

# Malpractice Policy



## Introduction

This policy is aimed at

- OCN Eastern Region recognised centres delivering accredited qualifications or units.
- Learners who are registered on or have taken OCN Eastern Region accredited qualifications or units.
- OCN Eastern Region staff and consultants involved in the development, delivery and award of OCN Eastern region qualifications and accredited courses

It sets out the steps centres, learners or other personnel must follow when reporting suspected or actual cases of malpractice and maladministration and OCN Eastern Region's responsibilities in dealing with such cases. It also sets out the steps we will follow when reviewing the cases.

## Centre's responsibility

It is important that your staff involved in the management, assessment and quality assurance of OCN Eastern Region qualifications and accredited courses, and your learners, are fully informed of the contents of the policy. Please ensure that you have made centre staff and learners aware of the policy.

As failure to report suspected or actual malpractice cases may lead to sanctions being imposed on your centre (such as those outlined on page 5 of this policy).

On their centre visits, our Quality Reviewers may check, from time to time, that your relevant colleagues and learners are aware of its contents and purpose.

## OCN Eastern Region's responsibilities

OCN Eastern Region will make staff and consultants aware of the policy, through the process of induction and subsequent update training.

When occurrences of malpractice or maladministration are identified internal processes and procedures will be reviewed and amending as appropriate on the outcome of the investigation, to ensure that the occurrence is not repeated.

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## Review arrangements

We will review the policy annually and revise it as and when necessary in response to centre and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation. If centres wish to feedback any views please contact us via the details provided at the end of this policy.

## Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the development, delivery and award of qualifications and accredited courses.

For the purpose of this policy this term also covers misconduct.

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are guidance on our definition of malpractice:

- Contravention of our centre and qualification approval conditions.
- Failure to satisfactorily implement conditions of centre recognition within stated timescales.
- Centre postponement of visits by our Quality Reviewers and OCN Eastern Region staff for more than 6 months.
- Denial of access to resources (premises, records, information, learners and staff) for any authorised OCN Eastern Region representative and/or the regulatory authorities.
- Actions required by our Quality Reviewers not being met within agreed timescales.
- Failure to carry out delivery, internal assessment, internal verification in accordance with our requirements.
- Failure to adhere to our learner registration and certification procedures.
- Failure to continually adhere to our course/centre recognition criteria.
- Failure to maintain auditable records, eg certification claims.
- Fraudulent claim for certificates.
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance.
- Deliberate misuse of our logo and trademarks.
- Forgery of evidence.
- Plagiarism of any nature by learners.

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- Contravention by our centres and their learners of the assessment arrangements we specify for our qualifications.
- Insecure storage of assessment materials and exam papers.
- Submission of false information to gain a qualification or unit.
- Failure to adhere to the requirements of our Reasonable Adjustments and Special Considerations Policy and Procedures.

## Definition of Maladministration

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements.

We have to investigate all cases of maladministration in liaison with the parties concerned. If an investigation results in evidence of maladministration, we will unfortunately have to impose the appropriate sanction and take the necessary steps to ensure that the learners' interests are protected as far as is reasonably possible. This may include making arrangements for re-assessment or certification, as appropriate.

## Process for making an allegation of malpractice or maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time **must immediately** report their findings to OCN Eastern Region. In doing so they should put them in writing/email and enclose supporting evidence with the form.

All allegations must include (where relevant):

- Centre's name, address and number.
- Learner's name and OCN Eastern Region registration number.
- Centre personnel's details (name, job role) if they are involved in the case.
- Title and number of the OCN Eastern Region qualification / accredited course affected or nature of the service affected.
- Date(s) suspected or actual malpractice occurred.
- Full nature of the suspected or actual malpractice.
- Contents and outcome of any investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances.
- Written statements from those involved in the case e.g. witness statements.
- Date of the report and the informant's name, position and signature.

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If centres conduct their own investigation before submitting a formal allegation to us, you should:

- Ensure that staff leading the investigation are independent of the staff/learners/function being investigated.
- Inform those who are suspected of malpractice that they are entitled to know the necessary details of the case and possible outcomes.
- Submit the findings of your investigation to us with your report.

## Reviewing the allegation

Upon receiving the allegation it will be passed to our Director of Quality and we will acknowledge receipt within 5 working days.

In all cases we will protect the identity of the 'informant' as required.

When we receive your report, we will allocate a Quality Reviewer to review the report and supporting evidence and carry out the investigation. We will ensure that OCN Eastern Region personnel who have had previous involvement in the matter do not participate in the review process.

We aim to action and resolve all stages of the investigation within 20 working days of receipt of the allegation. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, we'll advise all parties concerned of the likely revised timescale.

The investigation by the Quality Reviewer may involve :

- A request for further information from the centre or OCN Eastern Region personnel.
- Interviews (face to face or by telephone) with personnel involved in the investigation.
- Arranging a centre visit. In this case, we may have to charge a fee for the visit.

In serious cases of suspected or actual malpractice, we will notify the Head of your centre that we'll be investigating the matter and/or in the case of learner malpractice, we'll ask the centre to investigate the issue in liaison with our own personnel.

We expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us. In instances where centres or learners do not co-operate we

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may have no alternative but to permanently or temporarily remove your centre recognition status or withdraw your learners from the qualification or accredited course.

Either at notification of a suspected or actual case of malpractice or at any time during the investigation, we reserve the right to suspend any claims for learner certification submitted by a centre. We also reserve the right to withhold a learner's results for all the OCN Eastern Region qualification or accredited courses they are studying at the time of the notification or investigation of suspected or actual malpractice, if the case is deemed to be of a serious nature.

Where applicable, we will inform the appropriate regulatory authorities of any investigation into suspected or actual cases of serious malpractice and will agree the appropriate course of remedial action with them. Please note that in exceptional cases, the regulatory authorities may lead the investigation.

In cases where certificates are deemed to be invalid, we will inform centres and the regulatory authorities why they are invalid and any action to be taken for reassessment and/or certification. We will also ask centres to let your learners know the action we are taking and that their original certificates are invalid. We will also amend our database so that duplicates of the invalid certificates cannot be issued and we expect centres to amend your records to show that the original awards are invalid.

If the investigation confirms that centre malpractice has taken place, unfortunately we may have no alternative but to impose one or more of the following sanctions on our centre (note this list is not exhaustive) – in determining the sanction we'll consider all factors put forward by a centre or the learner:

- Suspension of your centre recognition status for all OCN Eastern Region qualifications or accredited courses.
- Suspension of your approval to run a specific OCN Eastern Region qualification or accredited courses.
- Suspension of your learners' registration and/or certification service for one or more of OCN Eastern Regions qualification or accredited courses.
- Increased level of quality monitoring visits to invigilate or observe external assessments.
- Training for your centre staff.
- Disallowing all or part of the learner's internal assessment evidence.
- Disallowing all or part of the learner's external assessment marks.
- Not issuing the learner's certificate(s).
- Not accepting any further registrations for the learner.

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- Disqualification of the learner from the course/qualification.
- Removal of your centre recognition status for all OCN Eastern Region qualifications or accredited courses.
- Removal of your approval to run a specific OCN Eastern Region qualification or accredited courses.

If centres wish to appeal against our decision to impose sanctions, please refer to our Enquiries and Appeals about Results Policy.

After an investigation, we will produce a draft report for the centre and learner to check the factual accuracy. Any subsequent amendments will be agreed between the centre and learner and ourselves

We will make the final report available to the centre learner and to the regulatory authorities and other external agencies as required.

If an independent/third party notified us of the suspected or actual case of malpractice, we will also inform them of the outcome – normally within 10 working days of making our decision.

## Contact details

If you wish to discuss any aspect of this policy and/or have a related query please contact: contact our support team by:

Telephone: 01206 873023  
Email: [enquiries@ocner.org.uk](mailto:enquiries@ocner.org.uk)  
Fax: 01206 873956  
Post: OCN Eastern Region, John Tabor Building, University of Essex,  
Colchester, Essex, CO4 3SQ.

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