

1st4sport Malpractice and Maladministration Policy

Introduction

This policy sets out details of how 1st4sport aims to prevent, identify and handle cases of suspected or actual malpractice and/or maladministration and therefore it applies to 1st4sport staff, development partners, external quality assurers, recognised centres, learners and relevant third parties.

Maladministration is any activity which is not generally deliberate and covers mistakes or poor process. There has normally been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude, or may result from carelessness or inexperience. Whilst not an exhaustive list, the following are some examples of maladministration in relation to the design, delivery and awarding of qualifications which an awarding organisation makes available or proposes to make available:

- avoidable delay to learner activity (for example, registration, certification or delivery of assessment)
- mistakes arising from inattention
- faulty procedures
- failure to follow correct procedures
- poor record keeping
- inadvertent failure to act
- poor communication
- inadvertently giving misleading or inadequate information
- misunderstanding of 1st4sport Qualifications administration procedures
- misinterpretation of recognised centre conditions or qualification specific requirements
- failure to follow 1st4sport Qualifications procedures for qualification development and implementation.

Malpractice is as any deliberate activity, neglect, default, or other practice that is unethical or unlawful, malpractice will generally involve some form of intent. It may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions. Whilst not an exhaustive list examples of potential malpractice in relation to the design, delivery and awarding of qualifications include:

- cheating, or facilitating cheating, in an assessment
- attempting intentionally to manipulate a result so that it does not reflect the Learner's actual performance in an assessment
- deliberate falsification of assessments by recognised centres, assessors, or learners
- deliberate non-compliance with recognised centre conditions or qualification specific requirements

- deliberate breach or partnership agreements, supply of services or contracts
- deliberate plagiarism by learners
- claiming to have and/or offering to share confidential assessment materials and/or presenting hoax materials as confidential assessment materials
- a learner breaching the rules of the assessment, for example by taking impermissible materials into the assessment
- providing a learner with answers, aiding learners beyond what is permitted, or deliberately failing to apply the mark scheme to a learner's answer
- falsifying a result.

Prevention of malpractice and/or maladministration

1st4sport are committed to the prevention of malpractice and/or maladministration and take every effort to ensure that through its development, delivery and award of its qualifications and assessments that advice, information, and guidance is given to mitigate these. 1st4sport use a risk assessment approach and this is reviewed on a regular basis to ensure the mitigation and management of risk and potential malpractice and/or maladministration of all its activities in the development delivery and award of its qualifications and assessments.

To support this, clear operating rules and support have been established for all stakeholders which must be complied with. Failure to do so will result in investigation by the 1st4sport and subsequent corrective actions will be applied to manage/mitigate any potential adverse effects.

Stakeholder	Operating rules and additional support
UK Coaching and 1st4sport	UK Coaching policies and procedures 1st4sport policies and related procedures, including qualification and assessment development processes Staff development and training Annual review and revision of policies and procedures Risk assessment
Partners and technical consultants	Partnership agreements signed by partners and 1st4sport
External Quality Assurers	Annual Supply of Services agreement, Centre briefings/updates on changes and developments in practice Ongoing continual professional and operational development training

<p>Recognised centres (including workforce)</p>	<p>Annual declaration of compliance relating to recognised centre conditions and qualification conditions</p> <p>Annual declaration of compliance relating to recognised centre conditions and qualification conditions</p> <p>Recognised centre policies and procedures</p> <p>EQA reports and actions</p> <p>Centre briefings/updates on changes and developments in practice</p> <p>Recognised centre handbook</p> <p>Qualifications specifications and related support materials</p>
<p>Learners</p>	<p>Recognised centre policies and procedures.</p> <p>Qualification conditions as detailed in Qualification Specifications.</p> <p>Learning agreement with the recognised centre</p>

Reporting of suspected malpractice and/or maladministration

All allegations of suspected malpractice and/or maladministration relating to the development, delivery, assessment or awarding of 1st4sport qualifications must be notified to 1st4sport immediately, including any related evidence, via email to centreservices@1st4sportqualifications.com

Notifications of suspected malpractice/maladministration/misconduct should include:

- a detailed account of the circumstances that have led to the allegation
- details of any actions taken by stakeholders in relation to the allegation
- any material directly relating to the allegation
- statements from relevant stakeholders (where appropriate)
- any other relevant information/evidence to support the allegation.

The notification is initially processed by the Customer Service and Compliance Co-ordinator (CSCC) and a summary is recorded into the malpractice central register and the Quality and Assessment Manager (QAM) and section manager are notified. The QAM and section manager discuss the declaration to establish the full impact of the scenario

Attention is especially paid to the following specifics:

- details of any actions taken by the stakeholders
- the extent of the incident and any adverse effects this may have had
- the likelihood of the event being repeated
- the cause of the event, if known.

The register will include records of investigations, eventual decisions on the existence of malpractice and maladministration and how each decision was reached. This information will be retained for the life of the qualification, recorded against the learners record or centres record indefinitely.

The 1st4sport risk assessment will also be updated to allow for the identification patterns of behaviour relating to malpractice and maladministration over time, and to take all reasonable steps to identify the risk of the occurrence of any incident which could have an Adverse Effect.

Handling of suspected malpractice and/or maladministration

When an allegation or suspicion comes to light, 1st4sport will act quickly to secure any relevant evidence and information to support its judgements. When deciding whether reasonable grounds for a suspicion or allegation exist, 1st4sport will also consider other relevant factors, including the following:

- the initial information provided with the allegation or other information which gives rise to the suspicion
- the source of any allegation
- any evidence that may reduce the credibility of the allegation
- any previous allegations, suspicions or evidence that may support, or contradict, the facts or information presented; an awarding organisation should cross-reference allegations made against existing records
- any previous relevant investigations in relation to a Centre, whether or not a finding of malpractice or maladministration was made; this should also include details it holds of any investigations into the Centre by another awarding organisation; and
- the time between the alleged malpractice or maladministration and the date the allegation was made.

Where malpractice/maladministration is confirmed in the development, delivery or awarding of qualifications, 1st4sport will take all reasonable steps to mitigate any adverse effects, where possible prevent reoccurrence and take appropriate action. 1st4sport will also update its risk assessments, contingency plans and where necessary 1st4sport will review, and revise, its approach to the development, delivery and award of qualifications to ensure it remains appropriate.

This could include, for example, putting in place new safeguards, changing the design of a qualification, revising how it develops new qualifications and/ or providing further information and/or guidance.

Where confirmed malpractice/maladministration may affect recognised centres in the delivery of a qualification, all potentially affected centres will be notified.

Where confirmed malpractice/maladministration may affect another awarding organisation, all potentially affected awarding organisations will be notified.

Where potential or actual adverse effects are identified in relation to a regulated qualification the relevant regulator(s) will be notified immediately.

Investigating malpractice and maladministration

1st4sport will acknowledge receipt of the notification. The Quality and Assessment Manager will review the information sent and determine using a risk assessment the potential impact of the allegation and the potential for any adverse effect and any further steps needed.

If it is established that there are reasonable grounds for the suspicion or allegation, a rigorous and effective investigation will start with timelines agreed.

Procedure for the management, review, and mitigation of malpractice and maladministration notifications

Once 1st4sport are notified of a malpractice or maladministration incident, the Quality and Assurance Manager (QAM) will undertake a review of the evidence provided and may contact the parties involved for further discussion and review.

The investigation will review any fact finding already completed and take into account the impacted learners/centre and their registration and certification history with 1st4sport, the centre history and risk management activity that has taken place with 1st4sport and the qualification/product restrictions and risk management strategy.

The QAM completes this discretely and confidentially with relevant persons in 1st4sport and the centre. Whistleblowers identity is confidential and not provided to any parties involved in the investigation. All documentation is stored in a secure location within 1st4sport systems where access is limited to the QAM and Head of Awarding (HOA)

After being notified of suspected malpractice or maladministration, involved parties will be contacted within 10 working days for further information, this will initially be by email to the address stored on the 1st4sport centre management system.

Information will be requested via phone, video calls and through email/letter and any interviews will be held by video call or face to face. All interviews will be chaired by the QAM or HOA and the interviewee may be accompanied where they wish to, however this person must not contribute to the interview. Evidence provided regarding any claim will be reviewed for authenticity and validity through this investigation.

The collated evidence and documentation will be reviewed and discussed in a panel including the Head of Awarding, Quality and Assessment Manager and relevant section manager. The outcome of this panel will determine the decision made and any required actions.

The outcome will be communicated within a further 10 working days by email and the option for a phone/video call discussion with the QAM

Any outcomes that require additional monitoring of the centre or activity will be discussed directly, planned monitoring will be scheduled in and any potential unannounced activity explained to the centre management team.

1st4sport are required by the regulators to notify other Awarding Organisations of confirmed malpractice and the actions taken. This is via a confidential email to the relevant parties.

1st4sport will ensure that investigations are carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in their outcome. This will require consideration of several issues on a case-by-case basis, including the potential scale and scope of the investigation, and the competence, capacity and personal interest of anyone who will complete any part of the investigation.

Scale and scope of the investigation

The scale and scope of the investigation will have an impact on who is best placed to complete the investigation.

- The nature of the possible malpractice or maladministration, for example, whether the issue relates to a breach of confidentiality in the design stage, cheating in assessments or problems at the marking or any grading stage.
- The number of learners involved, if any, in the alleged malpractice or maladministration and the number directly advantaged, or disadvantaged, by the alleged malpractice or maladministration.
- The degree of potential advantage or disadvantage to learners involved in, or affected by, the alleged malpractice or maladministration.
- The extent to which teachers or other professionals may be involved in the alleged malpractice or maladministration as this will help to determine the degree of any personal interest, as outlined below.
- The extent to which the allegation or suspicion suggests any level of knowledge or awareness of the suspected malpractice or maladministration at centre level.
- The number of centres involved.
- The potential impact on public confidence in the qualification, or regulated qualifications more widely, of the suspected issue if confirmed.
- Any potential impact on public confidence if centre staff have a role in the investigation.
- The degree to which alleged malpractice or maladministration may disadvantage other learners.
- The number of other learners that may be affected by the alleged malpractice or maladministration, and the potential impact on them, as this might influence the effect on public confidence.

The extent to which each factor is relevant, and whether any others should be considered, will vary, as will the appropriate weight to be given to any relevant factor.

Competence and capacity

1st4sport make sure its investigators have the capacity to undertake investigation and are competent to complete the investigation in line with its potential scale and complexity. Its investigators will have the appropriate skills and experience including, as appropriate, in:

- gathering and recording evidence from interviews
- gathering evidence from minors, vulnerable adults and those with learning difficulties
- protecting, gathering and retaining evidence from documentation and electronic sources
- the information that should be given to those suspected of being engaged with malpractice or maladministration
- when and how to involve other authorities including the police where criminal activity is suspected; and
- safeguarding.

Conflict of Interest

1st4sport will ensure that anyone who conducts the investigation has no personal interest in its outcome. Particular care will be taken when judging whether an individual within the centre is best placed to conduct an investigation given the greater risk of an actual or perceived Conflict of Interest in that context.

Taking appropriate action once malpractice or maladministration is established

1st4sport will take all reasonable steps to take action or seek the cooperation of others in taking such action. 1st4sport will ensure that the action is proportionate to the gravity and scope of the malpractice or maladministration found.

Following investigation, sanctions may be applied in accordance with the 1st4sport policy. Sanctions can be applied to 1st4sport staff, partners and technical consultants, external quality assurers, recognised centres (including their workforce) and learners.

Appeal of decisions relating to malpractice and maladministration

1st4sport will inform all relevant parties of the outcome of the investigation and actions to be taken or taken. Centres and learners have the right to appeal these decisions in line with the 1st4sport Appeals Policy and process.