

## Malpractice and Maladministration Policy

**Definition of Malpractice (provided by City & Guilds, Policy for individuals who wish to report suspected malpractice - January 2020):**

‘Malpractice’, means any act, default or practice which is a breach of the Regulations or which:

- gives rise to prejudice to learners; and/or
- compromises public confidence in qualifications; and/or
- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

Malpractice includes maladministration and instances of non-compliance with the regulations.

**Examples of Malpractice include (provided by City & Guilds, 2022-23 Managing cases of suspected malpractice in examinations and assessments - December 2022):**

By centre/provider include:

- Inaccurate or deliberately misleading statements or submissions provided during the centre or qualification approval process, or at any time during the assessment process
- Failing to cooperate with investigations or misleading investigators during an investigation
- Failure to respond to reasonable requests for information relating to an investigation
- Failure to provide the staff, resources or systems needed to support assessment, internal quality assurance or certification claims
- Failure to maintain the quality assurance of sub-sites, alternative assessment sites, subcontractors, and satellite centres
- Failure to maintain accurate records relating to learners, assessment or internal quality assurance, or to retain such records for the required period of time
- Failure to provide City & Guilds with access to premises, people or records
- Failure to implement specified remedial actions
- Failure to notify the Head of Centre and/or City & Guilds of suspected malpractice
- Submission of an untrue, misleading or the absence of a declaration of conflict of interest
- Subverting or attempting to subvert investigation activities.

Centre influencing the assessment or certification process:

- The unauthorised obtaining, disseminating, or the facilitating of access to secure examination/assessment material
- Members of centre staff undertaking or amending learner answers for any examination on behalf of learner(s)
- Assisting or prompting learners in the production of answers to examination questions or assessment evidence, beyond that which is permitted
- Any action or inaction that allows a learner to have an unfair advantage or causes a learner to be disadvantaged
- Falsification or fabrication of learners’ marks, assessment evidence, observation records, certification claims or results documentation and any other records or documentation pertaining to City & Guilds qualifications
- Falsifying the signatures of learners, assessors, or IQA for the purpose of validating or

authenticating any record pertaining to City & Guilds qualifications

- Claiming for certificates where there is no or insufficient evidence to support certification
- Manipulating learner/moderation samples for the purpose of external quality assurance/moderation. The sample should be representative of the standard of work across the rest of the cohort/qualification
- Failure of a member of centre staff to report any instances of malpractice or suspected malpractice as defined in section 2.1 to the appropriate person/team
- Soliciting money from learners in exchange for services whether rendered or not, relating to the assessment or delivery of City & Guilds qualifications
- Offering a bribe of any kind to an invigilator, a member of centre staff or City & Guilds
- Submission of investigation reports that are misleading or contain false information that may lead City & Guilds to an incorrect conclusion
- Destruction of evidence related to a malpractice investigation
- The release of embargoed results to learners prior to the scheduled release date.

Centre malpractice in regards to the conduct of examinations:

- Breaches of any secure material, including examination papers or materials and their electronic equivalents
- Centre staff undertaking examinations for qualifications that they are teaching or assessing on
- Retention of material downloaded or produced by a learner during a live assessment
- Unauthorised changes to examination timetables
- Failure to issue learners with appropriate notices and warnings
- Non-adherence to, or ignorance of the invigilation requirements
- Recontextualising examination questions for learners when acting as a reader
- Failure to despatch scripts no later than the next working day
- Amendment of examination materials without permission
- Failure to provide access arrangements in accordance with City & Guilds' requirements
- Failure to store secure examination materials appropriately at all times
- Failure to effectively and continuously supervise examinations and/or learners

By learner include:

- Falsification of assessment evidence or results documentation
- Plagiarism of any nature
- Collusion with others
- False declaration of authenticity in relation to the contents of a portfolio or coursework
- The submission of a piece of work purchased from a third party. For example, from an essay or assignment writing service
- Copying from work/notes provided by another learner (including the use of ICT to aid copying).
- Providing access to portfolios/work/notes to other learners for the purpose of giving an unfair advantage
- Deliberate destruction or tampering with a learner's work or assessment records
- Inappropriate or abusive content such as swearing, racist, homophobic, transphobic remarks
- Theft or usage of another learner's work without their permission
- The removal of secure exam material from the examination room
- Obtaining or attempting to obtain secure examination/assessment material
- Disseminating secure examination/assessment material Impersonation
- Non-compliance with the instructions of an invigilator or remote invigilator/proctor
- Offering a bribe of any kind to an invigilator, a learner, centre staff, or City & Guilds staff
- Forging another learner(s) and/or staff signatures.
- Presenting a forged/falsified certificate
- Providing inaccurate or deliberately misleading statements as part of a malpractice investigation

**Definition of Maladministration (provided by City & Guilds, Policy for individuals who wish to report suspected malpractice - January 2020):**

Maladministration is defined as any activity, practice or omission which results in centre or learner noncompliance with administrative regulations and requirements. For example, persistent mistakes or poor administration within a centre resulting in the failure to keep appropriate learner assessment records.

**Any complaints of Malpractice or Maladministration will be dealt with immediately.**

- All alleged cases of malpractice or maladministration will be reported directly to the Head of Quality Practice at ILM by emailing [ilmregulation@i-l-m.com](mailto:ilmregulation@i-l-m.com) within 10 working days. See City and Guilds/ILM Malpractice and Maladministration Policy for details. The following process on City and Guilds website - [Centre document library | City & Guilds \(cityandguilds.com\)](https://www.cityandguilds.com/centre-document-library)
- City and Guilds/ILM's regulation team will then appoint a lead independent investigator who will prepare a response within 10 days of receipt of allegation.
- Following the investigation City and Guilds/ILM ILM will consider all the available evidence in determining the appropriate actions.
- The outcome will be communicated to the centre and other relevant parties no more than 10 days later. The report and any actions arising will be communicated to the Quality Manager and External Verifier.

Updates/Reviews		
27 March 2014	Full update to include ILM	CJS
30 March 2018	Full update to include ILM updates and examination/assessments	CJS
10 May 2022	Reviewed and checked against ILM/City & Guilds policy	CJS
January 2023	Updated in line with City & Guilds update	CJS