	Document Title	Malpractice and Maladministration Policy		
	Doc. Number	ADM-POL-001	Doc. Owner	Training Admin Manager
	Author	Angela Byrne	Revision	Rev. 02
	Reviewed by	Angela Byrne	Approved by	Louise Byrne
	Next Review Date	14/08/2024	Approved Date	14/08/2023

1. Policy Statement

At Shorcontrol Safety we require that all training, administrative and assessment activities are conducted to a high standard and that procedures are applied fairly and consistently to all employees and learners.

It is important that all employees involved in the management, assessment and quality assurance of qualifications, and our learners are fully aware of the contents of this policy and that the arrangements are in place to prevent and investigate instances of suspected or actual malpractice and/or maladministration cases including but not limited to plagiarism, cheating and collusion.

This policy is not a stand-alone policy, but the fundamentals of its requirements are inherent in specific policies and procedures throughout training and administrative processes. Shorcontrol Safety’s strategy to implement this policy includes awareness training for all tutors, assessors, relevant managers, and employees involved directly and/or indirectly in delivering education and training programmes assessment activities. Further appropriate actions regarding the successful implementation of this policy will be identified and implemented as required, on a continuous basis.

2. Purpose


The purpose of this policy is to clearly identify how Shorcontrol Safety deal with suspected or alleged incidents of malpractice and/or maladministration, where there are reasonable grounds for suspicion or allegation. This policy is designed to ensure that any such incidents are prevented where possible and thoroughly investigated with appropriate action taken where malpractice and/or maladministration is suspected or alleged.

3. Scope

The scope of this policy covers all types of malpractice and maladministration pertaining to training administration, and is applicable to all those who work for or contracted to undertake work on behalf of Shorcontrol Safety, including instructors, tutors, assessors etc.

4. Definitions

Term	Definition
Malpractice	Any act, default or practice which is a breach of the regulations that give rise to prejudice to learners, that compromises public confidence or qualifications, that compromises, attempts to or may compromise the assessment process, the integrity of any qualifications or the validity of a result/ certificate, damages the authority, reputation or credibility of any awarding organisation or centre or any officer, employee or agent of any awarding organisation or centre.
Maladministration	Any activity, practice or omission which results in centre or learner non-compliance with administrative regulations and requirements.
Plagiarism	The presentation of someone else’s work, words, images, ideas, opinions, or discoveries whether published or not, as one’s own, or alternatively taking for one’s own use, without properly

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	acknowledging the source, with or without the owner's permission.
Cheating	Any deliberate attempt to deceive, act dishonestly or unfairly in order to gain an advantage.
Collusion	Is a form of cheating where learners work together in a deceitful way to complete assessments or course work that should be taken independently.
Deception	Any act of deliberate dishonesty in relation to falsification of documents, records, course work, assessments etc.

5. General Policy Requirements

The following guidelines outlines some various types of malpractice and maladministration that could potentially arise in Shorcontrol Safety business activities.


5.1 *Types of Malpractice*

The term malpractice covers any deliberate actions, neglect default or other practice that compromises or could compromise the following:

- The assessment process
- The integrity of a regulated qualification
- The validity or a result or certificate
- The reputation or credibility of Shorcontrol Safety
- The qualification or the wider qualification community.

Malpractice may include a range of issues such as below:

- **Plagiarism:**
 - The presentation of someone else's work, words, images, ideas, opinions, or discoveries whether published or not, as one's own, or alternatively taking for one's own use, without properly acknowledging the source, with or without the owner's permission. Plagiarism by learners can occur in examinations, but is most likely to occur outside sat, unseen exams i.e., in coursework, assignments, portfolios etc.
 - All work submitted by the learner must be their own efforts and must be their own work. Learners are required to ensure that all submitted work is their own and valid for assessment purposes.
- **Cheating:**
 - Any deliberate attempt to deceive in order to gain an advantage constitutes cheating. This can include but is not limited to being in possession of notes, textbooks, eBooks, or websites etc. during an assessment other than where such usage are permitted.
 - Having prior unauthorised access to assessment material.
 - Communicating to or with another learner during the assessment when not permitted to do so.
 - Impersonating another learner, using false ID at registration, providing false or misleading information/records in order to claim a qualification are considered cheating.

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- **Collusion:**

- Like cheating colluding is an attempt to deliberately deceive as assessor, tutor, instructor etc. by disguising the true authorship of assessment work required for qualification.
- It is an offense to copy or imitate another learner’s work, even with their consent. It is also an offence of collusion to consent to having one’s work copied or imitated in close detail.
- Learners are expected to take reasonable steps to safeguard their work from improper use by others. Collusion should not be confused with the normal situation where learners learn from one another, sharing ideas, as they generate knowledge and understanding necessary for each of them to undertake an assessment successfully and independently. Collusion should also not be confused with group work on an assessment where this is specifically authorised in the assessment brief.

- **Deception:**

- Inventing or changing marks/grades for assessed components where there is no actual evidence of the learner’s achievement to justify the marks awarded.
- Fabricating assessment and/or internal verification records or otherwise subverting the assessment or qualification process with the intention of unfair advantage or gain.
- Manufacturing evidence of competence against national standards.
- Substituting one learner assessment, course work etc. for another learners.
- Providing misleading or inaccurate information to an awarding/ governing body/ organisation.


- **Breach of security:**

- Any act which breaks the confidentiality of course or assessment materials, or the confidentiality of learners’ work/assessment constitutes a breach of security. This can happen in any possible number of ways such as
- Failing to keep assessment materials secure prior and after assessments. Permitting, facilitating, or obtaining unauthorised access to assessment materials prior to actual assessment.
- Failing to retain and secure assessment materials, coursework, or other confidential information after completion of the course.
- Discussing or otherwise revealing information about assessments that should be kept confidential e.g., social media, texts, emails etc.
- Tampering with coursework, controlled assessment, or other confidential documentation after collection and before despatch to assessor or awarding/ governing body/ organisation.

5.2 Types of Maladministration

The term maladministration refers to the failure to adhere to the regulations regarding the conduct of controlled assessments, coursework, or malpractice in the conduct or handling of assessments, learners’ coursework, records, results, and certificates etc. The following are some examples:

- Inaccurate claims for certification
- Misuse of company, awarding organisation/ governing body logos or trademarks
- Registering learners for the wrong training or qualifications

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- Persistent late learner registrations and certificates
- Failure to maintain appropriate records e.g., certification claims and/or forgery of evidence for assessments
- Failure to provide adequate training, systems, and processes relevant knowledge to anyone directly involved in the process
- Failure to provide the requirements of reasonable adjustments and special considerations
- Failure to ensure that learners-controlled assessment or coursework is completed under controlled conditions and is adequately completed and/or monitored/supervised.
- Use of inappropriate or unqualified members of staff assessing learners
- Failing to prevent the introduction of unauthorised material during training and assessment
- Failing to conduct a thorough investigation into suspected assessment malpractice when required to do so
- Failing to recruit learners with integrity, including the recruitment of learners who have not met the prerequisites or minimum qualifications for entry when stipulated, and the recruitment of learners who are unable or otherwise unlikely to complete the qualification.

5.3 Preventing Malpractice and Maladministration

At Shorcontrol Safety we believe that it is always preferable to prevent malpractice and/or maladministration rather than deal with it once it has occurred. Staff can help prevent to prevent occurrence by ensuring that:

- They understand what activity constitutes malpractice/maladministration
- They understand their role in preventing it and the need to communicate relevant points to all staff involved
- They understand and comply with Shorcontrol Safety’s guidance, policies, and procedures
- Quality monitoring is conducted regularly and thoroughly by staff.

5.4 Dealing with Malpractice and Maladministration


- **Identifying malpractice and maladministration**

Shorcontrol Safety have appropriate systems and procedures in place to identify and effectively deal with malpractice which include:

- Ongoing quality assurance and audits
- Monitoring and actions from complaints or feedback received
- Internal reporting and Whistleblowing
- Information from other sources as relevant

Anyone who identified or is made aware of suspected or actual cases of malpractice or maladministration at any time must notify the General Manager and/or Head of training and development immediately.

A suspected or actual case of malpractice will be investigated by a member or members of senior management who is independent of the staff/learner/process under investigation. In a case of suspected

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malpractice or maladministration, Shorcontrol Safety will review the information presented and decide whether it is appropriate to take no further action or to investigate. The appointed investigator will provide an initial response within 5 working days from the date of receipt.


- **Investigating malpractice and maladministration**

All investigations shall be conducted in a fair, reasonable, and legal manner, ensuring that all relevant information is considered without bias. All investigations shall adhere to the following principles:

- **Confidentiality:** by their very nature, investigations usually necessitate access to information that is confidential to the company or individuals. All material collected as part of an investigation must be kept secure and not normally disclosed to any third parties (other than relevant authorities, where appropriate).
- **Impartiality:** investigations will be undertaken by a member or members of senior management 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 should be informed of the allegation made against them (preferably in writing) and the evidence that supports the allegation. They should be provided with the opportunity to consider their response to the allegation and submit a written statement or seek advice if they wish to do so. They should also be informed of what the possible consequences could be if the malpractice is proven and of the possibility that other parties may have to be informed e.g., awarding bodies/ organisations, an garda síochána etc. the appeals process should also be communicated to them.
- **Interviews:** staff interviews should be carried out in line with Shorcontrol Safety's policies and procedures. Staff may request that they are accompanied by a third party or witness and these requests should be processed in line with company policies. Where a learner is to be interviewed and they are a minor or vulnerable adult, the company should consider the need to have a parent/guardian present or to have the permission of a parent/guardian prior to the interview taking place.

Incidents shall be investigated as follows:

- Establish the facts relating to allegations/ complaints in order to determine whether any irregularities have occurred.
- Identify the cause of the irregularities and those involved.
- Establish the scale of the irregularities.
- Notify parties involved or concerned and request an account of the incident.
- Gather relevant information from records held – this may include registration data, assessment records or any other relevant information necessary for the investigation.
- Consult with others in order to get a full picture if necessary.
- Undertake further discussions including fact to face meetings if deemed necessary.
- Determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of training and qualifications.
- Identify and if necessary, take action to minimise any risks.
- Ascertain whether any action is required in respect of certificates already issued.
- Identify any changes to policies and procedures.
- Identify any adverse patterns or trends.


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- **Investigation outcomes and reporting**

- **Decisions and actions plans:** all conclusions and decisions should be based on evidence. A course of proposed action should be identified, agreed between awarding organisation and Shorcontrol Safety, implemented, and monitored to the point of completion. The actions should address the improvements that are required as outlined in our 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. Where an investigation establishes that malpractice/maladministration has taken place, Shorcontrol Safety will take appropriate action. Such actions will be proportionate to the gravity and scope of the occurrence and may include the following:
 - Implementing corrective action plans to prevent re-occurrence
 - Additional monitoring
 - Suspending or removing course registration
 - Suspending or removing contract
 - Withdrawal of certificates
 - Imposing other sanctions as appropriate
- **Process and timescales from notification:** all reported cases or suspected cases must be reported immediately to the General Manager and/or Head of Training and Development. An investigator or investigation team will be appointed and shall provide an initial response to the reporter within 5 working days from date of receipt. The investigation times may vary depending on the severity or the nature of the incident, but ideally should take no longer than 15 working days. Decisions and outcomes should be reported within 20 working days. All outcomes may be appealed, and appeals process shall be communicated upon delivery of decision.
- **Retention and storage of records:** all relevant documents and evidence should be retained in line with awarding body/ organisation requirements.

- **Appeals**

- Everyone has the right to appeal a decision or outcome where a case of malpractice or maladministration has been upheld. All appeals must be made in writing within 5 working days from delivery of outcome.
- All appeals shall be communicated formally to the General Manager and/or Head of Training and development, clearly stating the reason for appeal.
- All submitted written appeals will be recorded on TRA-FM-001 Recheck, Review and Appeals Tracking Register and the learner will be kept informed of the outcome in a reasonable and practical amount of time depending on the complexity of the assessment grading process.
- Any appeal which is received by the Head of Training and Development, or the General Manager is subject to review by the Academic and Quality Assurance Committees.
- The role of the Academic Committee involved in the appellate procedure is to ensure that the Learner received a fair and just appeal outcome by Shorcontrol Safety.
- The role of the Quality Assurance Committee involved in the appellate procedure is to keep record that an appeal has occurred as well as record the particulars of how the decision issued by either the Head of Training and Development or the General Manager was reached.

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- All appeals decisions are final.
- Where the appeal against assessment brings the outcome of other results into serious question, this would be considered as a potential ‘adverse effect’ as other learners may be affected.

5.4 Adverse Effect of Malpractice and Maladministration

Shorcontrol Safety will take all reasonable steps to prevent any potential adverse effect to any incident that may arise. Examples of adverse effects include (but are not limited to) the following:

- There is a substantial error in training or assessment materials
- There has been a loss or theft of, or breach of confidentiality in training or assessment materials
- Incorrect certificated have been issued. Certificates will be revoked if the result on the certificate is false because of malpractice or maladministration.

An act, omission, incident, event, or circumstance has an adverse effect if it:

- Gives rise to prejudice to learners or potential learners
- Effects the ability of Shorcontrol Safety to undertake the development delivery or award of the training or qualifications
- Effects the standards of the training or qualifications
- Effects public confidence in the training or qualifications.


Shorcontrol Safety will mitigate risks that have the potential to cause an adverse effect to learners. All incidents will be logged and maintained on our Risk Register to ensure the issue is highlighted managed and mitigated against.

Where appropriate, we will inform any confirmed cases of malpractice and maladministration and adverse effects to the appropriate relevant parties including awarding organisations.

Shorcontrol Safety management team ensure that any actions pertaining to the contents of this procedure are monitored through our internal reporting process. Trends are identified and relevant actions put in place to negate reoccurrence.

6. Responsibilities

Employee Title/Classification	Responsibility
Directors, Top Management & Senior Management	To ensure the necessary resources are available within the organisation for the implementation of this policy. To ensure the contents of this policy are implemented effectively. To investigate and act upon any breaches or violations which may arise or be reported in relation to this policy.
Employees/ Staff/ Instructors/ Sub-contractors	To adhere to the requirements set out in this policy. To report any breaches or violation of this policy to top/senior management for investigation and resolution.
Internal Quality Assessor (IQA)	To ensure the documentation including assessment materials, produced for and from courses, adhere to the QA processes as required by the relevant awarding organisations, auditing companies, internally and various NGO accreditations.

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Learners	To adhere to the requirements set out in this policy. To report any breaches or violation of this policy to instructor/employees/staff for investigation and resolution.
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7. Enforcement


Employee Title/Classification	Responsibility
General Manager	Has the discretion of determining the repercussion on the discovery of any member of staff, tutors, managers, visitors, or subcontractor's breach or violation of this policy. Has the discretion of determining the repercussions on the discovery of a manager or assigned responsible personnel's failure to enforce or follow this policy or its procedures.
Managers and Heads of Departments	Has the discretion of determining the repercussions on the discovery of any subordinate or learner's breach or violation of this policy.
Internal Quality Assessor (IQA)	Has the discretion of determining the respective repercussions on the discovery of any tutor/assessor in breach or violation of this policy.

8. Related Information and Documents

Document ID	Title
ADM-POL-002	Security and Integrity of Assessments Policy
TRA-POL-002	Fair and Consistent Assessment of Learners
TRA-PRO-003	Recheck, Review and Appeals Procedure
TRA-FM-039	Re-check & Review Application Form
TRA-FM-040	Appeals Application Form
TRA-FM-041	Recheck, Review and Appeals Register
GEN-PRO-002	Complaints and Praise Management Procedure
GEN-POL-006	Whistle-blower Protection and Anti-retaliation Policy

9. Policy Review

This policy shall be reviewed when:

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- There is a change of General Manager at Shorcontrol Safety.
- There is a change in any of the related policies or procedures found in section 8. *‘Related Information & Documentation’* of this document.
- As prescribed in Shorcontrol Safety’s policy and procedure review schedule.
- As determined or requested by the General Manager at Shorcontrol Safety.
- In addition, this policy may be updated in light of operational feedback to ensure arrangements for dealing with suspected cases of malpractice and/or maladministration remain effective.

Revision Date	Author with Title	Rev. Level	Description
18/05/2023	Angela Byrne, QHSM	01	Initial draft and release of policy
14/08/2023	Angela Byrne, QHSM	02	Update of ‘Related documents & Information’ section 8.