



Accelerate People Malpractice and Maladministration Policy

Document History

To ensure quality control and to quickly identify any changes made version control must be listed below. Including the latest version number, date of the amendment and changes made.

Document Details	
Document Name	Malpractice and Maladministration Policy
Purpose of Document	The purpose of the policy is to ensure that Accelerate People Ltd and it's staff are able to understand their responsibilities and can identify instances of suspected or actual Maladministration or Malpractice during the delivery of End Point Assessment services and be clear on the process for reporting and managing such instances.
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Version History		
Version Number	Date Amended	Changes Made
V1.0	24/06/21	Covered in other policies but further detail required so created as a separate document.

This policy will be reviewed on an annual basis and, where appropriate, results from internal and external monitoring arrangements, amendments in internal procedures, IfATE, ESFA and EQA actions or where developments in legislation occur.

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1. Purpose of the Policy

The purpose of the policy is to ensure that Accelerate People Ltd and its staff are able to understand their responsibilities and can identify instances of suspected or actual Maladministration or Malpractice during the delivery of End Point Assessment services and be clear on the process for reporting and managing such instances. This policy should be read in conjunction with Accelerate People Ltd's Equality, Diversity & Inclusion policy and Employee Equality & Diversity policy.

2. What is Malpractice and Maladministration?

All employees of Accelerate People Ltd must take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery and award of End-point Assessment which Accelerate People Ltd makes available or proposes to make available, this will include adhering to the conflict of interest policy and process and all employees signing a Non Disclose Agreement (NDA).

Malpractice is taken to mean any deliberate act, default or practice that compromises the development, delivery, award and integrity of End-point Assessment, including the reputation and credibility of Accelerate People Ltd.

- Malpractice will often be demonstrated by individuals acting in a way that is in direct contradiction to rules, regulations or in an attempt to gain an unfair advantage and that an informed and reasonable observer would conclude was dishonest in nature.
- Maladministration includes any actions, neglect, default or other practice that compromises the development, delivery, award and integrity of End-point Assessment, including the reputation and credibility of Accelerate People Ltd.
- Maladministration will often be demonstrated by individuals not following the correct process or procedures or applying them inefficiently either purposefully or through negligence.

All contracted employees have a responsibility to ensure that instances of malpractice and maladministration do not occur. Employees can do this in several ways:

- By following policies, practices and/or procedures that reduce the risk of malpractice and maladministration
- By being proactive in identifying, capturing, recording and addressing all suspicions and evidence of malpractice.

Examples of malpractice and maladministration could occur in any areas of the business;

- **Operations** - reviewing and processing of End-point Assessment gateway requests, scheduling End-point Assessment methods and processing customer enquiries.
- **Internal Quality Assurance** - undertaking quality and compliance checks against the requirements of an Apprenticeship Standard or Ofqual General Conditions of Recognition and internal policies, process and procedures.
- **Assessors** - carrying out, assessment and grading of End-point Assessments, being aware at all times the opportunity for fraudulent behaviour to occur, e.g plagiarism or collusion.
- **Product** - in the design, development and delivery of End-point Assessment methodology and testing, and security of assessment.
- **Customer Engagement** - when working with stakeholders, maintaining the confidentiality of assessment materials and protecting the integrity of End-point Assessment.

- **Compliance** - in the carrying out of investigation or auditing the business to ensure compliance with policies, procedures and practices.
- **Directors/Board** - setting strategy, recruitment, DBS, competence, malpractice / maladministration, assessing business risk and operations.

Examples of malpractice and maladministration could occur in any area when working with external stakeholders;

- **Apprentices** - when providing information, confirming identity, making declarations or when submitting evidence and non-compliance with End-point Assessment method conditions.
- **Training Providers** - when providing information, making declarations or submitting apprentice evidence.
- **Employers** - when providing information, making declarations or providing witness testimony for an apprentices End-point Assessment evidence.

3. Examples of Malpractice and Maladministration

The examples below are not exhaustive and if you are unsure on whether something is classed as malpractice or maladministration, please contact Accelerate People Ltd via the Responsible Officer (lynn@accelerate-people.co.uk).

Examples of Malpractice:

- Breaching EPA requirements
- Bribery
- Failure to declare gifts
- Failure to declare a conflict of interest
- Disclosure of any EPA materials for financial gain or to a non-authorized third party
- Provide a false declaration of authenticity of EPA evidence
- Undertaking the EPA on behalf of someone else
- Plagiarism
- Deliberate conflict of interest which compromises the integrity of the EPA
- Intentionally providing inaccurate or misleading submissions of declaration forms and/or other evidence, within the Gateway process, or during the EPA
- Providers or employers helping apprentices to answer assessment questions or producing assessment evidence
- Deliberate destruction or tampering with work or assessment records
- Intentionally accessing or trying to access and share confidential assessment material
- Use of unauthorised material or devices during the assessment
- Anyone failing to cooperate with an investigation or act as requested by Accelerate People Ltd.

Examples of Maladministration:

- Failure to maintain accurate records about EPA
- Failure to follow Accelerate People's agreed processes and procedures.
- Failure to deliver an End Point Assessment in accordance with the published Assessment Plan.

4. How to Report Suspected Malpractice and Maladministration

Within 24 hours of the identification of suspected maladministration or malpractice, the incident must be reported to the Responsible Officer (lynn@accelerate-people.co.uk)

Information which is required:

- The date of the alleged or suspected maladministration or malpractice.
- Contact details.
- The people involved.
- The details of the alleged or actual maladministration or malpractice.

Where a notification is received regarding a grading decision and instance of malpractice or maladministration then the Responsible Officer will investigate this in line with the Enquiries & Appeals policy.

Within 10 working days of receipt of the allegation, Accelerate People Ltd will investigate the suspected maladministration/malpractice and report back the findings or advise of time scales if further investigation is required.

Any alleged incident of malpractice or maladministration brought to our attention after the issue of certificates may entail the certificates being recalled by ESFA and declared invalid.

All allegations of suspected maladministration/malpractice will be logged as a risk on the Risk Register.

5. Investigation into Suspected Malpractice in EPA

As part of the investigation, where Accelerate People Ltd establishes that any malpractice or maladministration has occurred in the development, delivery or award of qualifications which it makes available, or proposes to make available, it will promptly take all reasonable steps to –

- (a) prevent that malpractice or maladministration from recurring, and
- (b) take action against those responsible which is proportionate to the gravity and scope of the occurrence or seek the cooperation of third parties in taking such action.

Accelerate People Ltd will ensure that such investigations are carried out thoroughly, effectively, and by persons of appropriate competence who have no personal interest in the outcome and where there is no conflict of interest.

During the investigation Accelerate People Ltd will take all reasonable steps to protect the development, delivery, award and integrity of the EPA and to prevent, where possible, any Adverse Effect.

6. Public Interest Disclosure (Whistleblowing)

If there are any concerns about raising a suspicion of malpractice or maladministration, then please refer to Accelerate People Ltd's Whistleblowing Policy

7. Outcomes from the Investigation

If there has been evidence to show that malpractice or maladministration has taken place, then Accelerate People Ltd will take appropriate actions and this will be communicated in writing.

Where the outcomes of the investigation are accepted and it has been deemed that no Adverse Effect has occurred, the incident will be logged on Accelerate People's internal systems and will be closed off. The confirmation that the investigation has been closed, in conjunction with any recommendations for quality improvement, will be provided to those parties involved in writing by the Responsible Officer.

Where an Adverse Effect has been identified, Accelerate People Ltd will apply the appropriate level of action. Any actions applied will be informed within 10 working days of the investigation report submission. An Action Plan with specific deadline dates for completion may be provided. Accelerate People Ltd are also required to notify the relevant EQA of any outcomes of the investigation.