
- Claiming certification for incorrect units
- Centres, providers and learners should take all reasonable steps to prevent malpractice and/or maladministration from occurring throughout the development, delivery and assessment of ILM qualifications and programmes.

For more general concerns or complaints please see the Complaints Policy.

### Managing Malpractice and Maladministration

The overall responsibility of dealing with malpractice and maladministration lies with the Managing Director of Marvellous Minds, who may have a nominated individual within the Centre to deal with some or all of the query.

Any alleged malpractice incident should be reported to the Awarding Body. If the alleged malpractice is suspected, then anyone involved in the activity should be informed in writing of the following:

1. The nature of the alleged malpractice activity
2. If this alleged malpractice activity is upheld, those involved should be advised of the possible consequences
3. Those involved will be given the opportunity to explain from their perspective, and also advised of the Appeals Procedure should the decision be upheld against them

4. Any investigation will be conducted fairly and appropriately in line with due disciplinary policy and procedure.
5. Any remedial action / appropriate sanctions should be applied dependent upon the nature of the malpractice.
6. The alleged incident must be documented and advised to the individual involved (the individual may be learner or staff)
7. The individual is given reasonable time to respond
8. The investigation is then completed and decision is then passed on to the individual in writing.
9. All stages of this investigation are to be documented and the records are kept for 3 years after the decision.

## **Penalties**

There are a variety of sanctions and/or penalties that could be applied upon learners and/or personnel. These sanctions totally depend upon the intensity of the incident and therefore vary in nature.

Following are the few sanctions that could be applied if the malpractice is proven:

- The staff or learner is issued with a written warning about future assessment conduct.
- The learner involved in the malpractice, for the second time, could be refused, by the assessor to assess their course work.
- In the case mentioned above the learner would have to resubmit their course work in order to meet the pass criteria.
- In the case where there is repetitive conduct of malpractice by learner they may be refused to pass that particular unit and hence not receive the certificate.
- In the case where malpractice is proven against a member of staff they will be subject to an immediate decline in their access to records and authority to assess or certify.
- The staff may also be barred from the use of certain administrative tools depending upon the nature of malpractice and may be reprimanded or terminated from the job.