Diamond People (NE) trading as Tyneside Training Services



Malpractice and Maladministration Policy V4

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1. Policy Statement

Tyneside Training Services (TTS) is committed to ensuring the highest standards of integrity, quality and compliance across all aspects of learning, assessment and certification. The organisation recognises its responsibility to protect the validity of qualifications, safeguard public confidence in achievement outcomes and ensure compliance with awarding organisation, funding and regulatory requirements.

TTS operates a zero-tolerance approach to malpractice and takes all reasonable measures to prevent, identify, investigate and address any occurrence of malpractice or maladministration. This policy applies to all provision delivered by the organisation, including regulated qualifications, Apprenticeships, Adult Skills Programmes and commercial training programmes.

All concerns will be managed fairly, objectively and confidentially, ensuring that the rights of learners, staff and stakeholders are protected throughout any investigation.

2. Purpose

The purpose of this policy is to provide a clear framework for preventing, identifying and responding to malpractice and maladministration. It supports the organisation's commitment to maintaining the integrity of assessment, ensuring compliance with regulatory requirements and promoting a culture of honesty, accountability and continuous improvement.

The policy also aims to ensure that all allegations are dealt with consistently and that appropriate action is taken to minimise the risk of recurrence.

3. Legislative and Regulatory Context

This policy has been developed in accordance with current regulatory, legislative and contractual requirements, including the Ofqual General Conditions of Recognition, awarding organisation requirements, Department for Education funding agreements and relevant legislation governing education, data protection, equality and fraud prevention.

The policy reflects the requirements of the Data Protection Act 2018, UK General Data Protection Regulation (UK GDPR), Equality Act 2010, Fraud Act 2006, Public Interest Disclosure Act 1998 and the Apprenticeships, Skills, Children and Learning Act 2009. It also takes account of current requirements relating to Apprenticeships and Adult Skills Fund provision.

4. Scope

This policy applies to all individuals involved in the delivery, management, assessment or quality assurance of TTS programmes. This includes employees, managers, tutors, trainers, assessors, Internal Quality Assurers, learners, apprentices, employers, workplace mentors, subcontractors and any other individual acting on behalf of the organisation.

All parties are expected to act honestly, professionally and in accordance with the standards outlined within this policy.

5. Definitions

5.1 Malpractice

Malpractice is any deliberate action, neglect or misconduct that compromises, or has the potential to compromise, the integrity of assessment, the validity of learner achievement, funding compliance or the reputation of TTS and its awarding organisations.

Examples of learner malpractice may include plagiarism, collusion, impersonation, cheating during assessments, falsification of evidence, misrepresentation of prior achievement and the unauthorised use of artificial intelligence or other digital technologies to generate assessed work.

Staff malpractice may include the falsification of learner records, alteration of assessment decisions, fraudulent certification claims, fabrication of attendance records or progress reviews, claiming funding for ineligible learners, deliberate breaches of awarding organisation requirements or misuse of learner information.

5.2 Maladministration

Maladministration refers to any unintentional act, omission or poor practice that results in non-compliance with regulatory, contractual or awarding organisation requirements. Examples may include inaccurate learner registrations, certification errors, administrative mistakes, poor record keeping or failure to follow established assessment and quality assurance procedures.

6. Roles and Responsibilities

The Senior Leadership Team holds overall responsibility for the effective implementation of this policy and for ensuring that appropriate action is taken where malpractice or maladministration is identified.

The Quality Team is responsible for monitoring compliance, providing guidance and training, conducting investigations and ensuring that corrective actions are implemented where necessary. The team will also liaise with awarding organisations, regulators and funding bodies when required.

All tutors, trainers, assessors and Internal Quality Assurers are responsible for maintaining the integrity of assessment practices and for reporting any concerns promptly. Learners are responsible for ensuring that all work submitted is their own and for complying with the assessment requirements associated with their programme.

7. Reporting Concerns

All individuals associated with TTS have a responsibility to report suspected malpractice or maladministration as soon as reasonably possible. Concerns should normally be reported to a Line Manager or member of the Quality Team.

Where an individual feels unable to report concerns through normal management channels, the matter may be raised through the organisation's Whistleblowing Policy. TTS is committed to ensuring that any individual who reports a concern in good faith is protected from victimisation, discrimination or any other form of detrimental treatment.

8. Investigation Process

Upon receiving an allegation of malpractice or maladministration, TTS will undertake a proportionate and impartial investigation. The organisation will review all available evidence, interview relevant individuals where necessary and establish the facts before reaching a decision.

Investigations will be conducted promptly and confidentially, with due consideration given to the impact on learners, certification, funding compliance, regulatory obligations and organisational reputation. Where appropriate, reasonable adjustments will be made to ensure that all parties can fully participate in the process.

The outcome of each investigation will be documented, together with any actions required to address identified concerns and prevent recurrence.

9. Conflicts of Interest

To ensure impartiality and fairness, any individual involved in an investigation must declare any actual, perceived or potential conflict of interest. Where a conflict exists, that individual will take no part in the investigation or any decisions arising from it.

10. Regulatory Notification

TTS recognises its obligations to inform awarding organisations, End-Point Assessment Organisations, funding bodies and regulators where required. Significant cases of malpractice, fraud, certification risk, funding irregularity, serious data breaches or safeguarding concerns will be reported promptly in accordance with applicable requirements.

11. Outcomes and Sanctions

Where malpractice or maladministration is substantiated, TTS will take appropriate action based on the nature and severity of the findings. Actions may range from additional training and procedural improvements to disciplinary action, reassessment, withdrawal of certification or referral to external authorities.

The organisation will also implement corrective and preventative measures to reduce the likelihood of similar incidents occurring in the future.

12. Appeals

Any individual directly affected by the outcome of a malpractice or maladministration investigation has the right to appeal. Appeals must be submitted in writing within ten working days of the outcome being communicated and should clearly outline the grounds upon which the appeal is based.

Appeals will be reviewed by an individual or panel not previously involved in the original investigation. A written response will be issued following completion of the review. Where the appellant remains dissatisfied, they may seek further review through the relevant awarding organisation or regulatory body.

13. Record Keeping and Data Protection

TTS will maintain accurate records relating to all allegations, investigations and outcomes. Records will be stored securely and retained in accordance with data protection legislation, funding requirements and awarding organisation expectations.

Investigation records will normally be retained for a minimum period of six years unless a longer retention period is required.

14. Equality, Diversity and Inclusion

TTS is committed to ensuring that all investigations are conducted in a fair, transparent and inclusive manner. No individual will be disadvantaged as a result of any protected characteristic, and reasonable adjustments will be made where necessary to ensure equitable participation in investigative and appeals processes.

15. Related Policies

This policy should be read in conjunction with the following policies:

Assessment Policy

Internal Quality Assurance Policy

Complaints & Appeals Policy

Safeguarding and Prevent Policy

Data Protection Policy

Equality, Diversity and Inclusion Policy

Whistleblowing Policy

AI and Digital Safety Policy

16. Monitoring and Review

TTS recognises that maintaining the integrity of assessment and learner achievement is fundamental to the delivery of high-quality education and training. The effectiveness of this policy will be monitored through quality assurance activities, investigations, audit findings and stakeholder feedback.

The policy will be reviewed annually, or earlier where changes to legislation, funding requirements, regulatory expectations or organisational practice make this necessary.

Version Control

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