



GTA Malpractice Policy

This policy applies to all members of GTA (including staff, learners, and volunteers) who access training at the GTA.

Document Ref	CP1.1
Version	4.7
Issue Date	09/03/2024
Reviewed Date	09/03/2024
Next Review Date	01/08/2024

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Date: 09/03/2024

Contents Page

Introduction.....	Page 3
Centre Responsibility.....	Page 3
Definition of Malpractice.....	Page 3
Definition of Maladministration.....	Page 4
Reporting (or Whistle Blowing).....	Page 4
Confidentiality.....	Page 4
Responsibility for the Investigation.....	Page 5
Notification of Relevant Parties.....	Page 5
Investigation Timelines and Process.....	Page 5
Investigation Report.....	Page 6
Investigation Outcome.....	Page 6

Introduction

The policy is aimed at the staff of Doncaster, Rotherham, and District Motor Trades GTA Ltd (GTA) to ensure they deal with all malpractice & maladministration investigations in a consistent and complete manner. This policy sets out the steps that the GTA staff and candidates/learners will follow when reporting suspected or actual cases of malpractice and/or maladministration and the responsibilities in dealing with such cases.

Centre Responsibility

It is important that all staff involved in the management, assessment, and quality assurance of the GTA qualifications and standards ensure that candidates are fully aware of the contents of this policy and that the GTA has arrangements in place to prevent and investigate instances of malpractice and/or maladministration.

Definition of Malpractice

Malpractice is essentially any activity or practice, which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of an outcome. It covers any deliberate actions, neglect, default, or other practice that compromises or could compromise:

- The assessment processes
- The integrity of a qualification or standard
- The validity of a result or certificate
- The reputation and credibility of the centre
- The reputation and credibility of the Awarding Body
- Funding in relation to apprenticeships

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records to claim certificates. Examples of malpractice are, but are not limited to the following:

- Failure to carry out assessments in accordance with the Awarding Body's requirements.
- Failure to carry out quality assurance in accordance with the Awarding Body's requirements.
- Deliberate failure to maintain appropriate auditable records of assessment and certification.
- The unauthorised use of inappropriate personnel, materials and/or equipment for assessments.
- Collusion or permitting collusion in assessments (including online assessments).
- Candidates still working towards qualification after certification claims have been made.
- Persistent instances of maladministration within the centre.
- Plagiarism by candidates/staff.
- A loss, theft of, or a breach of confidentiality in any assessment materials.
- Copying from another candidate (including using ICT to do so).
- Assuming the identity of another candidate/learner or having someone assume your identity during an assessment.
- Unauthorised amendment, copying or distribution of exam/assessment papers/materials.
- Inappropriate assistance to learners by centre staff (e.g. unfairly helping them to pass a qualification (including units).
- Deliberate submission of false information to gain a qualification (including units).
- False identification used at the registration stage.
- Creation of false records or documents.
- Cheating.
- Cash for certificates (e.g. the selling of certificates for cash).

- Selling certificates, questions and/or assessment details.
- Fraud.

Definition of Maladministration

Maladministration is essentially any activity or practice, which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate candidate records). Examples of maladministration are (this list is not exhaustive):

- Late candidate/learner registrations (both infrequent and persistent)
- Inaccurate claims for certificates (including certificates claimed 'in error')
- Failure to adhere to the Awarding Body's qualification approval requirements
- Failure to maintain appropriate auditable records (e.g. certification claims)
- Misuse of Awarding Body's logo and trademarks or misrepresentation of a centre's relationship with the Awarding Body's and/or its recognition and approval status with the Awarding Body
- Withholding of information from the Awarding Body which is required to assure the Awarding Body of the centre's ability to deliver qualifications appropriately
- Withholding of information from the ESFA and or Ofsted
- Fraudulent learner data which may affect funding claims for apprenticeships
- Deliberate modification to learner's data or claims for funding which can neither delivered nor substantiated

Reporting (Or Whistle Blowing)

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must notify the Chief Executive Officer (CEO) of the GTA immediately. Contact details can be sourced via the reception at the Doncaster site or by emailing reception@doncastergta.co.uk and requesting this contact information. Details should be provided in writing, with the appropriate supporting evidence. All allegations must include (where possible):

- The nature of the suspected or actual malpractice/maladministration and associated dates
- Details of the qualification, unit, or exam
- Centre's name, address, and number
- Candidate's name and registration or enrolment number
- Details of centre personnel (e.g. name, job role) if they are involved in the case

A response will be provided by the company CEO within 7 days of any allegations which have been made.

Confidentiality

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous, although it is always preferable if they reveal their identity and provide us with their contact details. However, if a whistle-blower is concerned about possible adverse consequences that may occur should their identity be revealed to another party, they should inform us that they do not want their identity divulged. Once a concern has been raised, we have a duty to pursue the matter. The GTA will always aim to keep the identity of the person making the allegations confidential if asked to do so, although we cannot guarantee this. We may need to disclose their identity should the allegation lead to issues that need to be taken forward by other parties such as:

- The Police (to investigate or prevent crime)
- The Courts (in connection with any court proceedings)
- Other third parties such as regulatory authorities (in connection with certification or similar)
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Responsibility for the Investigation

The CEO of the GTA must ensure that the staff involved in any internal investigation are competent and have no personal interest in the outcome of the investigation. The CEO should be involved in all such investigations and allegations which relate to the management of the centre. If the allegation refers to the company CEO In case, such investigation should be escalated to a Director of Board of Trustees level.

The nominated person/s will be responsible for ensuring that the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy. They will allocate a relevant member of staff to lead the investigation establish whether the malpractice or maladministration has occurred, and review any supporting evidence received or gathered by the process.

At all times we will ensure that the GTA personnel assigned to the investigation have the appropriate level of training & competence and that they have had no previous involvement or personal interest in the matter.

Notification of Relevant Parties

Where malpractice or maladministration has taken place or is alleged, we may inform the Awarding Body or funding agencies if we believe there has been an incident of malpractice or maladministration, which could either invalidate the award of a qualification. We will keep them informed of progress in the matter.

Investigation Timelines and Process

Where possible the GTA aim to complete the investigation within 7 working days of receipt of the allegation. However, in some cases, the investigation may take longer. In such instances, we will advise all parties concerned of any revised timescales. The fundamental principle of all investigations is to conduct them in a fair, reasonable, and legal manner, ensuring that all relevant evidence is considered without bias. In doing so, investigations will be underpinned by terms of reference and based on the following broad objectives:

- To establish the facts relating to allegations to determine whether any malpractice and/or maladministration has taken place
- To identify the cause of any malpractice and/or maladministration and those involved
- To establish the scale of any malpractice and/or maladministration and whether other qualifications are affected
- To determine whether remedial action is required to reduce the risk to current registered candidates and to preserve the integrity of the qualification
- To ascertain whether any action is required in respect of certificates already issued
- To identify any adverse patterns or trends.

In carrying out any investigation we will be sensitive to the effect on, and reputation of the GTA, and/or those members of staff who may be the subject of investigation. We will strive to ensure that the investigation is carried out as confidentially as possible and the organisation/person who is the subject of the allegation will have the opportunity to raise any issues about the proposed approach and the conduct of the investigation.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, we will expect all parties, who are either directly or indirectly involved in the investigation, to cooperate fully with us.

In any interviews carried out with the person(s) accused of malpractice and/or maladministration, they can choose to be accompanied by a work colleague, trade union representative or other party at the company's discretion.

We will ensure that all material collected as part of an investigation is kept secure. All records and original documentation concerning a completed investigation will be retained for a maximum period of ten years. If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for ten years thereafter.

Investigation Report

If the GTA believe there is sufficient evidence to implicate an individual within our centre, in malpractice and /or maladministration we will (via the company handbook):

- Inform them (preferably in writing) of the allegation
- Provide them with details of the evidence we found to support our judgment
- Inform them of the possible consequences
- Inform them that information in relation to the allegation and investigation may be, or has been, shared with the Awarding Body and other relevant bodies (e.g. police)
- Provide them with an opportunity to consider and respond to the allegation and our findings

After an investigation, we will produce a report for the parties concerned to check the factual accuracy any subsequent amendments will be agreed between the parties concerned and ourselves. The report will endeavour to:

- Identify where the malpractice/maladministration, if any, occurred
- Confirm the facts of the case (and any mitigating factors if relevant)
- Identify who was responsible for the malpractice/maladministration (if any)
- Contain supporting evidence where appropriate (e.g. written statements)
- Confirm an appropriate level of remedial action to be applied.

If it is an internal investigation against a member of our staff the CEO will agree on the report with the relevant internal managers and appropriate internal disciplinary procedures will be implemented.

Investigation Outcome

If the investigation confirms that malpractice or maladministration has taken place the GTA will consider what action to take to:

- Minimise the risk to the integrity of certification now and in the future
- Maintain public confidence in the delivery of qualifications
- Discourage others from carrying out similar instances of malpractice or maladministration
- Ensure there has been no gain from compromising our standards
- A review of quality assurance processes to ensure that any future malpractice is minimised in conjunction with the investigation

In such cases where certificates are deemed to be invalid, we will inform the candidates who are affected and let them know the action being taken and that their original certificates are invalid. We will work with the relevant Awarding Body and return the invalid certificates to them.