

# **GLOBAL**

**PERSONNEL CERTIFICATION SCHEME**

## **Malpractice and Maladministration Policy**

**Rev00**



## Malpractice and Maladministration Policy

This document details the malpractice and maladministration policy followed by GLOBAL PCS.

The policy:

- Defines what constitutes malpractice and maladministration
- Provides examples of acts of malpractice and maladministration by personnel working or involved with GLOBAL PCS activities, Participants in services provided by GLOBAL and Candidates involved in the Certification Programs.
- Details the process GLOBAL must follow to investigate allegations and incidents
- Lists the range of sanctions that can be applied if incidents and allegations of malpractice or maladministration are proven

### 2. Definitions and Examples

#### 2.1 Malpractice

Malpractice means “any deliberate activity, neglect, default or other practice that compromises or could compromise the assessment process, the integrity of a service, the validity of a result or certificate, or the reputation and credibility of GLOBAL PCS”.

Malpractice includes issues such as intentional misinformation or deliberate falsification of records to claim certification, cheating in examinations and unethical conduct by Examiners, Participants, Candidates or GLOBAL staff.

Malpractice also includes failure to:

- Investigate allegations and suspected malpractice and notify GLOBAL promptly
- Co-operate with GLOBAL investigations

#### 2.2 Maladministration

Maladministration means “any actions, neglect, default or other practice that results in Examiners, Participants, Candidates or GLOBAL staff not complying with GLOBAL’s criteria and requirements as specified in GLOBAL QMS”.

Maladministration could be due to mismanagement, incompetence, or inefficiency.

#### 2.3 Examples of malpractice and maladministration

Malpractice or maladministration can be committed by a variety of people both inside and outside the GLOBAL e.g. Candidates, Participants, Examiners, Invigilators, GLOBAL staff, etc.

The following are examples of acts that will be deemed to constitute malpractice or maladministration in line with the definitions given above. This list is not exhaustive, and the GLOBAL reserves the right to deem as malpractice or maladministration other acts that might occur.

### **2.3.1 Examples of malpractice by Candidates or Participants**

- Impersonation of another Candidate
- Being in possession of confidential material in advance of the examination, e.g. examination question paper, model answer or marking guidance
- Being in possession of materials not permitted in the examination room, e.g. notes, books, dictionaries/calculators (when prohibited), blank paper, mobile phones, smart watches. Possession of such materials will be malpractice whether or not the learner uses them, or the information contained within the materials is relevant to the examination being sat
- Communicating with other person in the examination room in breach of the examination regulations
- Copying the work of another person or knowingly allowing another person to copy from his/her own work.
- Working collaboratively with any other person(s) by whatever means during examinations
- Including inappropriate, offensive material in examination scripts
- Plagiarism or misrepresentation of Candidate or Participant's work
- Failure to adhere to the published GLOBAL examination regulations
- Failure to adhere to instructions given by an examination invigilator in relation to the examination regulations, e.g. continuing to work beyond the allotted examination time, refusing to hand in the examination script and/or examination paper when requested, not adhering to warnings relating to conduct during the examination
- Disruptive behavior (including offensive language and aggressive/violent conduct) in the examination venue
- Tampering with, or forgery of, results documentation, including certificates

### **2.3.2 Examples of malpractice by staff, examiners, invigilators, markers, and certificate decision responsible**

**BREACH OF SECURITY** - Any act which breaks the confidentiality of examination question papers or materials or the confidentiality of Candidate' examination scripts. This could involve:

- Failure to keep examination question papers, marking schemes or scripts secure before, during or after an examination
- Discussing or revealing in public (e.g. posting on social media channels) secure information relating to examinations
- Tampering with Candidates' examination scripts

**DECEPTION** - Any act of dishonesty in relation to any examination, such as:

- Inventing or changing examination marks when there is no evidence of Candidate achievement to justify the marks being given
- When marking examination scripts, not reporting suspected incidents of malpractice by a Candidate to the GLOBAL
- Entering fictitious Candidates for examinations or otherwise subverting the assessment or certification process with the intention of financial gain

**IMPROPER ASSISTANCE TO CANDIDATES**

- Knowingly allowing an individual to impersonate a Candidate
- Allowing a Candidate to possess and/or use materials not permitted in the examination room
- Allowing Candidates to communicate with each other during an examination in breach of regulations
- Allowing a Candidates to copy another Candidate's work or allowing a Candidate to let his/her own work to be copied
- Allowing Candidates to work collaboratively during an examination
- Advising and/or assisting a Candidate with his/her examination answers
- Allowing a Candidate to work beyond the allotted examination time unless a time extension has been agreed in advance in accordance with examination regulations
- Damaging a Candidate's work
- Disruptive behavior (including offensive language and aggressive/violent conduct) in the examination venue
- Leaving Candidates unsupervised during an examination
- Divulging any information relating to a Candidate's examination performance and/or result to anyone other than the Candidate him/herself, unless formally approved by the Candidate
- Tampering with, or forgery of, results files and/or associated documentation

**FAILURE TO CO-OPERATE WITH AN INVESTIGATION**

- Failure to make available information reasonably requested by the GLOBAL during an investigation, or in deciding whether an investigation is necessary
- Failure to respond to an instruction from GLOBAL to investigate an allegation or suspected case of malpractice or maladministration
- Failure to investigate or provide information according to agreed deadlines
- Failure to report all suspicions of malpractice

**2.3.3 Examples of maladministration by staff, tutors, invigilators, and markers working for branches or subcontractors, if applicable**

- Not using current examination papers, marking schemes and documentation
- Failure to train adequately those invigilating examinations
- Failure to ensure that examination venues conform with the GLOBAL's requirements
- Failure to standardize and moderate Examiners marking, including those working for the branches and subcontractors
- Failure to keep accurate Candidate records
- Failure to transfer accurate Candidate data to the GLOBAL
- Failure to store and dispatch certificates securely and in a timely manner, if applicable

**3. Responsibilities****3.1. The Accreditation or Registration Board could establish its own criteria by:**

- Providing guidance to examination regulations and requirements including how to manage malpractice incidents during examinations
- Acknowledging allegations or reports of malpractice and maladministration, when applicable and in due time
- Carrying out or overseeing all investigations into alleged or suspected malpractice or maladministration by GLOBAL

- Informing GLOBAL and any affected Candidate of the nature of an allegation, unless it would create a risk to the complainant or whistleblower
- Allowing the subject of an allegation to provide written responses to any allegations of malpractice and/or maladministration and consider these written statements when reaching a decision
- Maintaining a register of all allegations of malpractice
- Keeping all material collected as part of an investigation secure and not normally disclose to any third parties (other than the police, other awarding and professional bodies or court order, where appropriate)
- Processing personal data collected as part of the investigation in accordance with data protection laws

### **3.2. GLOBAL must:**

- Implement this malpractice and maladministration policy for dealing with and preventing malpractice and maladministration, in line with the Accreditation or Registration Board requirements
  - Ensure all staff and examiners, whether working directly for GLOBAL or for one of its branches or subcontractors, if applicable, understand and comply with the malpractice and maladministration policy and procedures
  - Report to the Accreditation or Registration Board at the earliest opportunity all suspicions or actual incidents of malpractice or maladministration
  - ensure that the person at the GLOBAL investigating the allegation is independent of the suspected malpractice or maladministration
  - Maintain confidentiality in relation to any investigation of malpractice. This includes details of the complainant or whistleblower, the Candidate or GLOBAL staff referred to in the allegation and the nature of the incident, in accordance with the principles and details of the General Data Protection Regulation
  - Provide or make available information requested by the Accreditation or Registration Board within the required timelines
  - Ensure all staff co-operate fully with an enquiry into an allegation
  - Comply with all actions arising from the investigation
- GLOBAL implemented a system for recording all suspected instances of malpractice and maladministration.

## **4. Accreditation and Registration Bodies procedures for dealing with allegations of malpractice and maladministration**

### **4.1 CQI policy**

#### **4.1.1 The allegation**

Suspected malpractice or maladministration may be identified by:

- The CQI's routine monitoring activity of GLOBAL e.g. sampling examination scripts, conducting audits
- The GLOBAL's own internal quality assurance processes
- A learner or tutor
- A third party or whistleblower

If the suspected case of malpractice or maladministration is brought to the CQI's attention by a third party or whistleblower, the CQI will check the authenticity of the alleged case including seeking permission to use the whistleblower's name to communicate details of the allegation. If the whistleblower refuses permission to use his/her name and the allegation is valid, the CQI will advise the whistleblower that the investigation may be impaired and that the CQI will take all reasonable steps not to disclose the identity of the whistleblower.

The CQI will protect the identity of the informant if this is requested, unless the CQI is legally obliged to disclose the identity.

#### **4.1.2 The response**

The CQI will review the allegation and decide one of the following options:

- Take no further action
- Ask GLOBAL to conduct a full investigation into the alleged incident and submit a written report
- Investigate the matter directly

In the case of b) or c), the CQI will notify GLOBAL and any affected person that an allegation of malpractice and/or maladministration has been made.

#### **4.1.3 The investigation**

The main purpose of the investigation is to establish the facts relating to the allegation to determine if any non-conformances relating to the CQI's requirements have occurred, or if the CQI and IRCA brand and reputation has been put at risk. The investigation will aim to establish the details, circumstances and scale of alleged malpractice or maladministration, and any wider implications for the management and delivery of GLOBAL services.

The investigation will:

- Identify those involved and the root cause of any irregularities
- Identify and if necessary, act to minimize the risk to current learners
- Review any action already taken by GLOBAL
- Review whether remedial action is required to reduce the risk to current learners and to preserve the integrity of CQI and IRCA Certified Courses
- Ascertain whether any action is required in respect of certificates already issued
- Obtain evidence to support any sanctions to be applied to GLOBAL
- Identify any patterns or trends
- Identify any changes to policy or procedure that need to be made by the CQI and/or GLOBAL

Depending on the scale and severity of the allegation, it may be necessary to suspend GLOBAL from delivering any further CQI and IRCA courses while the investigation is being undertaken. On conclusion of the investigation, the suspension will be reviewed.

The investigation may include interviewing staff and examiners working for GLOBAL, their branches, and subcontractors as appropriate to the allegation. It may also include interviewing Candidates. Individuals being interviewed have the right to have another individual present during the interview. However, the person accompanying the interviewee must not take an active part in the interview and cannot answer questions on the interviewee's behalf.

When an individual is accused of malpractice, they must:

- Be informed in writing of the allegation made against him/her
- Know what evidence there is to support the allegation
- Can respond to the allegation
- Have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)

#### **4.1.4 The report**

The CQI will produce a report on its investigation of the allegation which will identify any areas of nonconformance against CQI's ATP criteria and requirements and any reputational risks to CQI's brand. The report will identify any corrective actions that need to be addressed, and any sanctions to be applied.

#### **4.1.5. Imposition of sanctions in cases of proven malpractice or maladministration**

The CQI reserves the right to apply sanctions in proven cases of malpractice or maladministration. The type of sanction applied will depend upon the severity of the act and the context. Examples of possible sanctions are provided below. The list is not exhaustive and the CQI reserves the right to apply other sanctions if justified by the nature of the malpractice incident.

##### **4.1.5.2 Sanctions relating to malpractice or maladministration by Candidates**

- A written warning to the learner about their conduct in examinations
- Loss of marks for a defined section of the relevant examination. This may lead to the learner having to retake the whole examination
- Loss of marks for the entire examination, resulting the learner in having to retake the whole examination
- Withdrawal of the learner's CQI and IRCA Certificate of Achievement

NB: Malpractice by a Candidate who is also a CQI member or an IRCA Certificated Auditor may breach the CQI and IRCA Code of Conduct, depending on the nature of the malpractice. As a result, the CQI may withdraw CQI membership and/or remove the Candidate from the IRCA Register

##### **4.1.5.2 Sanctions relating to malpractice or maladministration by individual staff or tutors working for GLOBAL, its branches, or subcontractors**

- GLOBAL receives a written warning about the conduct of the tutor or member of staff
- Requirement for the examiner or member of staff to undergo specific training or mentoring within a particular period and for the ATP to review the individual's performance to check they are meeting the competence requirements for the role
- Suspension of the tutor or member of staff from delivering, assessing, or administering training and examinations for particular CQI and IRCA Certified Courses either for a period of time or permanently

NB: Malpractice by a tutor or individual who is also a CQI member or an IRCA certificated auditor may breach the CQI and IRCA Code of Conduct, depending on the nature of the malpractice. As a result, CQI ay withdraw CQI membership and/or remove the individual from the IRCA Register

##### **4.1.5.3. Sanctions relating to malpractice or maladministration by GLOBAL**

- GLOBAL receives a written warning (including the investigation report) advising of the breach of the CQI's requirements and is informed that further action may be taken, should there be a recurrence of this breach or subsequent breaches
- GLOBAL receives the investigation report with required corrective actions to be addressed by a set date
- The CQI increases (at the GLOBAL's expense) the level of monitoring activity that will take place in relation to Certified Courses and/or processes e.g. additional audit visits or sampling of examinations scripts
- The CQI requires GLOBAL to terminate one or more of its subcontractor arrangements
- The CQI suspends, for a period, learner registrations on particular or all of GLOBAL's CQI and IRCA Certified Courses
- The CQI withdraws Certified Course approval for one or more of GLOBAL's CQI and IRCA Certified Courses
- The CQI withdraws GLOBAL status. The organisation can no longer offer CQI and IRCA Certified Courses

#### **4.1.5.4 Right of appeal against a CQI sanction**

The individual(s) or GLOBAL concerned have the right to appeal against a sanction imposed by the CQI. An appeal must be made in writing to the Executive Director, Operations within 30 working days from receipt of the written notification of sanction from the CQI.

An appeal will only be considered if the individual or GLOBAL can show that the CQI did not apply procedures consistently during the original investigation, that procedures were not properly and fairly or if new evidence comes to light