

Malpractice and Maladministration Policy and Process

Introduction and Scope

This policy applies to all IBSL learners, approved delivery centres, IBSL staff and representatives, and third parties including contractors and service suppliers.

All individuals have a responsibility for reporting any suspicion of malpractice or maladministration, as directed in this policy.

Centres must have in place preventative measures or be aware of any potential areas of risk, where malpractice or maladministration could occur.

Learners must be made aware of this policy by Centres.

Definition

Malpractice is defined as:

- any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment or awarding process, and/or the validity of results or certificates that may damage the authority, reputation or credibility of IBSL, a Centre or any officer, employee or agent of IBSL or Centre,
- any failure by a Centre to notify, investigate and report on an allegation of malpractice or suspected malpractice constitutes malpractice, also
- any failure to take action as required by IBSL as detailed in this document, or to co-operate with a IBSL investigation, constitutes malpractice.

Maladministration is defined as:

- any activity or practice which results in non-compliance with regulations and administrative requirements and includes persistent mistakes, or poor administration.

Misconduct and forms of discrimination or bias that prejudices certain learners is malpractice.

Reporting of Malpractice or Maladministration

Any suspected malpractice or maladministration should be notified to IBSL immediately. All relevant information must be supplied. You may complete the form at Appendix A that outlines the initial information sought or make an initial contact.

Where suspected malpractice is identified by a Centre, the head of Centre must submit full details of the case at the earliest opportunity to the IBSL.

Suspicion of malpractice and maladministration should be reported as soon as they are discovered. However, cases of any historical malpractice and maladministration are equally valid and are also investigated as per this policy.

Please report any allegations to the Compliance and Quality Manager, Michelle Jones and email directly to m.jones@ibsl.org.uk

Confidentiality

Sometimes an individual making an allegation of malpractice or maladministration may wish to remain anonymous. If you are concerned about possible adverse consequences, you may ask that the IBSL do not divulge your identity.

The IBSL will investigate issues that are reported anonymously and aim to confirm the identity of those who make anonymous allegations.

Responsibility for Investigation

All reported cases of malpractice and maladministration will initially be handled by the Quality and Compliance Manager. The Quality and Compliance Manager will be the coordination point for all communications. Acknowledgement of any reports will be issued within 2 working days.

In accordance with regulatory requirements all suspected cases of malpractice and maladministration will be examined promptly by the IBSL to establish if malpractice or maladministration has occurred. All reasonable steps will be taken by IBSL to prevent any adverse effect from occurring.

The Quality and Compliance Manager will identify an appropriate individual to investigate the report. The individual must:

- have no prior knowledge or interest in the issue, and will not be known to the individual/Centre i.e. there must be no conflicts of interest in carrying out an investigation
- understand the issues involved, and be aware of any relevant policy or procedures in place
- be available to investigate in a timely manner.

An investigator will be appointed to look at the case within 5 working days of the item being reported.

All information and evidence relating to the instigation will be kept in a secure and confidential file set up for this purpose.

Cooperation with Investigations

IBSL requires all relevant persons to provide relevant information and evidence where requested in a timely manner, within requested timescales. IBSL may require to interview individuals, visit premises and examine evidence held locally.

Requests for information may include reports of investigations or evidence arising from Centre based investigations.

Where Centres or Centre staff do not comply with IBSL requests for information they may be subject to relevant IBSL sanctions as laid out in the Centre Sanctions Policy.

Reporting Findings

The IBSL will endeavour to share any updates on findings as the investigation progresses, where appropriate.

The Quality and Compliance Manager will be the point of contacts on all matters.

The report and any recommendations will be shared and agreed by the Responsible Officer before it is issued.

The IBSL will share its final report and recommendations with relevant individuals, or the Centre. Investigation reports will be available within 25 working days of the date of an investigator being assigned.

Those individuals or the Centre may challenge the findings and outcomes through the IBSL Appeals Policy.

Lessons Learned

Any investigation must be evaluated to identify if there are measures or changes that might be reasonably put in place to prevent such an occurrence in the future.

Reporting Malpractice or Maladministration

Your name	
Your <ul style="list-style-type: none"> • email contact • phone number 	
Centre name (if relevant)	
What is your status? e.g. Learner, Teacher/Trainer, Assessor, Centre Staff (state role), Other – please state	

Explain the malpractice or maladministration you wish to report:
Date of occurrence, where relevant:
What evidence is available to support your report?
Who else is aware of the above – please include names and contact information:
Any other relevant information?

Signed:	Dated:
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Please include any relevant evidence where ever possible.

Please send this form to the Compliance and Quality Manager [//email address](#)