Technical Staff Malpractice and Maladministration Policy

Policy Code:	TE9
Policy Start Date:	September 2026
Policy Review Date:	September 2028

Please read this policy in conjunction with the policies listed below:

- HR12 Staff Disciplinary Policy
- TL4 Learner Malpractice Policy
- TL8 Conflict of Interest (Examinations) Policy
- TL9 Conduct and Administration of Examinations Policy
- TL18 Special Consideration and Reasonable Adjustment Policy

1 Policy Statement

1.1 The policy applies to all staff at The Priory Federation of Academies Trust and outlines the procedure for alleged staff malpractice and/or maladministration.

1.2 For the purpose of this policy, 'technical learners' encompasses T-Level students, apprentices and pupils in KS4-5 studying 'vocational' subjects, for example, BTEC qualifications.

1.3 References to the Trust or Academy within this policy specifically include all nursery, primary, secondary and special academies within the Trust, as well as Priory Apprenticeships and Lincolnshire ITT.

1.4 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.

2 Roles, Responsibilities and Implementation

2.1 The Education & Standards Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Director of Professional Learning.

2.2 This policy is approved by the Education & Standards Committee before being ratified at the next available Trust Board meeting. Approval and ratification is minuted, with records kept by the Clerk to Trustees.

2.3 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success.

3 Aims

3.1 To ensure that standards of assessment are consistent, transparent and in line with the requirements of our awarding bodies.

3.2 To identify the risk of malpractice and maladministration by staff.

3.3 To respond to any incident of alleged malpractice and maladministration promptly and objectively.

3.4 To standardise any investigation of malpractice and maladministration to ensure openness and fairness.

3.5 To protect the integrity of the Trust and the settings within it.

4 Definition of Malpractice

4.1 Malpractice consists of those acts which undermine the integrity and validity of assessment and the certification of qualifications; and/or damage the authority, reputation or credibility of the Trust and those responsible for conducting the assessment and certification.

5 Examples of Malpractice by Staff

5.1 The below are examples of malpractice (this is not an exhaustive or definitive list):

a) improperly assisting learners in the production of work for assessment where the support has the potential to influence the outcomes of assessment, for example where the assistance involves academy staff producing work for the learner;
b) producing falsified witness statements, for example, for evidence the learner has not generated;
c) allowing evidence, which is known by the staff member not to be the learner's work, to be included in a learner's portfolio/assignment;
d) misusing the conditions for special learner requirements, for example where learners are permitted support such as an amanuensis (support is only permissible up to the point where such support has the potential to influence the outcome of the assessment);
e) fraudulent certificate claims, for example, claiming for a certificate prior to the learner completing all the requirements of assessment;
f) failure to keep any awarding body's mark scheme secure;
g) failure to keep an assessment secure prior to the examination;
h) obtaining unauthorised access to assessment;
i) alteration of awarding body assessment and grading criteria;
j) failure to assess learners' work within the required timescale;
k) facilitating or allowing impersonation;
l) falsifying records/certificates, for example by alteration, substitution or by fraud.
m) falsification of off-the-job training records;
n) inaccurate or fabricated progress review documentation;
o) inappropriate sign-off of gateway requirements where competence has not been met.
p) breach of controlled assessment conditions for Employer Set Projects; and/or
q) inappropriate access to secure assessment materials.

6 Definition of Maladministration

6.1 Maladministration is defined as any activity or practice, which results in noncompliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within the Centre (e.g., inappropriate learner records).

7 Examples of Maladministration

7.1 The categories listed below are examples of Centre maladministration. Please note that these examples are not exhaustive and are only intended as guidance:

a) failure to adhere to our learner registration and certification procedures;
b) failure to adhere to Centre recognition and/or qualification requirements and/or associated actions assigned to the Centre;
c) late learner registrations;
d) unreasonable delays in responding to requests and/or communications (e.g., Centre postponement of visits by External Quality Assurers, Inspectors and Gateway Qualifications staff for more than 6 months);
e) failure to train invigilators, trainers or assessors adequately;
f) failure to invigilate to awarding body requirements;
g) failure to ensure that assessment venues meet the awarding bodies' requirements;
h) inaccurate claim for certificates;
i) failure to maintain appropriate auditable records (3 years), e.g., certification claims and/or forgery of evidence;
j) withholding of information, by deliberate act or omission, from the awarding body which is required to assure them of the Centre's ability to deliver qualifications appropriately;
k) misuse of the awarding bodies' logo and/or trademarks or misrepresentation of a Centre's relationship with the awarding bodies and/or its recognition status with them; and/or
l) failure to adhere to, or attempts to circumnavigate, the requirements of the relevant awarding body's Reasonable Adjustments and Special Considerations Policy.

8 Handling of an Alleged Staff Malpractice

8.1 Any allegation of malpractice and/or maladministration will be dealt with in line with the staff disciplinary procedure outlined in HR12 Staff Disciplinary Policy.

8.2 A full and thorough investigation will take place on behalf of the Trust into any allegation of malpractice or maladministration. A formal investigation will be conducted, in a timely, objective and confidential manner, and will include:

- review of all relevant documentation and assessment records;

- interviews with relevant staff and, where appropriate, learners;
- securing of evidence; and
- maintaining a clear audit trail of actions taken and findings.

8.3 The setting will make the staff member(s) involved fully aware, in writing, of the alleged malpractice or maladministration and of the possible consequences should the malpractice or maladministration be proven.

8.4 The setting will give the staff member(s) involved the opportunity to respond to the allegations made and will be given the right of appeal should findings be made against them.

9 Reporting Malpractice and Maladministration

9.1 Any member of staff who identifies, or has reasonable suspicion of, malpractice or maladministration must report this immediately.

9.2 Concerns must be reported to one of the following:

- Head of Centre; or
- Director of Professional Learning.

9.3 Where the concern involves the Head of Centre, it must be escalated to the Director of Professional Learning or Academy Headteacher.

9.4 Reports may be made confidentially and will be handled sensitively in line with Trust policies.

9.5 Suspected malpractice and maladministration must be reported to the relevant awarding body at the earliest opportunity, in line with awarding body requirements. This includes cases where investigations are ongoing.

10 Penalties and Sanctions

10.1 Sanctions will follow the code laid down in HR12 Staff Disciplinary Policy. Any alleged malpractice and/or maladministration involving the administration of learner work will be reported to the respective awarding body.

10.2 Where findings of malpractice and/or maladministration against the member of staff have been made, the appropriate awarding body will be informed.

10.3 Where malpractice or maladministration has impacted learners, the Trust will take all reasonable steps to:

- minimise disadvantage;
- ensure fair reassessment where appropriate;
- communicate clearly with affected learners.

11 Prevention of Malpractice and Maladministration

11.1 The Trust will minimise the risk of malpractice and maladministration by ensuring:

- staff are trained in assessment and awarding body requirements;
- clear assessment and internal verification processes are in place;
- regular standardisation and quality assurance activities are undertaken;
- roles and responsibilities are clearly defined;
- conflicts of interest are declared and managed; and
- secure systems are in place for the storage of assessment materials and records.

12 Policy changes

12.1 This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.