



Malpractice and Maladministration Policy

Who is this policy for?

This policy is for centres and their staff, learners, AIM Qualifications and Assessment Group staff or other personnel in relation to malpractice and/or maladministration on AIM Qualifications and Assessment Group approved qualifications or units delivered within or outside the UK.

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1	July 2022	Document created
2	October 2024	<ul style="list-style-type: none"> Section 2.1 added definition of malpractice and maladministration Section 2.3 clarified when a centre/AIM will investigate learner suspected/actual malpractice Section 2.5.1 added AIM may contact ESFA and safeguarding contacts. Section 2.5.2 added different ways AIM may become aware of suspected/actual malpractice Section 2.6.1 amended process for reporting suspected/actual malpractice. Section 2.6.2 added - Notification to the regulator Section 2.6.3.1 added - Incident reports Section 2.6.3.2 added - Review of cases of suspected/actual malpractice Section 2.6.3.3 added - Investigation of suspected/actual malpractice Section 2.6.3.4 added - Outcome of Investigation Section 2.6.3.5 added - Malpractice panel
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Section 1 – Scope

1.1 About us

AIM Qualifications and Assessment Group is a leading **Awarding Organisation** and one of the UK's largest **Access Validating Agencies (AVA)**. We work in partnership with colleges, independent training providers, universities, employers and voluntary organisations to develop accredited and regulated vocational qualifications. Our qualifications cover a range of academic levels from Entry Level to Level 6 across a wide range of subject areas. As an AVA we are licensed by the Quality Assurance Agency (QAA) to develop and award nationally recognised Access to Higher Education Diplomas. AIM Qualifications and Assessment Group is also an independent, government recognised, **End-Point Assessment Organisation (EPAO)** responsible for an apprentice's final assessment to ensure they can do the job for which they've trained.

1.2 Scope

This Malpractice and Maladministration Policy with related Procedures applies to AIM Qualifications and Assessment Group provision delivered either within or outside the UK.

This policy and related procedures are intended for:

- centres and their staff delivering AIM approved qualifications or units where suspected or actual malpractice or maladministration is found
- learners registered on AIM approved qualifications or units, where suspected or actual malpractice or maladministration is found
- AIM staff to ensure that all malpractice and maladministration investigations are dealt with in a consistent and fair manner

The purpose of this policy and related procedures is to:

- define malpractice, maladministration and adverse effects with illustrative examples
- detail the responsibilities AIM and centres have in relation to suspected or actual cases of malpractice/maladministration
- set out the steps AIM, centres, centre staff, learners or other personnel must take when reporting, investigating and communicating suspected or actual cases of malpractice/maladministration
- detail actions required after proven instances of malpractice or maladministration
- provide the regulatory references which apply
- give details of supplementary linked supporting documents
- provide useful contacts of both AIM and its regulators

Section 2 – Policy Detail

2.1 Definition

2.1.1 Maladministration is defined as any act, default or practice where:

- the management, administration of records or conduct of delivery results in consistent and/or widespread errors
- inadequate administration within a centre which compromises the reliability of the internal assessment process and/or the validity of a qualification.

2.1.2 Malpractice can be defined as any act, default or practice which is deemed to be:

- a breach of the AIM Qualifications and Assessment Group centre agreement
- a breach of AIM Qualifications and Assessment Group's requirements for the delivery or assessment of a qualification.
- a failure to follow policies and procedures in relation to a qualification, which:
 - gives rise to prejudice to candidates
 - compromises public confidence in qualifications
 - compromises or may compromise the process of assessment, the integrity of any
 - qualification or the validity of a result or certificate
 - damages the authority, reputation or credibility of AIM Qualifications and Assessment Group

2.1.3 An Adverse Effect is any act, omission, event, incident, or circumstance where it gives rise to prejudice to learners or potential learners or adversely affects:

- the ability of the awarding organisation to undertake the development, delivery, or award of qualifications in a way that complies with its regulators
- the standards of qualifications which the awarding organisation makes available or proposes to make available
- public confidence in qualifications

2.2 Maladministration

The items listed below are examples of actions which may constitute centre maladministration. These are not exhaustive, and the examples are only intended as indicative guidance.

2.2.1 Maladministration examples

- Persistent failure to continually adhere to the centre recognition and/or qualification approval criteria of AIM.
- Persistent failure to follow AIM Qualifications and Assessment group Registration and Certification processes.
- Persistent failure to adhere to centre actions assigned by AIM Qualifications and Assessment group.
- Withholding or delaying information from AIM Qualifications and Assessment group, which is required to assure the centre's ability to deliver qualifications appropriately.
- Failure to maintain appropriate and effective auditable records.
- Misuse of the AIM Qualifications and Assessment Group logo and trademarks.
- Persistent mistakes or poor administration within a centre.
- Giving inaccurate advice to learners.
- Inaccurate or misleading statements.

2.3 Malpractice

The items listed below are examples of actions which may constitute centre, centre staff, learner or AIM malpractice. These are not exhaustive, and the examples are only intended as indicative guidance.

2.3.1 Centre Malpractice examples

- Failure to adhere to AIM learner registration and certification procedures.
- Failure to continually adhere to the centre recognition and/or qualification approval criteria of AIM.
- Failure to adhere to the AIM Qualifications and Assessment group centre agreement.
- Failure to maintain appropriate auditable records, e.g., certification claims and/or forgery of evidence.
- Persistent instances of maladministration within the centre.
- Failure to continually address centre actions assigned by AIM Qualifications and Assessment Group.
- Intentional withholding of information from AIM Qualifications and Assessment Group which is critical to maintaining the rigour of quality assurance and standards of qualifications.
- Misuse of the AIM Qualifications and Assessment Group logo and trademarks.
- Permitting collusion in examinations/assessments.
- Misrepresentation of a centre's relationship with AIM Qualifications and Assessment Group and/or its recognition and approval status with AIM.
- Contravention by a centre of the assessment arrangements specified for AIM qualifications.
- Failure to provide appropriate facilities for the security of assessment/examination materials.

- A loss, theft of or a breach of confidentiality in any assessment/examination materials.
- Submission of false information to gain a qualification or unit.
- Falsification of records to claim certificates.
- Failure to adhere to, or to circumvent, the requirements of the Reasonable Adjustments and Special Considerations Policy and Procedures of AIM.
- Failure to keep secure records.
- Failure to keep externally set assessment papers secure prior to or after assessment.
- Failure to inform AIM Qualifications and Assessment Group of a data breach which results in the loss/damage to learner assessment evidence.

2.3.2 Centre Staff Malpractice examples

- Completing whole or partial assessments on behalf of learners or giving inappropriate support.
- Unauthorised amendment, copying or distributing of examination/assessment papers/materials.
- Discrimination against or bias towards any learner.
- Providing improper assistance to learners during assessments.
- Failing to keep assessment papers secure prior to assessment.
- Making fraudulent claims for certificates.
- Falsifying learner records, assessment/examination records, internal quality assurance records and/or authentication statements.
- Deception
- Breach of security of AIM Qualifications and Assessment Group assessment/examination materials.
- Failure to adhere to regulations.
- Failure to adhere to the AIM Qualifications and Assessment group centre agreement.
- Sharing of AIM Qualifications and Assessment Group qualification, assessment or examination materials for the purposes of use with another awarding organisation.
- Failure to comply with requirements for qualification delivery.
- Denial of access to records, information, learners and centre staff to any authorised AIM representative and/or the regulatory authorities.
- Withholding of information from AIM Qualifications and Assessment Group which is critical to maintaining the rigour of quality assurance and standards of qualifications.
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with AIM Qualifications and Assessment Group requirements.
- Permitting collusion in assessment cheating.
- Allowing learners to be working towards a qualification after certification claims have been made.

- Failure to identify plagiarism or the use of AI within learner evidence.

2.3.3 Learner malpractice examples

- The unauthorised use of inappropriate materials/equipment in assessment settings (eg, mobile phones).
- Plagiarism including the use of AI within assessment/examination tasks.
- Collusion by submitting the work of another learner (with their consent) as their own
- Collusion in examinations/assessments.
- Contravention by a learner of the assessment arrangements specified AIM qualifications.
- The destruction of another learner's work.
- Inclusion of inappropriate evidence in assessment.
- Impersonation by assuming the identity of another learner or having someone assume their identity in relation to an assessment.
- Acting in a disruptive manner during an assessment.
- The inclusion of inappropriate, offensive or obscene material in assessment/examination tasks.
- Submission of false information to gain a qualification.
- Selling certificates or assessment details.
- Intimidation and or bullying to acquire assessments from another learner.

Where the malpractice by learners in coursework or assessment has been identified prior to the learner certification being submitted, it is expected the centre will deal with the malpractice in accordance with the centre's internal procedures.

AIM will only investigate incidents of learner plagiarism when a declaration of authenticity has been signed by the learner and will consider learner work submitted for assessment electronically via an e-portfolio or by any other electronic means as having been declared as authentic by the learner.

2.3.4 AIM malpractice

Examples:

- General failure to comply with own policies and procedures
- Insecure storage of assessment materials
- Failure to declare a conflict of interest
- Deception
- Substantial errors in assessment materials
- Complicity with others in making false claims for certification

- Failure to retain impartiality in making assessment decisions
- Failure to meet published timelines for assessment or award
- Issue of incorrect results or certificates

2.4 Rights of the individual

Where an individual (centre staff or learner) is accused of suspected or actual malpractice or maladministration, the individual must:

- be informed of the allegation and the evidence there is to support it
- be told of the possible consequences should malpractice or maladministration be proven
- be given appropriate time to consider, seek advice about, respond to and submit a written statement about the allegation
- be informed about the AIM Enquiries and Appeals Policy and the contents of it, should a decision be made against them

2.5 Responsibilities

2.5.1 AIM responsibilities

Overseen by the Compliance Director, AIM will:

- take all reasonable steps to prevent any adverse effects from occurring due to suspected or actual cases of malpractice and maladministration
- chair a scoping meeting to establish the appropriate action required for all cases of suspected malpractice and allocate an appropriate Investigation Officer and supporting officer where an investigation is required
- ensure that AIM staff members assigned to an investigation of suspected or actual malpractice/maladministration have the appropriate level of training and competence, and that they have had no previous involvement or personal interest in the matter
- notify the Head of the Centre and/or Quality Manager involved in any allegation of suspected or actual malpractice/maladministration of the investigation
- withhold from the centre details of the person making the allegation if to do so would breach a duty of confidentiality or any other legal duty
- protect the identity of the complainant, in all cases of reported suspected or actual malpractice or maladministration, in accordance with the duty of confidentiality and/or any other legal duty of AIM Qualifications and Assessment Group
- inform another awarding organisation where the allegation may affect that other awarding organisation and their provision

- ask the centre to investigate any suspected or actual case of learner malpractice, in liaison with AIM's own personnel
- inform the appropriate regulatory authorities, if it is believed that there has been an incident of malpractice or maladministration which could either invalidate the award of a qualification or which could affect another awarding organisation
- If appropriate, contact the ESFA in relation to funding concerns.
- If concerns are raised in relation to safeguarding of centre staff or learners, contact the safeguarding officer at the centre or if necessary, notify the police
- inform the police if a criminal act was involved in proven malpractice
- withhold issuing results until the conclusion of an investigation, or permanently, where the outcome of the investigation warrants it
- apply the appropriate sanctions, penalties, and special conditions in cases of proven malpractice or maladministration in accordance with the Sanctions Policy

2.5.2 Centre responsibilities

All centres delivering AIM Qualifications and Assessment Group qualifications must:

- have a policy in place for dealing with malpractice and maladministration, with a named person, normally the Head of Centre having responsibility for reporting all suspicions or actual incidents of malpractice or maladministration to AIM
- ensure that all centre staff involved in the management, assessment and quality assurance of AIM qualifications, and any learners undertaking one are fully aware of the contents of the centre's Malpractice and Maladministration policy
- ensure that all centre staff involved in the management, assessment and quality assurance of AIM qualifications, and any learners undertaking one are fully aware of the contents of AIM Qualifications and Assessment Group Malpractice and Maladministration policy
- ensure that anyone who identifies or is made aware of suspected or actual cases of malpractice or maladministration immediately notifies AIM in writing enclosing all appropriate supporting evidence
- ensure that all cases of suspected or actual instances of malpractice or maladministration are correctly reported
- ensure that centre staff involved in any initial investigation are competent and have no personal interest in the outcome of the investigation
- fully co-operate with any investigation as per the AIM Qualifications and Assessment Group Centre agreement
- comply with all requests for information in the timescales specified as per the AIM Qualifications and Assessment Group Centre agreement
- ensure that the Head of Centre normally personally supervises all investigations resulting from an allegation of malpractice. However, if it is necessary to delegate an investigation to a member of centre

staff, they must ensure that the member of staff selected is independent, and not connected to the department involved in the suspected or actual case of malpractice or maladministration

- notify AIM if any personnel involved, in the malpractice or maladministration, leave the centre
- inform centre staff and learners affected by suspected or actual malpractice or maladministration of the implications of any actions or sanctions
- implement required actions as a result of the investigation
- maintain confidentiality of information and comply with data protection legislation
- securely retain any relevant documentation

A failure to report suspected or actual cases of malpractice or maladministration or have in place effective arrangements to prevent such cases, may lead to sanctions being imposed on the centre (see the [AIM Sanctions Policy](#) for details of the sanctions that may be imposed).

In addition to notification via a centre, AIM Qualifications and Assessment group may become aware of cases of suspect or actual malpractice or maladministration.

All AIM staff including all associate staff have a responsibility to escalate suspected malpractice or maladministration. This could be for example via external quality assurance monitoring or marking of examination papers. All cases will be escalated immediately to the compliance team for further investigation.

AIM may receive allegations of malpractice through complaints or whistleblowers. Anonymous reports will only be acted upon if there is supporting evidence, or if the nature of the report warrants it.

AIM may receive notification or communication from a regulator which AIM is duty bound to be investigated.

2.6 Process

The following sets out the procedures which should be followed in instances of suspected or actual malpractice or maladministration.

2.6.1 Notification of suspected or actual malpractice or maladministration

Any cases of suspected or actual malpractice or maladministration must be reported to AIM in writing via a form which can be found on AIM's website. The form must be emailed to compliance@aimgroup.org.uk.

AIM will acknowledge receipt of the allegations within two working days and provide details of the next steps.

2.6.2 Notification to the regulators

An awarding organisation must promptly notify the appropriate regulator when it has cause to believe that an event has occurred or is likely to occur which could have an adverse effect.

The responsible officer will submit notifications of suspected or actual malpractice to the appropriate regulator(s). Centres and or individuals will be notified if the regulator(s) have been notified as part of the notification of investigation letter.

2.6.3 Investigating suspected or actual malpractice or maladministration

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be based around the following broad objectives:

- To establish the facts relating to allegations/complaints to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities.
- To evaluate any action already taken by the centre.
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of the qualification.
- To ascertain whether any action is required in respect of certificates already issued.
- To obtain clear reliable evidence to support any sanctions to be applied to the centre, and/or to members of staff, in accordance with AIM's Sanctions Policy.
- To identify any adverse patterns or trends.

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, AIM reserve the right to impose sanctions on the centre, in accordance with the Sanctions Policy, to protect the interests of learners and the integrity of the qualifications.

AIM also reserve the right to withhold a learner's, and/or cohorts' results for all the courses/qualifications and/or units they are studying at the time of the notification or investigation of suspected or actual malpractice/maladministration.

2.6.3.1 Incident Reports

In cases of maladministration or complaints, an incident report will be sent to the Head of Centre. The incident report will specify the allegations made, the information required by AIM and any evidence to be provided.

AIM will review the responses and evidence provided. This could result in any of the following:

- Further evidence and or responses required
- Centre audit visit
- Referral to a scoping meeting
- Sanctions and or action plan applied

Any incident reports will be recorded against the centre and reviewed alongside any other issues for a three-year period.

2.6.3.2 Review of cases of suspected or actual malpractice

In cases of suspected or actual malpractice, evidence should be reviewed by the Compliance team and where appropriate a scoping meeting scheduled.

A scoping meeting is chaired by the Compliance Director and will establish the following:

- Proposed format of investigation e.g. Centre led investigation, centre audit visit, AIM led investigation which could involve interviews with staff and learners.
- Review of evidence to base the decision to investigate.
- Potential Centre agreement and/or Policy breaches (if applicable).
- Authorisation to investigate and allocation of Senior Investigating Officer.
- Conflicts of interest confirmed.

In cases where the Compliance Director does not deem an investigation necessary, a centre audit visit or incident report may be required. This may be where evidence is not sufficient to support allegations of malpractice or there have been multiple incidences of maladministration and further investigation of the issues is required.

2.6.3.3 Investigation of suspected or actual malpractice

Where the Compliance Director deems an investigation is required, AIM will notify centres of the investigation via letter within five working days of the scoping meeting taking place. The letter will detail the reasons for the investigation and the format the investigation will take. Centres are required to acknowledge receipt of the letter/s and confirm deadlines can be met.

Investigations can take two formats:

- Centre led investigation – Centres will be required to complete a centre investigation report which will stipulate the concern raised, the requirements of the investigation and any evidence required to be provided. Evidence will be reviewed and the next steps considered. AIM may deem enough evidence has been provided to close the investigation and proceed to a sanctions panel if required or further evidence may be required. It could be deemed that following review of the evidence provided a centre audit visit or interviews of staff or learners is required.
- AIM led investigation – Centres will be notified of AIMs intent to investigate and the format that investigation will take. This may include interviews with staff and or learners or a centre audit visit to take place or additional quality assurance monitoring to take place. Once the initial investigation has been completed, AIM may deem enough evidence has been provided to close the investigation and proceed to a sanctions panel if required or further evidence may be required.

AIM reserves the right to undertake unannounced investigation visit activity where it is deemed appropriate.

AIM will endeavour to complete all investigations within 30 working days of notification of the incident however investigations can be delayed due to:

- Unforeseen circumstances.
- Further requests for information and evidence to be provided.
- The need to expand our lines of enquiry during the investigation process as new information becomes available.

AIM will provide reasonable deadlines for all requests during the investigation in line with the centre agreement.

During the investigation no feedback will be provided and any meetings or interviews which take place during the investigation will be recorded for the purposes of minutes /transcripts to be produced. The recordings will not be shared outside of the AIM organisation.

During the investigation, AIM reserves the right to put special conditions on a centre. The following list is not an exhaustive list and will be dependent on the specific incident circumstances.

- Place a centre on STOP. This means no new learners can be enrolled or registered onto the programme.
- Withhold the release of certificates.
- Modify results or certificates.
- Recall or invalidate certificates that have been previously issued.
- Withhold examination papers or assessment materials, if the security of the materials is considered at risk pending the outcome of the investigation.
- Arrange for additional external quality assurance monitoring to take place before certification of learners can take place. This could be applied to either a cohort or individual learner level.

2.6.3.4 Outcomes of Investigations

Following the completion of the investigation a report will be completed by the Senior Investigation Officer and a malpractice panel will be convened.

The centre will be provided with a copy of the report to check for factual accuracy. The centre will be provided an opportunity to submit representations which will be considered by the panel. Representations must be submitted within five working days of receipt of the report.

If a member of staff has left the centre, or the centre or learner is no longer continuing with the qualification in question, AIM will still consider the application of a sanction following the investigation.

Once representations have been received or the five working day period has passed, a malpractice panel will be convened.

2.6.3.5 Malpractice panel

The malpractice panel is chaired by the Head of Access and Compliance and follows a detailed term of reference and agenda. Any deviation from the terms of reference must be clearly detailed and justified in the minutes of the panel.

The panel will consider the following:

- If correct procedures have been followed throughout the investigation
- The allegation details, centre background and findings of the investigation
- Representations presented by the centre/individual(s)
- Sanctions to be applied are proportionate and follow the AIM sanctions policy
- Notifications to other parties such as the regulator, awarding organisations or third parties

The panel may impose on the centre actions with specified deadlines and sanctions in accordance with the Sanctions Policy, to address the instance of malpractice or maladministration and to prevent it from reoccurring.

2.6.3.6 Communicating the outcome of the investigation

Following the panel, the Senior investigating officer will inform the centre of the outcome of the investigation via letter within five working days of the panel.

The letter will inform the centre and or individuals involved of the sanctions applied and any actions required by AIM, the centre and individuals involved.

AIM will ask the centre to inform any individuals or learners affected by the investigation of the outcome and of any sanctions or actions applied.

In cases where certificates are deemed invalid, AIM will inform the centre and the regulatory authorities of any cases where one or more certificates are deemed to be invalid, identifying why they are invalid and stating any action that needs to be taken for reassessment and/or for the withdrawal of the certificates.

AIM will ask the centre to let the affected learner(s) know the action being taken and that their original certificate(s) are invalid. AIM will also ask the centre to return the original certificate(s), if possible. AIM will also amend their database so that duplicates of the invalid certificate(s) cannot be issued, and it is expected that the centre amends their records to show that the original awards are invalid.

- Amend aspects of the qualification assessment and/or monitoring arrangements and associated guidance to prevent the issue from reoccurring. Inform relevant third parties (e.g., funding bodies) of the findings, in case they need to take relevant action in relation to the centre.

In proven cases of malpractice and/or maladministration by a centre, AIM reserves the right to charge the centre for any resits and reissuing of certificates and/or additional external verifier visits. These fees will be the current AIM prices for such activities at the time of the investigation

- AIM reserves the right to terminate association with any centre in accordance with the Centre Agreement.
- AIM staff will not engage with abusive complainants or persistent and repeated contacts from complainants as these reduce the time that can be dedicated to carrying out the investigations.

2.7 Appeals against the decision or action

If the relevant party(ies) wishes to appeal against the decision to impose sanctions, please refer to the [AIM Enquiries and appeals policy](#).

Section 3 - Regulatory References

3.1 Regulatory criteria

This policy is intended to meet our regulatory requirements. In particular:

Section	Condition/Licensing criteria/Principle
Conflicts of interest	Condition A4
Identification and management of risks	Condition A6
Management of incidents	Condition A7
Malpractice and maladministration	Condition A8
Notification of certain events	Condition B3
Arrangements with centres	Condition C2.3a, b, c
Maintaining confidentiality of assessment materials	Condition G4
Moderation where an assessment is marked by a centre	Condition H2
Appeals process	Condition I1
Documented accessible procedures for appeals	Licensing Criteria 30a, c
Procedures for appeals	Licensing Criteria 31
Action to record and remedy errors relating to the award or certification	Licensing Criteria 47
Informing QAA of major errors relating to certificates and actions to be taken	Licensing Criteria 48
Documented procedures for the performance management of providers	Licensing Criteria 56
Action to amend, suspend or withdraw approval from a provider	Licensing Criteria 57
The awarding body and it's providers must ensure that is has safeguards to prevent and manage cases of malpractice and maladministration.	Regulatory principle 18

Section 4 – Appendices and links

The following provides contact details for AIM Qualifications and Assessment Group and its regulators.

AIM Qualifications and Assessment Group Contact details

If you have any queries about the contents of the policy, please contact us.

Telephone: [0844 2253377](tel:0844 2253377)

Email: enquiries@aimgroup.org.uk

CCEA

Telephone: [02890 261 200](tel:02890 261 200)

Email: info@ccea.org.uk

Ofqual

Telephone: [0300 303 3344](tel:0300 303 3344)

Email: public.enquiries@ofqual.gov.uk

Qualifications Wales

Telephone: [0333 077 2701](tel:0333 077 2701)

Email: enquiries@qualificationswales.org.uk

SQA Accreditation

Telephone: [03452791000](tel:03452791000)

Email: accreditation@sqa.org.uk

The Quality Assurance Agency for Higher Education (QAA)

Telephone: [01452 557 000](tel:01452 557 000)

Email: enquiries@qaa.ac.uk

Disclaimer: Please note that any downloaded version of our policies may not be the most current iteration. For the latest updates and accurate information, kindly refer to the version available on our official website.