

# Malpractice and Maladministration Policy

Document Specification:			
Purpose:	To set out NALP's policy for how any instances of, or suspicions of, malpractice or maladministration can be reported, how the investigation will be undertaken, how any findings of adverse effect will be notified to the Regulator and, where necessary, other awarding organisations or third parties, and what and how any sanctions may be applied.		
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# Contents

<b>1. Introduction.....</b>	<b>4</b>
<b>2. Scope and Purpose of this Policy .....</b>	<b>4</b>
<b>3. Audience and Availability of this Policy.....</b>	<b>4</b>
<b>3.1. Audience.....</b>	<b>4</b>
<b>3.2. Availability.....</b>	<b>5</b>
<b>4. Definitions of Malpractice, Maladministration and Adverse Effect .....</b>	<b>5</b>
<b>4.1 Malpractice.....</b>	<b>5</b>
<b>4.2 Maladministration.....</b>	<b>6</b>
<b>4.3 Adverse Effect .....</b>	<b>7</b>
<b>5. Responsibilities.....</b>	<b>7</b>
<b>5.1. NALP .....</b>	<b>8</b>
<b>5.2. Centres.....</b>	<b>9</b>
<b>5.3. Learners.....</b>	<b>10</b>
<b>6. Prevention of Malpractice in Assessments.....</b>	<b>10</b>
<b>7. Examples of Malpractice and Maladministration .....</b>	<b>11</b>
<b>7.1. Maladministration by a Centre.....</b>	<b>11</b>
<b>7.2. Malpractice by a Centre or Centre Staff .....</b>	<b>12</b>
<b>7.3. Maladministration by a Learner .....</b>	<b>13</b>
<b>7.4. Malpractice by a Learner .....</b>	<b>13</b>
<b>8. Risk Management .....</b>	<b>13</b>
<b>9. Identifying Malpractice and Maladministration .....</b>	<b>14</b>
<b>10. Reporting Potential or Actual Malpractice and Maladministration .....</b>	<b>15</b>
<b>11. Investigation Procedures.....</b>	<b>16</b>
<b>11.1. The Principals of Investigation.....</b>	<b>16</b>
<b>11.2. Investigations by NALP .....</b>	<b>17</b>
<b>11.3. Investigations by a Centre .....</b>	<b>18</b>
<b>11.4. Investigation by an Independent Third Party.....</b>	<b>18</b>
<b>11.5. Investigation Process.....</b>	<b>19</b>
<b>11.6. Unannounced Visits.....</b>	<b>21</b>
<b>11.7. Investigations into Malpractice by Learners .....</b>	<b>21</b>
<b>12. Investigation Report and Objectives.....</b>	<b>22</b>
<b>13. Considerations for Investigations into Breaches of Security of Assessment Papers ...</b>	<b>22</b>
<b>14. Decisions .....</b>	<b>24</b>

## Malpractice & Maladministration Policy

<b>15. Type of Sanctions</b> .....	24
<b>16. Reporting Outcomes (including to the Regulator and other Third Parties)</b> .....	25
<b>17. Appeals Process</b> .....	25
<b>18. Monitoring, Evaluating and Reporting</b> .....	25
<b>Appendix A – Process Flow</b> .....	26
<b>Appendix B - Table of Sanctions and When Applied/Lifted</b> .....	28
<b>Appendix C – Malpractice Report Template</b> .....	32

## Malpractice & Maladministration Policy

### 1. Introduction

NALP is an Awarding Organisation recognised by the Office of Qualifications and Examinations ("Ofqual") in England. NALP specialises in providing regulated qualifications to the Legal and associated sectors, in particular for Paralegals, which are respected and recognised by those professions.

Malpractice and Maladministration are two of the highest risk areas for any Recognised Awarding Organisation offering regulated qualifications. The way in which these are dealt with are also two of the most stringently regulated areas relating to the awarding of regulated qualifications in the UK. The General Conditions of Recognition (Ofqual's regulatory handbook) refers to the prevention, identification and resolution of any matters of malpractice and maladministration and how these should be handled by an Awarding Organisation. NALP has a responsibility to ensure that all reasonable steps are taken to prevent the occurrence of any malpractice or maladministration by robust design and development of our qualifications. In addition, should malpractice or maladministration occur, NALP has a responsibility to ensure that it is identified and that all reasonable steps are taken to prevent or mitigate any adverse effect that event may have, ensuring that all cases are investigated, recorded and, insofar as possible, resolved.

### 2. Scope and Purpose of this Policy

The scope of this policy covers the prevention, identification and management of malpractice and maladministration, including investigation and the application of sanctions, where appropriate. This scope includes the development, delivery, assessment and awarding of qualifications. In some areas this policy may refer to other NALP policies and procedures which have been designed to minimise the risk of malpractice and maladministration.

The purpose of this policy is to:

- Define malpractice and maladministration
- Identify the rights and responsibilities of NALP, its staff, Centres and Learners in relation to such matters
- Describe the procedures to be followed in cases where there is reason to suspect malpractice or maladministration has taken place
- Set out the sanctions that may be employed when an incident of malpractice or maladministration has been identified and confirmed, whether applied to a learner, a centre or any other third party (including NALP staff, etc.)

### 3. Audience and Availability of this Policy

#### 3.1. Audience

This policy is intended for use by NALP staff, including freelance staff, plus all NALP Centres that offer our regulated qualifications and the learners enrolled through those Centres. It is also designed for use by any other third party who either needs to be able to prevent, identify and management incidents and possible risks of malpractice and maladministration. Finally,

this policy is for use by the Regulators of our qualifications who may require information about how NALP compliantly manages any incidents of malpractice or maladministration.

### 3.2. Availability

This policy is available to all staff via our NALPShare drive so that it can be accessed by all staff at all times. It is also available to our Centres via the Centre Portal and on request. Any learner who has been affected by a potential malpractice or maladministration and requests a copy of this policy will also be provided with this immediately.

Summary details of what might be considered malpractice or maladministration and how incidents may be dealt with by NALP are also included in the Centre Handbook and in the Guides for Learners for each of the qualifications offered by NALP. These are publicly available at [www.nationalparalegals.co.uk](http://www.nationalparalegals.co.uk).

A copy of this policy will be made available to any Regulator of our qualifications who requests it.

## 4. Definitions of Malpractice, Maladministration and Adverse Effect

Malpractice and maladministration are two distinct, but closely related concepts that cover the improper actions or omissions of Learners, Centre staff (e.g. teachers, tutors, invigilators, etc.), NALP staff such as assessors or external quality assurers, or anyone involved with delivering or awarding qualifications, that would, or could, have an adverse effect on any stakeholders, the integrity of the qualification, or the certification thereof, contrary to the Conditions or any other relevant Statutory Regulation or Legislation. This can include where a Centre, Teacher/tutor, examiner or Learner has breached NALP's policies, procedures and standards.

Whilst malpractice and maladministration are distinct, the two concepts can be on a spectrum and, as such, will sometimes merge into one another. Whether an incident is classified as malpractice or maladministration will depend on the context and can be a matter of judgement. For example, behaviour that might start as maladministration could become malpractice if the person responsible fails to respond to advice to change their approach.

What an incident is classified as may ultimately not be able to be decided upon until after the investigations have been undertaken as it may take NALP to understand all of the details of the case before it can make such a determination. However, Centres should be aware that it is ultimately up to NALP to decide on how any incidents are classified to ensure a consistent approach is taken across incidents, centres and over time.

### 4.1 Malpractice

Malpractice will usually involve a person intending to break the rules or cause harm, being negligent or reckless as to the consequences of their actions. It may be one of the actions listed above as an example of Maladministration, but one that has been taken deliberately by the person responsible to subvert the legitimate course of a qualification. It could also include where intentional bias or discrimination is evident, whether it is the actions, or the words used

## Malpractice & Maladministration Policy

that are discriminatory. Finally, it could be an inaction or omission of information. To give a better understanding, the clearest examples of Malpractice might be:

- Cheating, or deliberately allowing cheating, in an assessment
- Attempting to manipulate or change a result so that it does not reflect the Learner's actual performance in that assessment
- Attempting to withhold information from NALP or otherwise cover up some form of malpractice or impede an investigation into suspected malpractice
- To, in any way, breach the principles of fairness or equality for all, whether by action or by words

Any of the above actions could be taken by the Learner, a trainer/assessor, an examinations officer, an internal quality assurer, or someone within the awarding organisation. It could even be a third party involved in, or with access to, the assessment process. Ofqual provide some additional specific examples of malpractice including, but not limited to:

- Revealing the questions on an assessment in advance (where confidentiality is required under Condition G4.1)
- Sharing confidential assessment materials ahead of an exam
- Claiming to have and/or offering to share confidential assessment materials and/or presenting hoax materials as confidential materials
- A learner breaching the rules of the assessment, for example by bringing impermissible materials into the assessment
- Producing a forged certificate which does not reflect a learner's actual performance in an assessment
- A learner passing off someone else's work as their own (plagiarism)
- A teacher/tutor providing a learner with answers, providing assistance to learners beyond what is permitted, or deliberately failing to apply the mark scheme to a learner's answer
- A teacher or learner falsifying a result

### 4.2 Maladministration

Maladministration generally covers unintentional mistakes or poor processes where it is clear that the person responsible was not deliberately trying to cause any harm to the integrity of the qualification. Often this can be due to a lack of training, competence or experience, or simply be human error caused by carelessness. In their Statutory Guidance, Ofqual have provided the following as a non-exhaustive list of examples of possible maladministration:

- Avoidable delay
- Mistakes arising from inattention
- Faulty procedures

## Malpractice & Maladministration Policy

- Failure to follow correct procedures
- Poor record keeping
- Inadvertent failure to take action
- Poor communication, and
- Inadvertently giving misleading or inadequate information

All maladministration is avoidable but has occurred inadvertently. There are some instances where something that would normally be referred to as maladministration may be escalated to malpractice, for instance if:

- the investigation into maladministration is obstructed
- an Action Plan put in place by NALP is not adhered to, or feedback provided via moderation and external quality assurance reports is not acted upon to improve processes to mitigate the risk of continued maladministration or even malpractice
- repeatedly logged instances of Maladministration events indicate that it is an endemic issue

So, it is important that all parties recognise maladministration, report any instances, investigate the reasons for them and take action to ensure such errors do not recur.

### 4.3 Adverse Effect

An Adverse Effect is defined by the Regulator as an act, omission, event, incident or circumstance that:

- a) gives rise to prejudice to Learners or potential Learners, or
- b) adversely affects –
  - i) the ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition,
  - ii) the standards of qualifications which the awarding organisation makes available or proposes to make available, or
  - iii) public confidence in qualifications.

All incidents that could potentially give rise to such an adverse effect must be reported immediately to the Director of Compliance & Regulation. All NALP staff and Centres have a responsibility to ensure that notification of such events is not subject to any undue delay, including for the commencement of any investigations to ascertain whether or not an actual adverse effect has occurred. Failure to delay such notification by a Centre or its staff may cause an incident to automatically be treated as malpractice on the basis that the information has been deliberately withheld from NALP.

## 5. Responsibilities

All staff, including Centre Staff and independent consultants, examiners, subject experts and other persons involved in the design, development, delivery or award of a qualification offered



## Malpractice & Maladministration Policy

by NALP, have a responsibility to put in measures to prevent malpractice or maladministration, plus, if such incidents occur, to identify and declare any possible incidents of malpractice and/or maladministration and assist, as necessary, in any investigations. Even Learners have responsibilities in this regard. However, there are some responsibilities that fall more specifically into one role or group, as set out below:

### 5.1. NALP

Under the current Conditions, NALP has a responsibility to:

- Take all reasonable steps to prevent the occurrence of malpractice or maladministration
- Have up-to-date written procedures for the investigation of suspected or alleged malpractice or maladministration
- Provide effective guidance to Centres on how qualifications should be delivered, including the prevention and detecting of any incidents, or potential incidents, of maladministration or malpractice
- Provide any additional guidance on the prevention, identification and investigation of malpractice on request from a Centre
- Ensure that all investigations are carried out rigorously and effectively
- Review how each Centre deals with, or intends to prevent and investigate any cases of malpractice or maladministration
- Inform other Awarding Organisations where malpractice or maladministration is identified within a Centre which may affect other Awarding Organisations
- Apply sanctions to Centres in line with our Sanctions Policy where malpractice or maladministration is identified
- Maintain adequate records of all incidents of maladministration or malpractice, including potential malpractice
- Notify the Regulator(s) of any incidents of maladministration or malpractice that have, or could potentially have, an adverse effect

In relation to the above responsibilities, NALP's Compliance team, led by the Director of Compliance and Regulation, is responsible for the following in respect of the management of malpractice and maladministration set out in this policy:

- Maintain logs of all instances of malpractice and maladministration
- Investigating, or arranging for an investigation to take place, of all incidents of actual or potential malpractice or maladministration
- Monitoring and reviewing the outcome to any investigations
- Informing all relevant parties of the progress of, or outcome of, any investigation into an incident, or potential incident of malpractice or maladministration, including the Centre, affected Learners and the Regulator(s)



## Malpractice & Maladministration Policy

- Ensure the Action plan put in place following such an incident is adequate to satisfactorily resolve the issue and evidence how the risk of any recurrence has been mitigated
- Ensure that any Action Plans are followed up to ensure that these are carried out in a timely manner

### 5.2. Centres

Due to all NALP qualifications being externally marked, so that Centres do not have any involvement in any of the assessment decisions, it might seem as though a Centre may not have an extensive role to play in respect of the prevention, identification and investigation of any actual or potential cases of maladministration or malpractice, however their part in this process is crucial, particularly in the prevention of malpractice by teachers or learners. Their responsibility in this regard includes, but is not limited to:

- Ensuring all staff are fully aware of the NALP policies and procedures for the delivery of qualifications and assessments
- Ensuring all staff involved in the delivery of a qualification, including the tutors/teachers, Internal Quality Assurers (IQAs) and administrators are provided with adequate training and support to enable them to take all reasonable steps to prevent maladministration and malpractice or, if an incident occurs, to identify it and report it as soon as possible
- Keeping an up-to-date log of any potential or actual incidents of malpractice or maladministration
- Keeping all policies and procedures under review to ensure that they align with the latest guidance from NALP
- Ensuring that all NALP Qualification Specifications, Centre Handbooks and other guidance documents are provided to the relevant staff involved in the delivery
- Ensure that all staff involved in the delivery of NALP qualifications are aware of the Reasonable Adjustments and Special Considerations Policy and understand the procedures for NALP granting such adjustments
- Ensuring that learners fully informed of the compliant way in which assessments will be undertaken, what is expected of them and, in particular, what is prohibited, e.g. what might constitute as plagiarism, etc. Full details can be found in the Guide for Learners provided by NALP for every qualification we offer and downloadable from our website at [www.nationalparalegals.co.uk](http://www.nationalparalegals.co.uk)
- Inform NALP immediately any actual or potential incidents of malpractice or maladministration are detected
- Cooperate with all NALP investigations. Centres are allowed to undertake their own investigations, and are encouraged to do so in order that lessons may be learned, however NALP will not rely solely on an investigation undertaken by a Centre when determining the outcome of a malpractice investigation

## Malpractice & Maladministration Policy

Most of the above will fall on the shoulders of the Head of Centre. Whilst they are free to delegate as necessary, the Head of Centre is expected to be aware of the conduct of their Centre on a day-to-day basis and, as such, cannot delegate the full responsibility to another individual.

### 5.3. Learners

Learners are generally expected to be guided by the Centre; however they also have some specific responsibilities in this regard:

- Ensure they listen to all guidance and instructions from their Centre, or the Centre staff, particularly their tutor/teacher
- Ensure they are aware of the directions in the Guide for Learners provided by NALP
- Ensure that they full read the directions on the assignments issued to them by NALP, particularly in regard to the deadlines for submission of the completed assignment
- Ensure they inform their Centre at enrolment of any requirement for reasonable adjustments due to a disability, including hidden disabilities, such as dyslexia, autistic spectrum disorder, ADHD, Fibromyalgia, MS, and other neurological or mental health disorders.
- Ensure they raise any unexpected issues that arise during the period they are studying the qualification and/or completing an assignment that may warrant a Special Consideration being granted, such as bereavement, illness, accident, etc.

## 6. Prevention of Malpractice in Assessments

NALP is committed to ensuring that its policies and practices are designed so as to minimise the risk of any Malpractice or Maladministration occurring. The main ways in which NALP does this is as follows:

The Design, Development and Review of Qualifications and Assessments Policy ensures that all qualifications and assessments are designed in such a way as to minimise the opportunity for any malpractice or maladministration.

The types of risk of malpractice that have been recognised and the preventative measures that have been put in place to mitigate those risks are as follows:

Malpractice Risk	Prevention / Mitigation
Centre Staff or other third parties seeking to change the outcome of an assessment decision or claim certificates that a Learner has not achieved	Currently, NALP externally marks all assignments and does not allow any assessment decisions to be undertaken by a Centre. This is undertaken by the NALP independent examining team, lead by our Chief Examiner

## Malpractice & Maladministration Policy

Plagiarism	All assignments are put through an online plagiarism checker. In addition, all examiners are provided with copies of the NALP workbooks the learners work from and are trained to look for any copied passages from those documents using the Adobe 'Look Up' tool
Collusion between learners	Assignments are allocated to examiners based on subject specialisms which means that an examiner will see all of the assignments for a full cohort and are trained to look out for excessive similarities between submissions.
Teachers giving inappropriate assistance to learners completing assignments	NALP maintains a large bank of assignment questions and, at any one time, has up to 10 available different versions of the most popular assignments. These are randomised when allocating an assignment to individual learners, regardless of whether they are enrolled as part of a cohort under a more traditionally based centre, or if they are enrolled individually under one of our centres who specialise in distance learning

## 7. Examples of Malpractice and Maladministration

In addition to the examples set out in section 6 above, we have included some additional examples of incidents, specific to NALP qualifications and the way in which they are delivered, which could lead to a report of suspected malpractice or maladministration. Please note, the following lists are not exhaustive:

### 7.1. Maladministration by a Centre

- Failure to keep accurate and complete records in a secure manner, as required by the policies and procedures laid down by NALP
- Failure to ensure that the staff involved in the delivery of NALP qualifications (e.g. teachers, tutors, etc.) meet the requirements for the delivery of the relevant qualification as set out by NALP
- Failure to notify NALP of a potential Conflict of Interest which the centre has adequately managed
- Failure to ensure that learners of NALP qualifications are provided with the correct NALP workbooks to support that learning

## Malpractice & Maladministration Policy

- Failure to ensure learners are enrolled accurately and promptly with NALP via the NALP Centre Portal
- Failure to check the identity of a learner on enrolment
- Failure to ensure the security of assignments, both before and after completion by a learner, whether held electronically or in a paper-based format
- Failure to ensure that completed assignments are submitted electronically to NALP within the given timeframe
- Failure to comply with any of the administrative procedures and processes laid down by NALP, including adherence to any timescales therein
- Failure to make all reasonable efforts to gather information from learners regarding any disabilities or other issues that may require Reasonable Adjustments to be made to ensure all learners are given an equal opportunity to achieve their chosen qualification with due regard for any individual's special educational needs
- Failure to promptly inform NALP of any special educational needs of a learner and requirements for Reasonable Adjustments, in line with NALP's Reasonable Adjustments and Special Considerations Policy
- Failure to promptly request any Special Considerations in line with NALP's Reasonable Adjustments and Special Considerations Policy

### 7.2. Malpractice by a Centre or Centre Staff

The following are some examples of malpractice by a Centre or its staff:

- Fabrication of Reasonable Adjustments or Special Considerations requests or supporting evidence for such requests
- Continued failure to rectify issues of maladministration indicated on feedback provided by NALP, including failure to adhere to an action plan put in place by NALP
- Failure to cooperate with an investigation by NALP or a Regulator into any potential malpractice, maladministration or other incident which could give rise to an Adverse Effect, including refusing entry to a NALP appointed external quality assurer whether the visit was pre-arranged or undertaken without prior notice
- Withholding information regarding any actual or potential Conflicts of Interest which have also not been managed or logged within the Centre
- Providing inappropriate assistance to Learners completing an assignment, whether individually or as part of a cohort, leading to the completed assignment not being the learner's own work
- Encouraging or allowing collusion between learners within a cohort completing an assignment

## Malpractice & Maladministration Policy

### 7.3. Maladministration by a Learner

- Failure to correctly cite any sources quoted within their completed assignments, leading to inadvertent plagiarism
- Overuse of cited material within an assignment, i.e. including large portions of quoted text within their assignment answers and those quotations making up the majority of the answers

### 7.4. Malpractice by a Learner

- Deliberately copying text from other resources, including NALP workbooks, within their assignment answers in an event to pass that work off as their own (plagiarism)

## 8. Risk Management

NALP has a full Risk Management policy in place and maintains a low-risk approach to the assessment of its qualifications. However, Risk Management should not be seen as a standalone process. It is embedded in all that we do and is under constant review and development. To this end, we endeavour to mitigate the risk and practice of maladministration and malpractice through clear guidelines and information for our staff, centres and learners.

Malpractice or Maladministration both pose significant risks to NALP and the to the wider Regulated qualifications industry. These risks include (but may not be limited to):

- NALP could be found to be non-compliant with its Conditions of Recognition or other regulatory requirements
- Learners could suffer adverse effects of the malpractice or maladministration
- NALP's reputation as a Recognised Awarding Organisation could be adversely affected
- Consumer confidence in regulated qualifications could be adversely affected
- Adverse effects to NALP's business, or that of its Approved Centres

NALP is committed to ensuring that all risks are mitigated insofar as possible. The way in which we do this includes:

- Designing qualifications and assessments that meet all regulatory requirement, that are fit for purpose, but which reduce the risk of malpractice or maladministration occurring
- Having a low-risk approach to the approval of Centres to deliver qualifications – i.e. NALP undertakes detailed due diligence during the application stage for new centres, including checking all notifications received from other awarding organisations under Condition A8.7, prior to granting approval
- Having robust policies and procedures in place for ourselves and our Centres to prevent maladministration or malpractice

## Malpractice & Maladministration Policy

- Having robust systems in place that aim to identify any potential maladministration or malpractice, including review of incidents which have happened outside NALP (e.g. at another awarding organisation or training company not associated with NALP) to see if there is a risk to NALP that was not previously identified
- Having robust policies and procedures in place for the identification, investigation and management of any actual or potential incidents of malpractice or maladministration
- Providing Centres with information, training and any other assistance required to ensure that they are aware of the possibility of malpractice or maladministration, what to do should they discover a potential incident and what the consequences might be if they are found to deliberately have committed malpractice or fail to cooperate with the investigation or resolution of an incident of malpractice or maladministration.

All incidents, or potential incidents, of malpractice or maladministration will be investigated in line with the procedures outlined in this policy.

## 9. Identifying Malpractice and Maladministration

Whilst every effort is made to prevent malpractice or maladministration, NALP acknowledges that this can still occur and is committed to ensuring that such incidents are identified and resolved as quickly as possible.

There are a number of ways in which malpractice or maladministration might be identified including, but not limited to:

- During marking of completed assignments, including the use of plagiarism checking software (e.g. Turnitin)
- Internal monitoring and quality assurance undertaken at or by Centres
- External Quality Assurance activities undertaken by NALP, such as Centre visits
- Complaints/feedback from learners, centre staff members or other third parties which include reports of malpractice or maladministration (including whistleblowing)
- Reports from other Awarding Organisations, Regulators or other connected third parties, particularly if it is in relation to a previously accepted business practice which is found to not be fit for purpose following reviews
- Other intelligence gathering, e.g. via monitoring social media, etc. where some practices may be discussed

As soon as a malpractice or maladministration has been identified, it will move on to being reported, as appropriate depending on the incident. The details of the full process are covered in this policy, however a process flow covering the main tasks is included at Appendix A.

### 10. Reporting Potential or Actual Malpractice and Maladministration

Centres, learners, examiners, and quality assurers (IQAs or EQAs) must report any cases of suspected malpractice or maladministration to the NALP Compliance Team immediately, preferably in writing (i.e. via Email), although an initial report may be made via telephone and later followed up in writing. Where the report is from outside of NALP, the receipt of such a report will be acknowledged within 2 business days.

Reports and any accompanying evidence should be sent to the Compliance Team by email ([complianceadmin@nationalparalegals.co.uk](mailto:complianceadmin@nationalparalegals.co.uk)). Reports need to be as detailed as possible and include information such as:

- Centre's name, address and number (not applicable for distance Learners)
- Learner's name and registration number
- Centre personnel's details (name, job role) if they are involved in the case (not applicable for distance Learners)
- Title and number of the qualification 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.

If a Centre conducts its own investigation\* before submitting its report to us, it 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 the report.

\*NOTE: the conducting of an investigation by a Centre does not diminish its responsibility to inform NALP immediately it becomes aware of the potential malpractice or maladministration

All cases of alleged malpractice will be investigated rigorously by an appropriate person(s) who has no personal interest in the outcome. NALP will inform the Regulator of all cases of suspected malpractice which may have an adverse effect on learners or the integrity of a qualification, as required under the Conditions of Recognition (B3.1). In addition, where necessary other Awarding Organisations and/or other third parties with a legitimate interest may be informed of a malpractice as required by the Conditions of Recognition (A8.7).



## **11. Investigation Procedures**

NALP is committed to ensuring that all cases of malpractice are investigated thoroughly, using a consistent approach. The following sets out how we do this:

### **11.1. The Principals of Investigation**

All investigations must be conducted with all due regard for the following:

- **Confidentiality** – by their very nature investigations usually necessitate access to information that is confidential to a centre or individuals. All material collected as part of an investigation will be kept securely and should not be disclosed to any third parties, except where required to under the Regulations or legal obligation.
- **Risk Based** – All investigations and decisions must take into account the risk rating applicable to the qualification and that applied to the Centre.
- **Rights of individuals and Safeguarding** – where an individual is suspected of malpractice they will be informed, in writing, of the allegation made against them and the evidence that supported the allegation. They will be provided with the opportunity to consider their response to the allegation and submit a written statement or seek advice, if they wish to do so. They will also be informed of what the possible consequences could be if the malpractice is proven and the possibility that other parties may be informed e.g. the regulators, police, funding agencies, professional bodies, etc. The appeals process will also be communicated to them. During investigations it is probable that the individual(s) will need to be interviewed to gather information on the alleged malpractice. Where Centre staff members are being interviewed during an investigation that is being carried out by the Centre, these interviews should be carried out in line with Centre policy and procedures (including the Centre's policy for conducting disciplinary enquiries). Centre staff may request that they are accompanied by a friend or colleague and these requests should be processed in line with Centre and/or NALP policy. Where a learner is to be interviewed and they are a minor or vulnerable adult, the Centre and/or NALP should consider the need to have a parent, guardian or carer present or to have permission of a parent, guardian or carer prior to the interview taking place. Where legal advisors are to be present during interviews this must be made known to other parties involved to give the same opportunity to be similarly supported.
- **Retention and storage of evidence and records** – all relevant documents and evidence should be retained in line with our stated policy and procedures.
- **Decision making** – compliance decision making is not subject to the burden of proof meeting the "beyond a reasonable doubt" as it would in a criminal courtroom, but rather all such decisions should be made using the basis of being "on the balance of probabilities", as it would in a civil litigation case. This means that, once all evidence and representations are reviewed and taken into account, including the conduct of the Centre and/or individual

## Malpractice & Maladministration Policy

previously, the Director of Compliance & Regulation (or CEO in their absence) must be satisfied that malpractice is more likely to have occurred than not.

- **Sanctions** – any sanctions applied to Centres, Learners, individual Teachers/Tutors or individual Assessors should be commensurate with the level of non-compliance identified (and evidenced) during the investigation and should be in line with NALP sanctions policy (see Section 15 and Appendix B of this Policy).
- **Internal Malpractice Identified by a Regulator** - Where the allegation or suspicion of malpractice relates to NALP and/or their staff, decisions and action plans will be agreed between the investigating party e.g. the Regulator and NALP in accordance with current regulations and legislation.
- **Disciplinary Action** – where the alleged or suspected malpractice has been committed by a member of NALP Staff or contractor, any actions should be commensurate with the level of non-compliance identified (and evidenced) during the investigation. Where such non-compliance has been confirmed regarding a direct employee of NALP, the action taken will be in line with the ACAS Disciplinary Procedures (NALP's standard for any disciplinary action against staff). Where non-compliance is shown to have been by a freelance staff member, the action will be in line with the contract in place between NALP and the freelancer.

### 11.2. Investigations by NALP

All allegations will be investigated by an appropriate member of NALP staff who has not previously been involved in the examination, assessment or moderation of the qualification or Learner(s) affected, but who has the competence and knowledge to be able to undertake such an investigation effectively and without bias.

The Director of Compliance & Regulation will decide on the most appropriate person to undertake the investigation. This may be:

- The Compliance Administrator – they are fully trained to undertake desk-based reviews as part of an investigation into Centre or Learner malpractice
- The Chief Examiner – particularly where the investigation requires an assignment to be looked at by a second examiner (to be delegated to by the Chief Examiner) or involves the action of a NALP examiner
- The Director of Compliance & Regulation – usually with escalated investigations or those where conflicts of interest may prevent the Chief Examiner or Compliance Administrator from conducting the investigation
- The CEO – where there is an issue that the Director of Compliance & Regulation cannot investigate due to conflicts of interest or is unavailable

## Malpractice & Maladministration Policy

### 11.3. Investigations by a Centre

Due to the fact that all NALP qualifications are externally marked, the risk of malpractice occurring at a Centre in respect of the assessments is relatively low. However, there remains a slight risk, such as a teacher providing inappropriate assistance to a learner, which a Centre may want to investigate themselves.

Whilst all Centres are welcome to undertake their own investigations into a suspicion of malpractice, the outcome of these will only be accepted without further investigation by NALP in exceptional circumstances. In order for them to be accepted, the Director of Compliance & Regulation must be confident that any investigations undertaken by a Centre will be, or have been, conducted by an impartial and unbiased investigator who does not have a personal interest in the outcome. The Director of Compliance & Regulation must also be confident that the Centre has sufficient resources to conduct the investigation.

NALP will, on request from a Centre, provide any assistance or guidance necessary for that Centre to be able to conduct an investigation effectively. This is regardless of whether NALP undertakes a separate investigation or not.

If the Director of Compliance & Regulation is concerned regarding the Centre's resources or the impartiality of the investigator appointed by a Centre, or if the risk posed by the malpractice or suspected malpractice is too high, they will arrange for the matter to be investigated by one of the other persons indicated in 13.1 above.

### 11.4. Investigation by an Independent Third Party

Where necessary, the Director of Compliance & Regulation may appoint an independent third party to undertake the investigation. The types of independent third parties appointed include, but are not limited to:

- A sitting member of the Governing Board with suitable expertise and experience
- A freelance Compliance consultant
- A freelance professional External Quality Assurer
- An independent subject expert

An independent third party may be appointed because there is a potential conflict of interest with the available NALP Staff which could put a bias on the outcome of the investigation, or be perceived to do so from an external viewpoint, or because there are insufficient resources available at NALP at the time of the incident coming to light (i.e. due to clashing holidays or sickness or other exceptional absenteeism), or because an investigation has taken place and the Centre or individual suspected of malpractice has appealed against the outcome and requested an independent review.

The Director of Compliance & Regulation will ensure that the Independent Third Party has access to all necessary records, staff and other resources in order to allow them to carry out their investigation. The Centre or individual suspected of malpractice will also be informed of the name of the independent third party undertaking the investigation, but NALP is not obliged

to explain the reason for such an independent appointment. Where necessary NALP will provide the independent investigator with a separate email address for the purpose of contacting the Centre or individual under suspicion of malpractice if the investigator does not wish their personal contact information to be shared.

Where necessary, the Centre must ensure that the appointed investigator is given full access to all records, information, staff and learners as they require in order to carry out a full investigation.

### 11.5. Investigation Process

All investigations will follow the same general approach and process, regardless of who is undertaking the investigation. This is as follows:

- i) The Compliance Administrator receives the initial report of the malpractice or suspected malpractice and liaises with the Director of Compliance & Regulation to decide if an investigation is warranted
- ii) An appropriate investigator is appointed and provided with details of the issue, as necessary
- iii) Where there is an actual or potential adverse effect, the Director of Compliance & Regulation will inform the Regulator(s) of the initial report and planned actions, plus issue an A8.7 notification to other relevant awarding organisations and any other third parties with legitimate and appropriate interest in the matter. All notifications will include the name and address of the Centre, name of the Head of Centre and any other staff or trainers/assessors who were involved in the malpractice, and the qualification affected
- iv) The Compliance Administrator logs the malpractice and sets up a folder with the initial documents in the Malpractice folder accessible by the Compliance Team
- v) The Compliance Administrator completes the first part of the Malpractice Report (see Appendix C) and passes this to the investigator (where appropriate)
- vi) The Compliance Administrator, or the Investigator, as appropriate, contacts the Centre to inform them of the reported malpractice or suspected malpractice and requests the relevant information and formal response from them to the allegations being made\*
- vii) Where appropriate and depending on the initial sanction applied, the Centre's ability to register learners or request assignments will be suspended and any outstanding results and certificates withheld
- viii) Where warranted, a visit is arranged to the Centre to review documents and/or meet with staff and Centre Manager
- ix) Where appropriate, learners will be contacted and asked to agree to be interviewed. These interviews will then be carried out, possibly via telephone but preferably via video conferencing or, where possible, in person

## Malpractice & Maladministration Policy

- x) Once all investigations have been carried out and information has been gathered, including any response and evidence provided by the Centre, the outcome will be determined as to whether malpractice has taken place, was it carried out deliberately and whether there been an adverse effect as a result
- xi) The Investigator must complete the Malpractice Report (see Appendix C) covering all of the details of the case, the investigative work carried out, the outcome of the investigations, the rationale for that outcome including details of how the malpractice occurred or was likely to have occurred, include any evidence (i.e. learner or staff interviews, records, assessment materials, etc.) and suggested actions for the Centre to be able to resolve the issue, taking into account any actions already taken\*\*
- xii) The Malpractice log will be updated with the outcome
- xiii) If appropriate, the Regulator(s) will be updated with the outcome, plus an updated A8.7 notification to be issued to all interested parties (as per iii) above)
- xiv) The Centre will be informed of the outcome and, where appropriate, provided with an action plan to resolve the issue, taking into account any actions already taken\*\*
- xv) Copies of the Action Plan will be provided to the NALP Executive Administrator and the Chief Examiner for information
- xvi) The Compliance Team will diarise any necessary follow ups on the action plan put in place
- xvii) The Regulators will be kept updated with any changes to the action plan, including changing dates or where an initial plan of action is proven to be unworkable, overly burdensome or raises the risk of non-compliance with other legislation or regulation, etc.

### **Please Note:**

\*There are some instances where a Centre may not be informed of the malpractice but rather an unannounced visit will be undertaken at their premises. This will only happen if the malpractice is extremely high risk, such as there has been a report in the media about the incident or it has, or is likely to have, a major adverse effect on the validity of the qualification or the reputation of NALP and/or the qualification it offers.

\*\*In cases where it has been determined that the Centre has committed serious and deliberate malpractice, OR if they have refused to cooperate with the investigation into the malpractice, they may immediately be subject to our highest sanction which would mean immediate revocation of their Centre Approval under NALP. In such cases, no action plan will be put into place. Where this is the case and learners have been affected, the learners will be contacted directly to advise them of this and invite them to contact us for assistance in completing their qualification, where applicable.

### **11.6. Unannounced Visits**

There may be occasions when there is a suspicion of malpractice that it may be necessary to conduct an unannounced visit in order to fully identify the potential risk. Such visits are designed to enable investigators to observe centres in conducting their normal working processes and are not intended to trick, manipulate or unnecessarily disrupt centres, assessments and learners. Unannounced visits allow investigators to see the Centre in a more 'natural' way as there has been little or no opportunity for centres, staff or any involved party to prepare for the visit and to 'perform' for the investigator. Unannounced visits must still be planned by the investigator with clear objectives and outcomes recorded.

### **11.7. Investigations into Malpractice by Learners**

Due to the nature of NALP's qualifications and assessment model, the highest risk for malpractice is plagiarism by learners. However, not every act of plagiarism is malpractice, with the vast majority being treated as maladministration due to a learner's lack of understanding about what constitutes plagiarism.

It should also be noted that it is accepted that learners will have to copy a number of points in their assignments due to these being points of law that cannot be altered or put into a learner's own words. These are not counted as plagiarism.

Similarly, if it is clear that a learner has included copied text from other sources within their answer without the use of proper citations, but that text has been for illustration purposes and it is otherwise clear to see the level of the learner's knowledge and understanding of the topic, they will not get penalised for such inclusions. They will, however, not attract any additional marks on their assignment for the use of such copied text.

Where it has been discovered that an assignment submitted by a learner contains excessive amounts of material copied from other sources, whether it be from NALP workbooks or external sources, and which makes it impossible to determine a learner's level of knowledge or understanding of the topic, the first action is to give them a 'fail' result on their assignment and provide them, via the Centre through which they enrolled, a standard email outlining that the reason for the failure was due to the plagiarised content. NALP will provide further information or assistance on this to the Centre's teachers or tutors on request.

A learner will only be sanctioned for malpractice where plagiarism continues in successive assessments despite having been informed of their responsibilities and NALP is satisfied that the learner has deliberately ignored all feedback and advice and has sought to subvert the outcome of the assessment by use of work that is not their own. Where this is the case, the learner will be disqualified from the qualification. In such cases, unless there is a suspicion that the Centre or their staff were in any way involved in the malpractice, NALP will move straight to sanction and will not follow the full investigation process set out in Appendix A.

A learner may, however, be implicated in other forms of malpractice that will incur their being investigated alongside another party. For instance, if it is clear that a number of learners have provided very similar answers to their assignment, a full investigation would be undertaken into the actions of the Centre, the teacher and the learners involved.



## **12. Investigation Report and Objectives**

The main objectives of any investigation are to:

- Establish whether malpractice has taken place
- Identify any adverse effect
- Ascertain how the malpractice occurred
- Identify any weaknesses in either the Centre's processes and controls or that of NALP which contributed to the malpractice
- Minimise the risk of any adverse effects to the learners, the validity of the qualification, the reputation of NALP and the qualifications it holds, or to the wider regulated qualifications sector
- Identify any patterns or trends which contributed to the malpractice, including those internal to NALP
- Identify any improvements required to the Centre's or NALP's policies, procedures and controls which may prevent any recurrence in future
- Determine if there is any historical impact on certificates or results already issued to learners and seek to contact those learners to offer remedial actions to resolve this

All of the above must be clearly recorded, along with any supporting evidence. The details should be entered on the Malpractice Report Template (see Appendix C), a copy of which is available within the Shared drive which members of the Compliance Team have access to. Additional information may be attached on separate sheets. All evidence must be copied into the folder set up for the specific case within same shared drive.

It would not be standard practice to provide copies of the Malpractice Reports to Centres, but they will be given a summary of the full case, including findings of the investigation, once an outcome has been determined. Centres will be provided with copies of the Malpractice Reports on request, particularly if they seek to appeal the decision made.

Where the malpractice is in relation to an individual learner (e.g. for plagiarism), they will be provided with clear and concise details of the case, including the accusations against them, the investigation undertaken and the outcome. These details will also include a direct comparison of their work against the resource which they are accused of plagiarising. Such reports will be issued via the Centre through which they enrolled on their NALP qualification in the first instance, though they will be allowed to contact NALP directly should they wish to do so.

## **13. Considerations for Investigations into Breaches of Security of Assessment Papers**

In cases where the security of assessment papers has been compromised or breached, the following issues will be investigated as part of the decision into the severity of the breach:



## Malpractice & Maladministration Policy

- How did the breach occur? Did this happen at a Centre or has it been published by a Learner or a member of NALP staff or assessment team?
- Was the breach at a regional or area level – i.e. the papers have been mislaid in the local area but recovered prior to these being distributed more widely and there is evidence to support that this is the case?
- Was the breach at a national or international level – i.e. the papers have been mislaid and not recovered or it cannot be confirmed prior to them being recovered that they have not been distributed more widely? There may also be evidence to show they have been reproduced on the internet or other national or international publications.

In cases involving breaches of the security of assessment papers, in addition to any appropriate sanctions against the Centre, Learner or NALP staff member NALP will also instigate one or more of the following measures to protect the integrity of the assessment:

- Withdrawal of that set of questions from the question bank for that qualification on a temporary (minimum of 24 months) either for a specific region or nationally/internationally
- Withdrawal of the affected set of questions from the question bank for that qualification on a permanent basis for a specific region or nationally/internationally
- Arranging for Learners who may have been affected by the breach to re-take the assessment with an alternative question set

Investigations will normally be completed within 30 working days from receipt of the initial report (or discovery of the potential issue if found by NALP). Please note that in some cases investigations may take longer, however all affected parties will be kept informed of the progress being made and of any alternative dates for expected completion.

We will inform all affected parties of the outcome of the investigation within 10 working days of the end of the investigation and decisions being made.

We expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us. In instances where a Centre, its Learners or an individual Learner do not co-operate, we may have no alternative but to permanently or temporarily remove the Centre's approval status, withdraw its Learners from the programme, or withdraw the individual Learner from a programme, We may also inform the regulatory authorities where deemed appropriate.

During the investigation, the review process may involve:

- A request for further information from the Centre or personnel involved (not applicable for distance Learners)
- Interviews (face to face or by telephone) with personnel or Learner involved in the investigation
- Arranging for authorised personnel to carry out a Centre or individual visit

In the case of Centre malpractice, we will offer support and guidance to help us investigate the matter and reach the appropriate conclusions.

## Malpractice & Maladministration Policy

In the case of Learner malpractice, we will ask Centres to investigate the issue in liaison with our own personnel. Where the Learner malpractice is related to an individual undertaking distance learning, we will carry out the investigations ourselves.

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 for qualifications approved by the regulatory authorities are deemed to be invalid, we will inform the Centre, the Learner and the regulatory authorities of the reasons why they are invalid and provide details of action to be taken for reassessment and/or certification.

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 the Centre involved.

### 14. Decisions

The final decision on the outcome of any malpractice investigation will lie with the Director of Compliance & Regulation in the majority of cases (e.g. unless there are any conflicts of interest or the Director of Compliance & Regulation is not available within the timeframe for a decision to be made). Decisions will take account of the content of the Malpractice/Maladministration Report and all supporting evidence provided and be made on the basis of being “on the balance of probabilities” (see 13.7 above). They will also take into account the actual risk posed by the incident that has happened in relation to the risk rating of the qualification and the Centre to ensure that any sanctions applied are appropriate to the overall risk. Where they are not available and/or there is a potential conflict of interest, the decision making will pass to the Managing Director. Where neither individual is available or appropriate, another member of the Governing Board will be appointed to determine the final outcome.

Any decision will be taken with all due regard to the suggestion of the investigator and any representations made by the Centre regarding any mitigating circumstances.

All decisions will be entered onto the Malpractice Log and the Malpractice/Maladministration Report will also be updated. Where appropriate, these may also be entered into the Risk Register by the Director of Compliance & Regulation to ensure that all reasonable steps are taken to prevent recurrence.

### 15. Type of Sanctions

The type of action taken will depend on the impact and risks associated with the problem. For example, we will consider:

The impact on Learners and on public confidence in regulated qualifications.

Whether the breach applies to just one qualification or if it affects a range of qualifications.

## Malpractice & Maladministration Policy

Whether the Centre itself has identified the problem and has taken steps to address it.

Whether there is a history of non-compliance.

Example issues and the resulting sanctions for non-compliance are listed on the attached Appendix B. Please note this list is not exhaustive.

### 16. Reporting Outcomes (including to the Regulator and other Third Parties)

After an investigation, we will produce a draft report for the Centre/Learner to check for factual accuracy. Any subsequent amendments will be agreed between the Centre/Learner and us.

If there has been a potential adverse effect, the case will have been reported to the Regulator (as set out in Section 10 of this document) who will then be updated as to the outcome of the investigations. Similarly, where required, any other third party affected by the malpractice or maladministration, or potentially affected, who has received an initial A8.7 notification will receive an update. If it has become apparent that there has been an adverse effect that was not previously identified as being a potential or actual occurrence, notifications will be sent to the Regulator and to any other third parties, as required.

If an independent/third party notified us of the suspected or actual case of malpractice, we will inform them of the outcome.

### 17. Appeals Process

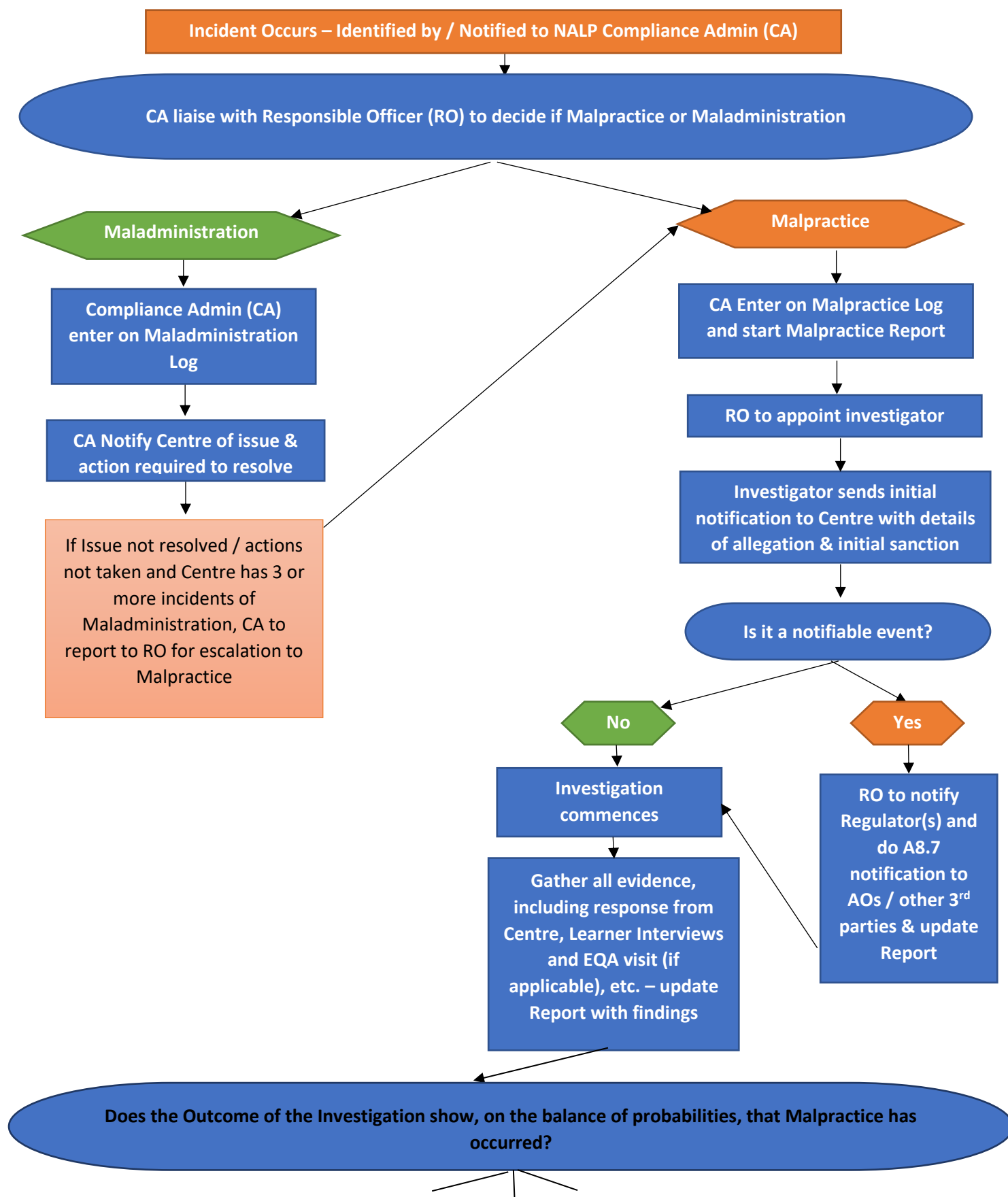
Anyone wishing to lodge an appeal against a NALP decision should follow the procedures in our Appeals Policy which can be downloaded from the NALP website at:

[https://www.nationalparalegals.co.uk/nalp\\_policies\\_procedures](https://www.nationalparalegals.co.uk/nalp_policies_procedures).

### 18. Monitoring, Evaluating and Reporting

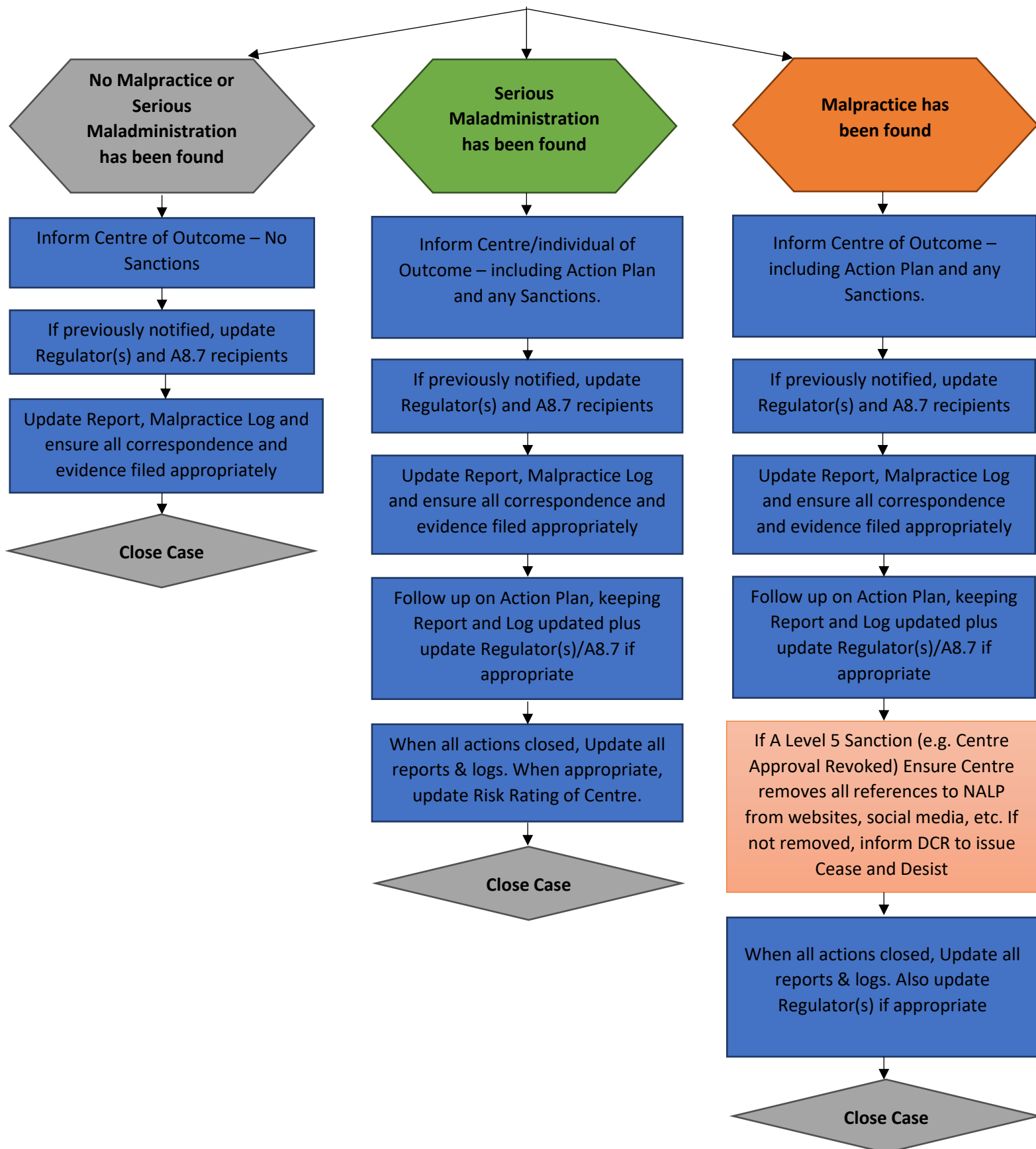
Records will be kept of all cases of malpractice and maladministration dealt with by NALP. Information regarding the number and nature of cases, together with their outcomes, will be included in our review as part of preparing our Annual Statement of Compliance for submission to the Regulator.

## Appendix A – Process Flow



## Malpractice & Maladministration Policy

### Appendix A – Process Flow



## Appendix B - Table of Sanctions and When Applied/Lifted

Non-compliance issue	Sanction	Rationale	Sanction lifted when
<p>Centre fails to register Learners in a timely manner or in accordance with NALP's policy and procedures</p> <p>Centre fails to inform NALP of any requests for Reasonable Adjustments at the time of registration, as per procedures</p> <p>Assessor or moderator fails to complete the assessment paperwork correctly or in full, leaving an incomplete audit trail</p> <p>A Learner or Centre fails to request a Special Consideration or request for an Appeal in a timely manner, in line with NALP's policy and procedures</p> <p>Assessor or moderator fails to declare a potential conflict of interest due to a relationship with a learner prior to the assessment (but does so before results are issued)</p>	<p>Level 1</p> <p>Centres: Action Plan for no recurrence in next 6 months</p> <p>Assessors/Moderators: Additional quality assurance checks to be carried out or training provided by NALP to ensure no recurrence</p> <p>Learner: reminder issued regarding policy and procedure and monitoring over course of the remainder of the course or qualification</p> <p>All: Potential notification to Ofqual and any relevant awarding organisations and/or other third parties</p>	<p>Non-compliance with NALP Policy or procedure but no threat to the integrity of assessment decisions.</p>	<p>NALP is satisfied that the Centre, assessor, moderator or Learner has understood the issue and is following policy and procedure</p>
<p>Centres fail to keep accurate or complete records to allow a full audit to be carried out by NALP representatives</p> <p>Previously agreed corrective measures relating to Level 1 have not been implemented</p> <p>Centre fails to respond to communications from NALP or its representatives in a timely manner</p> <p>Assessor/Moderator is found to have incorrectly marked assessment</p>	<p>Level 2 –</p> <p>Centres: As Level 1, plus potential withholding of Learner certificates</p> <p>Assessors/Moderators: As Level 1, plus withholding of certificates</p> <p>Learner: As for Level 1, plus potential withholding of results or requesting re-sit</p>	<p>The Centre/ Assessor/ Moderator/ Learner has not learned from previous warnings or is failing to understand or adhere to NALP policies and procedures</p>	<p>NALP is satisfied that the Centre/ assessor/ moderator/ Learner has resolved all issues and is aware of the correct procedure to follow</p>

Non-compliance issue	Sanction	Rationale	Sanction lifted when
papers, having no material effect on the outcome for the Learner	using different question set  All: Potential notification to Ofqual and any relevant awarding organisations and/or other third parties		
<p>Failure to report a suspicion of malpractice or maladministration in a timely manner</p> <p>Centre fails to answer requests for information within timescales provided</p> <p>Work submitted for marking cannot be confirmed as the authentic work of Learners</p> <p>Qualification submissions show serious anomalies</p> <p>Previously agreed corrective measures relating to Level 2 non-compliance are not implemented.</p> <p>Security of assessment papers has been compromised or breached but restricted to Centre level</p> <p>The Centre fails to pay invoices outstanding for 60 days or more</p> <p>Assessments found to have serious inconsistencies or incorrect markings that have or may affect the outcome for the Learner</p> <p>Assessor or Moderator found to have not declared a Conflict of Interest which could have an adverse effect on the validity of the results issued for a learner with whom they are found to have a family or other close relationship with, or where they</p>	<p>Level 3 –</p> <p>Centre: potential suspension of approval for specific qualification or withholding of all certificates pending further investigations</p> <p>Assessor/Moderator: suspension from duties and further investigations into other assessment decisions</p> <p>Learner: Asked to re-take the assessment using alternative questions</p> <p>All: Notification to Ofqual and any relevant awarding organisations and/or other third parties</p>	<p>a) There is a threat to Learners</p> <p>b) The integrity of the work submitted by the Learner cannot be confirmed as not being plagiarised</p> <p>c) The Centre fails to pay invoices as they fall due</p> <p>d) Assessment decisions cannot be relied upon due to the Assessor/ Moderator's actions</p>	<p>NALP is satisfied that the Centre is adhering to all policies and procedures; that the anomalies with the assessment decisions were human error only with the assessor / moderator has undergone re-training; that the new assessment completed by the Learner can be authenticated as original work</p>



Non-compliance issue	Sanction	Rationale	Sanction lifted when
otherwise have a financial or other vested interest in the outcome of the assessment			
<p>Work submitted by a Learner for assessment cannot be authenticated for a second time (whether same or different unit/qualification)</p> <p>Previously agreed corrective measures relating to Level 3 non-compliance have not been implemented</p> <p>Assessment decision continue to be incorrect or inconsistent despite re-training and monitoring</p> <p>Security of assessment papers has been compromised or breached on an area, regional, national or international level</p>	<p>Level 4 –</p> <p>Centre: Temporary withdrawal of approval for all or some NALP qualifications</p> <p>Assessor/Moderator: Immediate removal from the assessment team</p> <p>Learner: Withdrawal from the qualification affected and potential review of all other qualifications they may have taken</p> <p>All: Notification to Ofqual and any relevant awarding organisations and/or other third parties</p>	<p>Significant loss of integrity of the assessment and / qualification, plus adverse effect to Learners</p>	<p>As for Level 3, plus possible notification of issues to other Awarding Organisations and/or Ofqual (or other third parties)</p>
<p>Significant faults in the management and quality assurance of some or all NALP qualifications</p> <p>Previously agreed corrective measures relating to Level 4 non-compliance are not implemented</p> <p>Security of assessment papers has been breached on a national or international level and evidence shows that the Centre was complicit in this breach</p> <p>The Centre, Assessor, Moderator or Learner refuse to cooperate in any investigation into an actual or potential malpractice or</p>	<p>Level 5 –</p> <p>Centre: Immediate and irrevocable withdrawal of approval for all NALP qualifications</p> <p>Assessor/Moderator: Immediate dismissal from the assessment team</p> <p>Learner: Withdrawal from the qualification affected and a full review of all other</p>	<p>The implications of the malpractice are too severe to warrant anything other than those sanctions stated due to the seriousness of the adverse effect the actions of the Centre,</p>	<p>Not Applicable. If a Level 5 Sanction has been imposed, this is irrevocable.</p>

Non-compliance issue	Sanction	Rationale	Sanction lifted when
<p>maladministration, regardless of the seriousness of the alleged non-compliance</p> <p>Investigations into a Level 3 Conflict of Interest in respect of an assessor or moderator uncovers that the conflict was deliberately withheld and the assessment decision was biased</p>	<p>qualifications they may have taken</p> <p>All: Notification to Ofqual and any relevant awarding organisations and/or other third parties</p>	<p>assessor, moderator or Learner has caused</p>	

## Appendix C – Malpractice Report Template

<b>Date issue identified /RO notified:</b>		<b>How found:</b>	
<b>Notifier:</b>		<b>Role:</b>	
<b>Centre Name:</b>			
<b>Investigator:</b>		<b>Role:</b>	

<b>Background to Centre, including EQA activity</b>	
<b>Date Issue Occurred:</b>	
<b>Qualification(s) affected:</b>	
<b>Details of issue(s) identified:</b>	
<b>Initial Sanction(s) applied:</b>	
<b>Risks / Rationale for Sanction(s):</b>	
<b>Regulator(s) Notified:</b>	
<b>Date Regulator(s) notified:</b>	
<b>Date A8.7 Notification Sent:</b>	
<b>Any additional 3<sup>rd</sup> parties notified:</b>	
<b>Details of Learners contacted:</b>	
<b>Dates and Summary of Response(s) received from learners:</b>	
<b>Date and summary of response from Centre:</b>	
<b>Decision, including rationale:</b>	

**Malpractice & Maladministration Policy**  
**Appendix C – Malpractice Report Template**

<b>Final Sanction(s) applied:</b>				
<b>Action Plan:</b>	<b>Action 1</b>		<b>Date Complete</b>	
	<b>Action 2</b>		<b>Date Complete</b>	
	<b>Action 3</b>		<b>Date Complete</b>	
	<b>Action 4</b>		<b>Date Complete</b>	
<b>Details of any follow up actions:</b>				

**Sign Off:**

<b>Date Checked:</b>		<b>Checked By:</b>	
<b>Comments/ Observations:</b>			
<b>Signed:</b>		<b>Date:</b>	