



ASPIRING MINDS TUITION

EDUCATION WELLBEING CREATIVE

MALPRACTICE AND MALADMINISTRATION POLICY

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Malpractice and Maladministration Policy

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1. Purpose

This policy sets out the approach of AMT (Aspiring Minds Tuition), an educational tuition business specialising in teaching learners, including those with Special Educational Needs and Disabilities (SEND). It outlines how we prevent, identify, report, and manage incidents of malpractice and maladministration, in line with regulatory expectations and best practice, including those set by awarding bodies such as BCS.

2. Scope

This policy applies to:

- All staff (permanent, temporary, contractors and volunteers)
- All learners and parents/carers
- Any visitors, partners or service providers associated with our organisation

It applies to all teaching, assessment, and examination activities, including remote or in-person delivery and external assessments such as BCS exams.

3. Legislative and Regulatory Framework

This policy is underpinned by the following legislation, statutory guidance and awarding body regulations:

- **BCS Malpractice Policy (PDF)**
Outlines BCS's responsibilities and expectations for preventing, identifying, and managing malpractice and maladministration by centres and individuals. AMT, as a BCS registered centre, follows this policy to uphold the integrity of all assessments.
<https://www.bcs.org/>
- **UK General Data Protection Regulation (UK GDPR) – ICO Guidance**
Provides legal requirements for the secure and lawful handling of personal data, including data used in malpractice investigations.
<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/>
- **Data Protection Act 2018**
Supplements the UK GDPR with national data protection rules, supporting AMT's obligations to manage learner and staff data fairly during any malpractice investigations.
<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
- **Equality Act 2010 – Government Guidance**
Sets the legal framework for preventing discrimination and ensuring reasonable adjustments. AMT ensures all assessment arrangements are fair and inclusive, while guarding against misuse that could constitute malpractice.
<https://www.gov.uk/guidance/equality-act-2010-guidance>
- **Keeping Children Safe in Education (KCSIE, 2024)**
Statutory guidance for creating a safe learning environment, including measures to prevent and respond to concerns that could result in malpractice or maladministration.
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

- **Awarding Organisation Compliance**

While AMT is a private tuition provider, we align with the requirements of awarding organisations when supporting learners preparing for regulated qualifications, to uphold the standards of assessment integrity.

4. Definitions

Malpractice is any act, default or practice that compromises the integrity of assessment or certification. It includes (but is not limited to):

- Plagiarism or copying
- Unauthorised access to assessment materials
- Providing improper assistance to learners
- Failure to maintain proper records

Maladministration refers to inefficient, careless or intentionally incorrect administration of qualifications. It includes:

- Failure to follow examination procedures
- Incorrect issuing of results or certificates
- Poor record keeping

5. Principles

AMT is committed to:

- Ensuring the integrity of its assessments and qualifications
- Preventing incidents of malpractice and maladministration
- Detecting and addressing any such incidents promptly and fairly
- Cooperating with awarding bodies, including BCS, during investigations

6. Preventative Measures

AMT implements the following measures to minimise risks:

- Clear guidance and training for staff on assessment protocols
- Information for learners on expected conduct and consequences of malpractice
- Secure storage and handling of assessment materials
- Standardised internal quality assurance processes
- Regular policy reviews and updates

7. Training Provider Responsibilities (in line with BCS Section 3 Guidance)

As a training provider, AMT:

- Takes reasonable steps to prevent malpractice or maladministration
- Maintains records of assessment and internal quality assurance decisions
- Appoints a named person responsible for malpractice investigations
- Reports all suspected or actual cases to BCS (or relevant awarding body) immediately

- Cooperates fully with awarding body investigations
- Implements corrective actions as directed by the awarding body

Full BCS guidance can be found at: <https://www.bcs.org>

8. Reporting Procedure

Staff, learners or others should report concerns to the Designated Safeguarding Lead (DSL). Reports must be:

- Treated confidentially and seriously
- Investigated thoroughly and fairly
- Documented with evidence and timelines

Confirmed or suspected cases of malpractice or maladministration will be reported to BCS within 5 working days of identification.

9. Investigation Process

AMT will:

- Acknowledge receipt of the concern
- Appoint an impartial investigating officer
- Gather statements, documents and evidence
- Submit findings to the awarding body if necessary
- Inform relevant parties of outcomes and actions

10. Consequences

Where malpractice or maladministration is confirmed, consequences may include:

- Retaking assessments or withholding certificates
- Staff disciplinary action, including dismissal
- Suspension of learner access to qualifications
- Referral to external authorities or awarding bodies

11. Appeals

Any party may appeal a decision in line with the AMT Learner Appeals Policy.

12. Linked Policies:

This Malpractice and Maladministration Policy should be read in conjunction with the following AMT policies and agreements:

- **Safeguarding Policy**
To ensure that any incidents of malpractice involving learner safety, exploitation, or misconduct are addressed in line with statutory safeguarding procedures
- **Staff Agreement: Code of Conduct**
Outlines staff responsibilities and ethical expectations that help prevent malpractice or maladministration
- **Learner Agreement: Code of Conduct**
Sets clear expectations for learner behaviour, including the importance of honest and fair conduct in assessments
- **Learner Appeals Policy**
Provides guidance on how learners can formally challenge assessment outcomes, which may include concerns related to malpractice
- **Reasonable Adjustments Policy**
Ensures that learners receive fair access to assessments and that adjustments are applied appropriately, avoiding unintentional malpractice
- **Complaints Policy**
For raising concerns that may lead to or overlap with allegations of malpractice or maladministration
- **Data Protection (GDPR) Policy**
Explains how information related to malpractice cases is stored, processed, and shared lawfully and securely
- **Quality Assurance Policy**
Describes the mechanisms AMT uses to uphold the integrity and consistency of teaching, learning, and assessment practices

13. Monitoring and Review

This policy is reviewed annually or sooner if required, to ensure it remains up to date, effective and aligned with current legislation and best practice. Actions taken as a result of investigations are monitored for recurrence prevention.

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