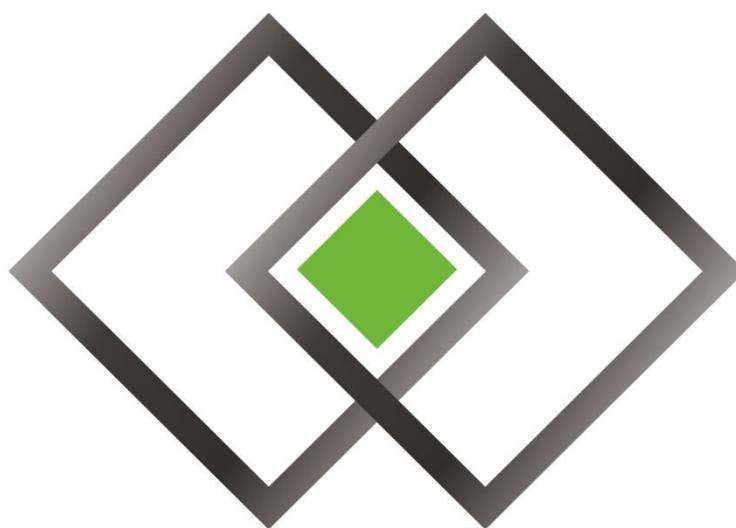


# National Professional Qualification (NPQ)

## Policy for Malpractice & Misconduct



Learners First  
Schools Partnership

Connecting People, Promoting Excellence



# Policy for Malpractice and Misconduct

LEARNERS FIRST treats all cases of suspected malpractice\* very seriously and will investigate all suspected and reported incidents of possible malpractice. The purpose of this Policy and Procedure is to set out how allegations of malpractice in relation to all NPQ qualifications are dealt with. The scope of the policy is to provide:

- a definition of malpractice
- examples of malpractice and maladministration;
- possible sanctions that may be imposed in cases of malpractice.

\*The term 'malpractice' in this policy is used for both malpractice and maladministration.

## 1. Introduction

For the purpose of this document 'malpractice' is defined as:

Any act, or failure to act, that threatens or compromises the integrity of the assessment process or the validity of qualifications and their certification. This includes: maladministration and the failure to maintain appropriate records or systems; the deliberate falsification of records or documents for any reason connected to the award of qualifications; acts of plagiarism or other academic misconduct; and/or actions that compromise the reputation or authority of LEARNERS FIRST.

## 2. Malpractice by participants

2.1 Some examples of participant malpractice are described below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

- 2.1.1 Obtaining assessment material without authorisation.
- 2.1.2 Arranging for an individual other than the participant to complete or submit the final assessment
- 2.1.3 Collaborating with another individual or participant, to complete their final assessment
- 2.1.4 Damaging another participant's work.
- 2.1.5 Inclusion of inappropriate or offensive material in the final assessment.
- 2.1.6 Disruptive behaviour or unacceptable conduct, including the use of offensive language, at sessions (including aggressive or offensive language or behaviour).
- 2.1.7 Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
  - a) personal identification;
  - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
  - c) results documentation, including certificates.
- 2.1.8 Misrepresentation or plagiarism
- 2.1.9 Fraudulent claims for special consideration.

## 3. Malpractice by LEARNERS FIRST employees and facilitators

3.1. Examples of malpractice by, employees or facilitators are listed below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

- 3.1.1. Failure to adhere to the relevant LEARNERS FIRST regulations and procedures.
- 3.1.2. Allowing a participant to copy another participant's final assessment
- 3.1.3. Completing a final assessment for a participant or providing them with assistance beyond that 'normally' expected.

- 3.1.4. Damaging a participant's work.
- 3.1.5. Disruptive behaviour or unacceptable conduct, including the use of offensive language (including aggressive or offensive language or behaviour).
- 3.1.6. Allowing disruptive behaviour or unacceptable conduct at the sessions to go unchallenged, for example, aggressive or offensive language or behaviour.
- 3.1.7. Divulging any information relating to participant performance and / or results to anyone other than the participant
- 3.1.8. Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
  - a) personal identification;
  - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
  - c) results documentation, including certificates
- 3.1.9. Falsely obtaining by any means a NPQ certificate.
- 3.1.10. Failing to report a suspected case of participant malpractice, including plagiarism.

#### **4. Possible malpractice sanctions**

- 4.1. Following an investigation, if a case of malpractice is upheld, LEARNERS FIRST may impose sanctions or other penalties on the individual(s) concerned. Where relevant we will report the matter to the DFE who may impose one or more sanctions upon the individual(s) concerned. Any sanctions imposed will reflect the seriousness of the malpractice that has occurred.
- 4.2. Listed below are examples of sanctions that may be applied to a participant or to an employee or facilitator who has had a case of malpractice upheld against them. Please note that
  - i) this list is not exhaustive and other sanctions may be applied on a case-by-case basis.
  - ii) where the malpractice affects NPQ certification, DFE may impose sanctions of its own.

##### **Possible LEARNERS FIRST sanctions that may be applied to a participant**

- a) A written warning about future conduct.
- b) Notification to an employer, regulator or the police.
- c) Removal from the course.

##### **Possible sanctions that may be applied to employee or facilitator**

- a) A written warning about future conduct.
- b) Imposition of special conditions for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of participants
- c) Informing any other organisation known to employ the individual in relation to LEARNERS FIRST courses or assessments of the outcome of the case.
- d) LEARNERS FIRST may carry out unannounced monitoring of the working practices of the individual(s) concerned.
- e) Dismissal.

## **Procedure**

#### **5. Reporting a suspected case of malpractice**

- 5.1. This process applies to, employees, facilitators and participants and to any reporting of malpractice by a third party or individual who wishes to remain anonymous.
- 5.2. Any case of suspected malpractice should be reported in the first instance to the LEARNERS FIRST Programme Director.
- 5.3. A written report should then be sent to the person identified in 5.2, clearly identifying the factual information, including statements from other individuals involved and / or affected, any evidence obtained, and the actions that have been taken in relation to the incident.

- 5.4. Suspected malpractice must be reported as soon as possible to the person identified in 5.2, and at the latest within two working days from its discovery.
- 5.5. Wherever possible, and provided other participants are not disrupted by doing so, a participant suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the Programme Director.
- 5.6. In cases of suspected malpractice by employees or facilitators, and any reporting of malpractice by a third party or individual who wishes to remain anonymous, the report made to the person in 5.2 should include as much information as possible, including the following:
  - a) the date time and place the alleged malpractice took place, if known.
  - b) the name of the session facilitator, employee or other person(s) involved
  - c) a description of the suspected malpractice; and
  - d) any available supporting evidence.
- 5.7. In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous, the Programme Director will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

## **6. Administering suspected cases of malpractice**

- 6.1. The Programme Director will investigate each case of suspected or reported malpractice relating to NPQ's to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. We will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of LEARNERS FIRST and reputation is taken.
- 6.2. The Programme Director will acknowledge all reports of suspected malpractice within five working days. All of the parties involved in the case will then be contacted within 10 working days of receipt of the report detailing the suspected malpractice. We may also contact other individuals who may be able to provide evidence relevant to the case.
- 6.3. The individual(s) concerned will be informed of the following:
  - a) that an investigation is going to take place, and the grounds for that investigation;
  - b) details of all the relevant timescales, and dates, where known;
  - c) that they have a right to respond by providing a personal written response relating to the suspected malpractice (within 15 working days of the date of that letter);
  - d) that, if malpractice is considered proven, sanctions may be imposed either by LEARNERS FIRST (see section 6, below) reflecting the seriousness of the case;
  - e) that, if they are found guilty, they have the right to appeal.
  - f) that LEARNERS FIRST has a duty to inform DFE and other relevant authorities / regulators, but only after time for the appeal has passed or the appeal process has been completed. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.
- 6.4. Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.
- 6.5. The individual has a right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.
- 6.6. Records of all malpractice cases and their outcomes are maintained by the Programme Director for a period of at least five years, and are subject to regular monitoring and review.