

Malpractice/maladministration policy

CPCAB'S DEFINITION OF MALPRACTICE:-

Malpractice is defined as an intentional act by candidates, tutors or CPCAB staff that threatens the integrity and/or validity of assessment and certification leading to a CPCAB qualification.

Examples of candidate malpractice can include:

- the introduction of unauthorised material in external assessment;
- the alteration of any assessment documents or certificates;
- passing off work by another individual as if it was the candidate's own;
- falsifying evidence or documentation, eg number of client hours.

Examples of tutor malpractice can include:

- failing to follow CPCAB procedures for conducting external assessment, moderation or verification;
- compromising the integrity of external assessment materials;
- failing to declare a conflict of interest (e.g. when they are related to a candidate, or a candidate's close friend);
- overly assisting candidates in the production of coursework;
- assisting or prompting candidates during external assessment;
- falsifying assessment records;
- demonstrable assessment bias or omission;
- behaving in such a way as to undermine the integrity of the qualification/unit.

Examples of CPCAB staff malpractice can include:

- failing to declare a connection with a centre, tutor or candidate;
- demonstrable assessment bias or omission;
- behaving in such a way as to undermine the integrity of the qualification/unit.

CPCAB'S DEFINITION OF MALADMINISTRATION

Maladministration is defined as a lack of care, judgment or competence by any person(s) involved in the development, delivery, assessment or award of CPCAB qualifications.¹

Examples of centre maladministration can include:

- ***administrative error or failure to follow published procedures or requirements;***

¹ On-going maladministration may constitute malpractice

- *incorrect action (or failure to take a necessary action);*
- *failure to provide information or providing misleading, inaccurate or out-of-date information;*
- *inadequate record-keeping;*
- *failure to investigate;*
- *inadequate communication or delay;*
- *any action likely to lead to an Adverse Effect.²*

Examples of CPCAB staff maladministration can also include:

- *errors in assessment material;*
- *delays in publication of results;*
- *publication of inaccurate results;*
- *misinformation.*

PROCEDURES FOR DEALING WITH MALPRACTICE AND MALADMINISTRATION

In the event of malpractice or maladministration at the centre, **a responsible person at the centre must:**

- inform CPCAB of any alleged malpractice or maladministration where the allegation is likely to affect the integrity of a CPCAB qualification or likely to cause an Adverse Effect;
- inform the person implicated (preferably in writing) of the nature of the alleged malpractice or maladministration at the earliest opportunity;
- give the person implicated the opportunity to respond (in writing) and make clear what avenues of appeal exist within the centre in the event of a judgment being made against them;
- keep CPCAB informed of the progress and outcome of any centre investigation into allegations of malpractice or maladministration
- co-operate with any further investigation or steps to prevent a reoccurrence as required.

In turn **CPCAB will:**

- inform the centre of any allegations of malpractice or maladministration brought to CPCAB's attention,
- establish whether any such malpractice or maladministration has occurred;
- initiate (or require the centre to initiate) an investigation appropriate to the gravity and scope of the occurrence;

² Ofqual's definition of an Adverse Effect: 'An act, omission, event, incident or circumstance has an Adverse Effect if it -

(a) gives rise to prejudice to Learners or potential Learners, or

(b) adversely affects -

(i) the ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition,

(ii) the standards of qualifications which the awarding organisation makes available or proposes to make available, or

(iii) public confidence in qualifications.'

- inform the regulator of any possible Adverse Effect likely to arise from the alleged malpractice or maladministration;
- agree a time frame with the centre for the conduct of any investigation, appropriate to the nature of the alleged incident, which the centre must make known to the person(s) implicated;
- require the centre to take all reasonable steps to mitigate or correct any Adverse Effect resulting from the incident;
- take action against those responsible proportionate to the gravity and scope of the occurrence;
- keep under review the centre's arrangements for preventing and investigating malpractice and maladministration;
- inform other awarding bodies if the incident of malpractice or maladministration (or any connected occurrence) is likely to affect them.

It is the responsibility of the heads of centres, or their nominees, to carry out an investigation into allegations of malpractice or maladministration at the centre. Such an investigation may be initiated by the centre itself or at the request of CPCAB. In the event of an allegation of malpractice or maladministration against the head of centre, an investigation must be carried out by the Chair of the Governing Body of the centre or another appropriate nominee and reported to the awarding organisation when completed.

REPORTING MALPRACTICE OR MALADMINISTRATION

All suspected cases of malpractice or maladministration are monitored and tracked by CPCAB's Head of Qualifications who reports annually to CPCAB's governing body on these issues. In addition, an independent consultant is employed as required to evaluate the effectiveness, validity and conduct of CPCAB policy on malpractice or maladministration, to ensure that it meets the regulatory requirements.

PENALTIES AND SANCTIONS APPLIED BY CPCAB

CPCAB reserves the right in suspected cases of malpractice or maladministration, both during the period of investigation and when the outcome is known, to apply sanctions which include:

- suspending candidate or group registrations;
- withholding results or suspending, withholding or cancelling the issuing of certificates;
- withdrawing approval for any tutor implicated in malpractice;
- withholding the centre's Annual Practising Certificate;
- de-registering the centre, recognising a duty of care to learners.

See also CPCAB Sanctions Policy.