



Malpractice and maladministration

Policy

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Section 1

1.1 Scope

This End-Point Assessment (EPA) Malpractice and Maladministration Policy with related Procedures applies to AIM Qualifications and Assessment Group EPA (AIM) delivered within England.

This policy and related procedures are intended for employers, providers, and apprentices. It includes the definitions of malpractice within the context of end-point assessments. It includes what action we will take where there is alleged or suspected malpractice and maladministration in EPA. The policy applies to each process associated with end-point assessments: registration, booking, Gateway, end-point assessment delivery, results, and post-results processes.

1.2 About us

AIM 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 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.

Section 2 Malpractice and maladministration

2.1 Malpractice definition

Malpractice is taken to mean any deliberate act, default or practice which is a breach of the regulations or which: gives rise to prejudice to candidates; and/or compromises public confidence in qualifications; and/or compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or damages the authority, reputation or credibility of any awarding organisation or centre or any officer, employee or agent of any awarding body or centre.

2.1.1 Malpractice examples:

- Breaching EPA requirements
- Providers, employers, or apprentices intentionally providing inaccurate or misleading submissions of declaration forms and/or other evidence, within the Gateway process, or during the EPA.
- Providers or employers helping apprentices to answer assessment questions or producing assessment evidence, beyond what EPA requirements allow.
- Submitting or plagiarising work that is not the apprentice's own original work (such as using a project writing service to buy work and submit it as their own, including the use of Artificial intelligence*).
- Giving a false declaration of authenticity of assessment evidence
- Deliberately giving false assessment evidence, records, results and other documents relating to the EPA.
- Intentionally accessing or trying to access and share confidential assessment material.
- Apprentices offering a bribe of any type to invigilators, employer or provider staff or AIM (independent end-point assessors or internal quality assurers).
- Use of unauthorised material or devices during the assessment
- Breaching the invigilation conditions, including inappropriate behaviour
- Anyone failing to cooperate with an investigation or act as requested by AIM

****Artificial intelligence (AI)***

With the use of AI becoming more widespread, AIM has set out rules for its use in end point assessment.

Apprentices should not use AI to generate content that they will present as their own for assessment. We remind apprentices that any EPA work submitted must be their own, unless they explicitly state otherwise. Not following this rule is seen as malpractice, and our EPA malpractice policy will apply. If AI is used in the apprentice's job role, they may present this in a portfolio, project, or assessment.

The key consideration is not to misrepresent material created by AI as the apprentice's own work.

- AI includes, but is not limited to, ChatGPT, Bard, Google Cloud AI Platform, etc.
- Any tools, platforms, formulas, macros, and algorithms used in the course of work are acceptable.

Using AI in EPA Assessments

- If AI is used in the apprentice's role or project, this can be showcased in the **portfolio**. AI must not be presented as the apprentice's own work. If this is not clear in the portfolio, we advise apprentices to make their role clear in accompanying text, in the same way they do when showing their part in teamwork.
- **Observation:** Apprentices are carrying out their normal role so may use AI.
- **Set brief test:** Apprentices may use AI if they wish and we would view this as research, in the same way as if they used a search engine. However, the criteria must be demonstrated by the apprentice. This means that if AI is used, we would expect the apprentice to expand on it/develop an idea/add justification and reasoning, etc, as appropriate to the criteria.

2.2 Maladministration definition

Maladministration includes any actions, neglect, default or other practice that compromises the assessment or quality assurance process, including the integrity of the EPA, the validity of any results or certificates, or the reputation and credibility of AIM.

2.2.1 Maladministration examples:

- Failing to maintain up to date and accurate apprenticeship records
- Failing to provide accurate records about apprentices to AIM.
- Not complying with invigilation requirements
- Any actions that may lead to an apprentice gaining an unfair advantage or disadvantage.

2.3 Reporting suspected malpractice and maladministration in EPA

2.3.1 You must report to AIM any incident of reported, suspected or actual:

- Malpractice or attempted malpractice by employer or training provider staff
- Maladministration by employer or training provider staff, and
- Malpractice or attempted malpractice by apprentices

2.3.2 When reporting incidents, try to include as much information as possible, as a guide this should include:

- The dates of the alleged or suspected malpractice/maladministration
- Employer or training provider details
- The people involved and whether other apprentices have been affected
- Which assessment the incident relates to
- The details of the alleged malpractice/maladministration including the location
- Any supporting evidence, for example statements, emails, or copies of documents.

Incidents should be reported to us using the following email address: compliance@aimgroup.org.uk

If our staff find or suspect malpractice when conducting an EPA, or during quality assurance activities, this will be referred to our compliance team.

2.3.3 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 training provider/employer
- to determine whether remedial action is required to preserve the integrity of the qualification (EPA)
- 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

AIM also reserve the right to withhold an apprentices result for EPA they are undertaking at the time of the notification or investigation of suspected or actual malpractice/maladministration Malpractice and maladministration.



2.3.4 Investigating outcomes of suspected or actual malpractice or maladministration

- If the investigation confirms that malpractice or maladministration has taken place, AIM may:
 - impose actions with specified deadlines
 - amend aspects of the assessment and/or monitoring arrangements and associated guidance to prevent the issue from reoccurring
 - inform relevant third parties (eg, funding bodies) of the findings, in case they need to take relevant action in relation to the training provider
- In proven cases of malpractice and/or maladministration by a centre, AIM reserves the right to charge the centre for any resits and/or additional IQA activity. These fees will be the current AIM prices for such activities at the time of the investigation
- All actions and sanctions imposed will be proportionate to the instance of malpractice and/or maladministration found
- AIM reserves the right to terminate association with any training provider/employer in accordance with the training provider 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

2.4 Communication of decisions

AIM will:

- aim to action and resolve all stages of the investigation within 30 working days of receipt of the allegation. It should be noted that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, all parties will be kept fully informed of the revised timescales and progress
- produce a draft report after an investigation for the parties concerned to check for factual accuracy
- agree between the parties concerned any subsequent amendments to the report
- make the final report available to all parties concerned, regulatory authorities and other external agencies as required
- inform the outcome of the decision to any third party who notified of the suspected or actual case of malpractice or maladministration, normally within 20 working days of the decision being made. It should be noted that some details may be withheld if to disclose such information would breach a duty of confidentiality or any other legal duty

2.5 Rights of the individual

Where an individual 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

2.6

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.

2.7

Anyone wishing to anonymously report actual or suspected malpractice can do so by contacting us by email at compliance@aimgroup.org.uk. Where requested, we will not disclose an informant's identity, unless legally obliged to do so. As our investigations are confidential, we will not be able to disclose to informant's details of the outcome of the investigation is or what action has been taken.

Section 3 Regulatory references

Ofqual General Conditions of Recognition	
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 Third parties	Condition C1
Maintaining confidentiality of assessment materials	Condition G4
H2 Appeals process	Condition I1

Section 4 Appendices and links

Appendix 1 – Useful contacts

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

AIM Contact details

If you have any queries about the contents of the policy, please contact our **Compliance Director**

Telephone: **01332 341822**

Email: **enquiries@aimgroup.org.uk**

Regulator contact details

Ofqual

Telephone: **0300 303 3344**

Email: **public.enquiries@ofqual.gov.uk**