



# Malpractice and maladministration policy

## Purpose

Incidents of malpractice / maladministration can potentially lead to delegates being disadvantaged, can require the conducting of costly and time-consuming investigations and may cause reputational damage to HSPCL. It is, therefore, desirable to prevent malpractice or maladministration from occurring, whenever possible. Where it is not possible to prevent this, cases of suspected or actual malpractice / maladministration will be dealt with quickly, thoroughly and effectively.

This policy has been prepared with reference to the rubric and terminology contained in Ofqual's *General Conditions of Recognition*, and policy guidance from the CITB (SSP) and the Joint Council for Qualifications (JCQ).

## Scope

This policy applies to internal and external assessments, assignments, syndicate exercises and examinations, including their reporting.

It is the responsibility of all HSPCL staff<sup>1</sup> to be vigilant regarding any events which may lead to malpractice / maladministration occurring, and report promptly to Peter Robertshaw where they suspect malpractice / maladministration has and / or may occur so that appropriate action can be taken to address this with immediate effect.

Peter Robertshaw is responsible for notifying relevant awarding bodies (CITB / IOSH etc) of cases of suspected / actual malpractice and maladministration to ensure the appropriate action may be taken. In the case of malpractice / maladministration concerning CITB SSP courses it will be reported at [report.it@citb.co.uk](mailto:report.it@citb.co.uk)

## Objectives:

- to identify and minimise the risk of malpractice by staff or delegates; to identify and minimise the risk of maladministration by staff;
- to respond to any incident promptly and objectively;
- to standardise and record any investigation to ensure openness and fairness;
- to impose appropriate penalties and / or sanctions on delegates or staff where incidents (or attempted incidents) are proven;
- to protect the integrity of HSPCL and the awarding bodies we work with.

To do this, HSPCL will:

- seek to avoid potential malpractice by using the induction to inform delegates of the policy on malpractice and the penalties for attempted and actual incidents of malpractice;

*NOTE 1: The term "Staff" includes contract tutors*



- show delegates the appropriate formats to record cited texts and other materials or information sources;
- ask delegates to declare that their work is their own;
- ask delegates to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used;
- conduct any investigations in a form commensurate with the nature of any allegation;
- ensure the handling of individual cases takes account of the needs of the student, including those

## The UK Quality Code for Higher Education

In addition to Further Education regulations, this policy is designed to meet the requirements of Indicator 14 of Chapter B6 of the Quality Code: Assessment of students and the recognition of prior learning:

### The expectation

The Quality Code sets out the following Expectation about the assessment of students and the recognition of prior learning which higher education providers are required to meet. Higher education providers operate equitable, valid and reliable processes of assessment, including for the recognition of prior learning, which enable every student to demonstrate the extent to which they have achieved the intended learning outcomes for the credit or qualification being sought.

### Indicator 14

Higher education providers operate processes for preventing, identifying, investigating and responding to unacceptable academic practice. HSPCL follow these principles for the provision of all our training courses

### Brief definitions

- **Delegate malpractice:** any action by the delegate which has the potential to undermine the integrity and validity of the assessment of the delegate's work. (plagiarism, collusion, cheating, etc.)
- **Assessor malpractice:** any deliberate action by an Assessor which has the potential to undermine the integrity of qualifications
- **Plagiarism:** taking and using another's thoughts, writings, inventions, etc. as one's own
- **Minor acts of delegate malpractice:** handled by the Assessor by, for example, refusal to accept work for marking and delegate being made aware of malpractice policy. Delegate resubmits work in question
- **Major acts of delegate malpractice:** extensive copying / plagiarism, second or subsequent offence, inappropriate for the Assessor to deal with.

## Malpractice

The term 'malpractice' covers any deliberate actions, neglect, default or other practice associated with the examples below; it may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records to claim certificates.

### Examples of malpractice by delegates

This list is not exhaustive and other instances of malpractice may be considered by HSPCL at the director's discretion:

- plagiarism of any nature;
- collusion by working collaboratively with other delegates to produce work that is submitted as individual delegate work;
- copying;
- deliberate destruction of another's work;
- fabrication of results or evidence;
- false declaration of authenticity in relation to the contents of a portfolio or coursework;
- impersonation by pretending to be someone else to produce the work for another or arranging for another to take one's place in an assessment / examination / test;
- Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and / or aggressive behaviour or language and having an unauthorised electronic device that causes a disturbance in the examination room;
- inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence. This includes vulgarity and swearing that is outside of the context of the assessment, or any material of a discriminatory nature;
- Frivolous content - producing content that is unrelated to the examination paper / question in scripts or coursework;
- Unauthorised aids - physical possession of unauthorised materials (including mobile phones, smart watches MP3 players, notes, electronic readers etc) in the examination room.



## Examples of malpractice by HSPCL employees and contracted tutors

This list is not exhaustive and other instances of malpractice may be considered by HSPCL at its director's discretion:

- improper assistance to delegates;
- inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the delegates' achievement to justify the marks given or assessment decisions made;
- failure to keep delegate coursework / portfolios of evidence secure; fraudulent claims for certificates;
- inappropriate retention of certificates;
- assisting delegates in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves HSPCL staff producing work for the delegate;
- producing falsified witness statements, for example for evidence the delegate has not generated;
- allowing evidence, which is known by the HSPCL employee not to be the delegate's own, to be included in a delegate's assignment / task / portfolio / coursework;
- facilitating and allowing impersonation;
- misusing the conditions for special delegate requirements, for example where delegates are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment; falsifying records / certificates, for example by alteration, substitution, or by fraud; fraudulent certificate claims, that is claiming for a certificate prior to the delegate completing all the requirements of assessment;
- failure to comply with awarding body procedures for managing and transferring
- accurate delegate data.

## Maladministration

Maladministration is any non-deliberate activity, neglect, default or other practice that results in HSPCL or a delegate not complying with the specified requirements for delivery of the qualifications as set out in the relevant codes of practice, where applicable.



## Actions and responsibilities

### **Peter Robertshaw will:**

1. establish the culture and overall values, placing academic issues at the centre of the discussions and any changes;
2. is responsible for ensuring the company is dealing effectively with delegate plagiarism;
3. ensure policies and procedures are appropriate to the current situation;
4. maintain systems for keeping records of all incidents and what action has been taken; identify the person or people responsible for monitoring and reviewing data;
5. identify how and where the resulting information will be discussed;
6. take steps to improve detection rates, including access to electronic detection tools;
7. create communication systems that allow consultation, discussion and dissemination of information.

### **Peter Robertshaw is responsible to:**

1. inform awarding bodies of any acts of malpractice CITB SSP / IOSH etc.
2. ensure timely, accurate and valid registration, transfer, withdrawal and certificate claims for delegates.

### **All HSPCL staff are expected to:**

- provide delegates with clear explanations of what is valued in academic work (integrity, honesty, wide-ranging research, choosing and using others' ideas etc.) and why academic conventions are important;
- make available a wide selection of exemplar materials on referencing, citations and assessment approaches, showing clearly the difference between acceptable and unacceptable practice;
- model integrity themselves when they cite sources in their lectures, or talk about
- selecting and using authoritative sources to support an argument;



- develop delegates' study skills as an integral part of their course. These include note-taking, paraphrasing and summarising, and using in-text citations. In technical areas, students need to know the difference between copying the model and applying it;
- work closely with the awarding bodies to ensure students receive appropriate support in researching and interpreting text-based resources;
- ensure that all incidences of cheating and plagiarism, including the results of any conversations, meetings or feedback with students, are properly reported and recorded; consult with colleagues, managers and awarding bodies on alleged misconduct offences and seek appropriate guidance, where needed, on managing the investigative process; ensure that Peter Robertshaw receives an annual course report on cheating and plagiarism issues at the end of each calendar year in the course self-assessment

**Internal and External Verifiers are expected to:**

make malpractice checks when verifying work.

**Peter Robertshaw is responsible to:**

- supervise the investigation and resolution of moderate and serious cases of academic misconduct;
- report on cheating and plagiarism issues as part of the self-assessment process;
- keep Clients and awarding bodies informed of case developments and progress.

**All students are expected to:**

- submit work for assessment that is their own original work;
- attend all study skills sessions that are relevant to developing their notetaking, paraphrasing, synthesising and referencing skills;
- seek advice on assessment practice and procedures from course tutors prior to submitting work;
- avoid sharing electronic versions of their work with other students.

## Investigations

It is understood that in certain cases, awarding bodies may wish to allocate their own staff to join or lead an investigation. This is fully supported and encouraged by HSPCL.

### Investigations will adhere to the following principles:

- **Confidentiality** – by their very nature investigations usually necessitate access to information that is confidential to an organisation or individuals. All material collected as part of an investigation will be kept secure and not normally disclosed to any third parties (other than the regulators or the police, where appropriate).
- **Impartiality:** investigations will be undertaken by Peter Robertshaw and assessed against the specific facts / evidence of the case in arriving at a decision about intention and culpability.
- **Rights of individuals** – where an individual is suspected of malpractice, they will be informed of the allegation made against them (in writing) and the evidence that supports the allegation. They will be provided with the opportunity to consider their response to the allegation and submit a written statement or seek advice, if they wish to. They will also be informed of what the possible consequences could be if the malpractice is proven and of the possibility that other parties may be informed e.g. the awarding body, their employer, the police, the funding agency and professional bodies. The appeals process will also be communicated to them.

**Staff Interviews** - these interviews should be carried out in line with HSPCL policy and procedures. HSPCL staff may request that they are accompanied by a friend or colleague and these requests should be processed in line with HSPCL and / or the awarding body policy.

**Delegate Interview** - where a delegate is to be interviewed and they are a minor or vulnerable adult, HSPCL will consider the need to have a parent or representative present or to have the permission of a parent prior to the interview taking place.

**Retention and storage of evidence and records** – all relevant documents and evidence will be retained in line with awarding body and HSPCL policy and procedures.



**Decisions and action plans** – all conclusions and decisions will be based on evidence. A course of proposed action will be identified, agreed between HSPCL and the awarding body, implemented and monitored to the point of completion. The actions should address the improvements that are required to HSPCL's and the awarding body's policies and procedures as well as any action that is related to staff or other resources.

**Proportionality:** any decision on the outcome must reflect the weight of evidence and the minor or major nature of the case – the delegate does not have to admit malpractice.

**This policy has been approved & authorised by:**

**Name:** **Peter Robertshaw**

**Position:** Director

**Date:** 1<sup>st</sup> January 2026

**Signature:**

### References:

*HSPCL Anti-bribery policy  
HSPCL Conflict of interest policy  
HSPCL data protection policy  
HSPCL Equal opportunities policy with grievance and disciplinary procedures  
HSPCL harassment and bullying policy  
HSPCL modern slavery policy  
HSPCL quality policy  
HSPCL safeguarding policy  
HSPCL training invigilating of exams policy  
HSPCL Whistleblowing policy  
HSPCL Quality Management System  
HSPCL Human Resources Management System*