



Bamboo Grove

Training Centre

for continuous growth

Malpractice and Maladministration Policy

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Introduction

This policy is designed to:

- define malpractice and maladministration;
- set out the rights and responsibilities of candidates and the centre;
- outline the procedures to be followed if malpractice or maladministration is suspected.

Definition of Malpractice

Malpractice is defined as any act by candidates or staff that threatens the integrity and/or validity of a recognised qualification or the centre that is offering it.

Examples of candidate malpractice could include:

- bringing unauthorised material in to an external assessment;
- altering assessment documents or certificates;
- passing off work by another individual as their own;
- falsifying evidence or documentation, e.g. number of client hours.

Not complying with the BACP Ethical Framework in relationship with other candidates/centre staff.

Examples of staff malpractice could include:

- not following the procedures of the awarding organisation for internal assessment/moderation;
- helping or prompting candidates during internal or external assessment;
- compromising external assessment materials;
- not declaring a conflict of interest (eg being related to a candidate, or having a connection with awarding organisation staff);
- giving candidates more help with coursework than is reasonable;
- undermining the integrity of the qualification in any way;
- falsifying assessment records.



Definition of Maladministration

Maladministration is defined as a lack of care, judgment or competence by any person(s) involved

Examples of maladministration could include:

- administrative error;
- not following published procedures or requirements;
- incorrect action or failure to take a necessary action (including providing information when requested or providing inaccurate information), failing to request Reasonable Adjustments etc;
- inadequate record-keeping or communication;
- failure to investigate concerns;
- delay.

Procedures For Dealing With Malpractice And Maladministration

An investigation into malpractice or maladministration can be initiated by the centre itself or at the request of the awarding organisation. Any allegations of malpractice or maladministration will be carefully investigated. If an allegation of malpractice or maladministration is made against the head of the centre, the investigation will be carried out by the other partner. If it concerns the centre an external person will be brought in to carry out an investigation.

The centre will report any instances of malpractice or maladministration linked to a qualification to the awarding organisation concerned. If the situation is likely to cause an 'Adverse Effect' the awarding organisation will have to further report it to their regulator:

- For centres in England: Ofqual - the Office of Qualifications and Examinations Regulation;

Any investigation will be carried out rigorously and effectively, by someone who is competent and who has no personal interest in its outcome.



Carrying Out An Investigation

When an allegation of malpractice or maladministration is made, the investigator will:

- inform the person implicated at the earliest opportunity, preferably in writing, of the nature of the allegation;
- give that person the opportunity to respond (also in writing);
- explain how to appeal if a judgment is made against them;
- cooperate with any further investigation, eg by the awarding organisation;
- take any steps needed to prevent a re-occurrence.

And where the malpractice or maladministration relates to a qualification, the investigator will:

- inform the awarding organisation, particularly where the allegation is likely to affect the integrity of a qualification or likely to cause an Adverse Effect (see definition of an Adverse Effect, below);
- keep the awarding organisation informed of the progress and outcome of the investigation, and any actions taken to prevent a reoccurrence.