

Malpractice & Maladministration Policy

1. Purpose

This policy explains how Johnson Training Ltd (JTL) prevents, identifies, reports, investigates and manages suspected or actual malpractice and maladministration.

It applies to learners, staff, assessors, internal quality assurers and any other person involved in the delivery, assessment or quality assurance of JTL qualifications.

JTL is committed to protecting the integrity of assessment and certification processes and ensuring that all concerns are handled fairly, consistently, confidentially and without unnecessary delay.

2. Definitions

Malpractice

Malpractice is any deliberate act, omission, neglect or practice that breaches regulations or compromises, attempts to compromise, or could compromise:

- the assessment process;
- the integrity of a regulated qualification;
- the validity of results or certificates;
- the reputation or credibility of JTL, its qualifications or the wider qualifications sector.

Examples may include falsification of records, fraudulent certification claims, deliberate failure to follow assessment requirements, misconduct, or discrimination or bias affecting individual learners or groups of learners.

Maladministration

Maladministration is any act, omission or administrative practice that results in non-compliance with applicable requirements, JTL policies, procedures or agreements.

This includes persistent administrative errors, inadequate record keeping or poor administrative practices, whether or not they are intentional.

3. Responsibilities and Prevention

All staff involved in the management, assessment and quality assurance of JTL qualifications, together with learners where applicable, must be aware of this policy.

JTL will maintain appropriate arrangements to prevent, identify and investigate malpractice and maladministration.

Assessment and internal quality assurance activities must be accurately recorded and undertaken in accordance with JTL's quality assurance arrangements and relevant qualification and assessment guidance.

Registration and certification records must be appropriately checked before certification claims are submitted.

4. Reporting Concerns

Anyone who becomes aware of suspected or actual malpractice or maladministration must report it promptly to the **Operations Director at JTL**.

Reports should normally be made in writing or by email and should include supporting evidence where available.

Where relevant, a report should include:

- the learner's name and JTL registration number;
- the name and role of any JTL personnel involved;
- the qualification or service affected;
- details of the suspected or actual malpractice or maladministration, including relevant dates; and
- details and outcomes of any initial investigation, including relevant mitigating circumstances.

5. Confidentiality and Whistleblowing

JTL will handle allegations sensitively and confidentially, subject to its legal and regulatory obligations.

Individuals may request that their identity is withheld where possible. However, complete anonymity cannot always be guaranteed if disclosure is necessary to conduct a fair and effective investigation. Where possible, this will be discussed with the person raising the concern before their identity is disclosed.

Anonymous allegations may be investigated. Where appropriate, JTL may seek independent supporting evidence before raising an allegation with the person concerned.

6. Investigation

JTL will investigate allegations fairly, proportionately and in a timely manner. This may include requesting further information, reviewing records and interviewing relevant individuals.

Anyone against whom an allegation is made will normally be informed of the substance of the allegation, the potential consequences and given a reasonable opportunity to respond.

JTL may withhold the results of an individual learner or an affected cohort while suspected or actual malpractice or maladministration is being investigated where this is necessary to protect the integrity of assessment or certification.

7. Records and Data

All investigation material will be stored securely and handled in accordance with applicable data protection requirements.

Records and original documentation relating to a completed investigation will normally be retained for at least five years, subject to applicable data protection and legal requirements.

Where an investigation results in certificate invalidation or criminal or civil proceedings, relevant records will be retained until the case and any appeal have concluded and for five years thereafter.

JTL will maintain a record of allegations received, including allegations that were not progressed to a formal investigation, where appropriate and lawful.

8. Investigation Outcomes

Where malpractice or maladministration is established, JTL will take appropriate and proportionate action to:

- protect the integrity of assessment and certification;
- maintain confidence in the delivery and awarding of qualifications;
- prevent recurrence and discourage similar conduct; and
- ensure that no individual or organisation benefits from compromising JTL's standards.

Actions taken will reflect the nature, seriousness and impact of the case.

9. Appeals

Any relevant party wishing to appeal a decision arising from a malpractice or maladministration investigation should follow JTL's **Appeals Policy**.

10. Policy Review

This policy will be reviewed regularly to ensure that it remains appropriate, effective and up to date.

The policy will be made available to all relevant members of staff.

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Position:	Managing Director
Signature:	
Date:	30 10 2018

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Review date	Reviewed by:	Comments	Version
30 10 2019	JJ	No changes required	2
29 10 2020	JJ	No changes required	2
30/10/2021	JJ	No Change required	3
30/10/2022	JJ	No Change required	4
30/10/2023	JJ	No Change required	5
29/08/2024	MJ	Minor revisions to layout	6
01/09/2025	MJ	Minor revisions to wording and layout	7
01/09/2026	MJ	Policy reviewed and updated	8
The next policy review date is 01/09/2027			