

PLASA Malpractice and Maladministration Policy

This document details the current policy for malpractice as it applies to the skills products awarded by PLASA:

Introduction

PLASA, takes full responsibility for communicating this Malpractice Policy to all relevant stakeholders. PLASA will report any cases of malpractice to the PLASA Governing Body.

This Policy aims to:

- **Establish the malpractice process under which assessment/training operate.**
- **Define malpractice and maladministration in the context of assessment/training and awards.**
- **Set out the rights and responsibilities of all parties regarding malpractice and maladministration.**
- **Describe the procedures to be followed if malpractice and maladministration is suspected.**

Definitions

Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment/training process and/or validity of certificates, or the reputation of the PLASA Skills Products. This term also covers misconduct and forms of discrimination or bias towards certain or groups of learners.

Maladministration is any activity or practice which results in non-compliance with administrative requirements and includes the application of persistent mistakes or poor administration within a Centre, or training provider as specified in the appropriate Guidelines.

PLASA will investigate all cases of failure to abide by its rules and regulations that might constitute malpractice. Where cases of suspected malpractice are proven, **PLASA** will take appropriate action in order to maintain the integrity of its skills products.

Examples of Malpractice

The following are considered examples of Malpractice/Maladministration

Candidate/trainee Malpractice

1. A candidate/trainee arranging for someone else to take an assessment/training on their behalf.
2. Impersonation of another candidate/trainee.
3. Possession of materials not permitted during the assessment/training. Possession of such materials will be considered to be malpractice whether or not the candidate/trainee refers to them.
4. Communicating with other candidates/trainees during the assessment/training.
5. Copying the work of another candidate/trainee or knowingly allowing a candidate/trainee to copy from his/her own work.
6. Damaging another candidate/trainees' work.
7. Misrepresentation of career history and experience.
8. Tampering with, or forgery of, results documentation, including certificates.
9. Deliberate failure to adhere to published PLASA assessment/training guidelines.
10. Deliberate failure to adhere to instructions given by the assessor/trainer during the assessment/training.
11. Disruptive behaviour (including offensive language and aggressive/violent conduct) during the assessment/training

Assessor/trainer/Centre Personnel Malpractice/Maladministration

1. Failure to adhere to PLASA Certification requirements for candidate/trainee registration/enrolment
2. Failure to keep documentation relating to the assessment/trainings secure as required by PLASA.
3. Allowing unauthorised access to assessment/training information prior to assessment/training.
4. Altering assessment/training or grading criteria in any way.
5. Knowingly allowing an individual to impersonate a candidate/trainee.
6. Allowing a candidate/trainee to possess and/or use materials not permitted during the assessment/training process.
7. Allowing candidates/trainees to communicate with each other during the assessment/training.
8. Allowing a candidate/trainee to copy another candidate/trainee's work or allowing a candidate/trainee to let his/her own work be copied.
9. Advising and/or assisting a candidate/trainee with his/her answers/written questions.
10. Damaging a candidate/trainee's work.
11. Disruptive behaviour (including offensive language and aggressive/violent conduct) during the assessment/training.
12. Leaving candidates/trainees unsupervised during the assessment/training.
13. Divulging any information relating to a candidate/trainee's assessment/training performance and/or result to anyone other than the candidate/trainee or relevant bodies as required by the process.
14. Tampering with, or forgery of, results, files and/or associated documentation.
15. Faulty administration of candidate/trainee records or achievements.
16. Faulty recording of internal verification.
17. Failure to implement the recommendations of the External Verifier.
18. Failure to provide details or information required following an External Verification inspection.
19. Refusal to facilitate or repeated cancellation of External Verification visits.

External Verifier Malpractice/Maladministration

1. Failure to make a declaration of interest in a PLASA Approved Assessment/training Centre.
2. Disclosure of confidential information about a candidate/trainee or Approved Centre.
3. Failure to carry out the External Verification task.
4. Failure to produce reports to the required standard and communicate outcomes to relevant parties.
5. Failure to follow the requirements of PLASA in relation to External Verification.
6. Falsification of fees and claims.

Reporting Suspected Cases of Malpractice by Candidate/trainees during the Assessment/training Certification Products

1. The candidate/trainee will first be warned by the assessor/trainer that his/her actions are in breach of PLASA regulations and therefore might constitute malpractice.
2. They will be informed that the assessor/trainer is obliged to report his/her actions to PLASA.
3. The assessor/trainer will produce a full written record of the candidate's/trainee's activities.
 - a. Centre Name
 - b. Candidate/trainee Name and Number
 - c. Centre Manager and Assessors/trainers Names
 - d. Qualification
 - e. Date on which malpractice was alleged to take place

- f. Full nature of suspected or actual malpractice
 - g. Date of the report, the informant's name, position and signature
4. The assessor/trainer will inform the candidate/trainee this is taking place.
 5. The candidate/trainee will be offered a chance to provide a signed statement explaining their conduct, which will be included in the assessor/trainer's written report to PLASA.
 6. If the candidate/trainee wishes to provide an oral statement, the assessor/trainer will write this down and ask the candidate/trainee to sign the statement to verify its accuracy.
 7. The candidate/trainee will be informed by PLASA that an investigation is taking place and will be given the opportunity to respond in writing to this subsequent communication from PLASA.

Use of unauthorised materials

8. Any unauthorised materials used during an assessment/training will be confiscated and a detailed list added to the candidate/trainee's file.
9. The candidate/trainee will be requested to sign the record to confirm its accuracy.
10. The candidate/trainee will be provided with a copy and informed that full details of the confiscated materials will be submitted to PLASA with the assessor/trainer's written report.
11. Candidates/trainees will be allowed to continue working for the remainder of the assessment/training without prejudice to the final outcome.

Candidate/trainee communication/collaboration

12. In cases where the assessor/trainer suspects that candidates/trainees may have been communicating/collaborating when not appropriate to the assessment/training, the assessor/trainer will note on each suspected candidate's/trainee's file the time and point at which the discovery was made.
13. Each candidate/trainee will be requested to sign the note or record relating to his/her activities to confirm its accuracy.
14. Suspected candidates/trainees will be allowed to continue working for the remainder of the assessment/training without prejudice to the final outcome.
15. The assessor/trainer is responsible for submitting a full written report of all cases of suspected malpractice to PLASA's Head of Skills, within 2 working days of the assessment/training. The report will detail the circumstances and the actions taken by the assessor/trainer/centre personnel.
16. Any written evidence relevant to the incident, e.g. confiscated materials, statements from other individuals involved, must accompany the assessor/trainer's report.

Reporting Suspected Cases of Candidate/trainee Malpractice Identified After the Assessment/training

1. Where an assessor/trainer suspects malpractice by a candidate/trainee - e.g. the candidate/trainee's written questions appear to show evidence of copying or collaboration with another candidate/trainee, plagiarism, inappropriate/offensive material; this must be reported in writing to the Qualifications Manager within 2 working days of the discovery.
2. Where a member of the PLASA qualifications team identifies suspected malpractice by a candidate/trainee - e.g. the candidate/trainee's written questions appear to show evidence of copying or collaboration with another candidate/trainee, plagiarism, inappropriate/offensive material; this must be immediately reported to the Qualifications Manager.

3. In cases where PLASA is made aware that module and/or qualification certificates might have been tampered with or forged, it will investigate the circumstances. In all cases, PLASA will take all reasonable steps to obtain sufficient evidence to investigate the suspected malpractice and carry out an investigation according to its stated procedures.

Suspected Malpractice by Assessor/trainers/Centre Personnel

1. Suspected cases of malpractice by an assessor/trainer or centre personnel may be reported by candidate/trainee s and other centre personnel.
2. Written reports should be submitted to the Qualifications Manager and should include the following information:
 - The assessment/training centre name/location.
 - The date and level of the assessment/training.
 - The time the assessment/training took place.
 - The candidate/trainee's name and PLASA candidate/trainee reference number.
 - The name of the assessor/trainer/centre employee in question.
 - A full description of the suspected malpractice.
 - Relevant documentary and/or security camera evidence, if applicable.
3. Reports should normally be submitted to PLASA within **24 hours** of the suspected malpractice taking place.

Suspected Maladministration by Centres/Assessor/trainers

Maladministration can be administrative procedures not being followed and can vary in severity from missing Candidate/trainee, Assessor/trainer or IV signatures on Assessment/training forms through to false information on Candidate/trainee Activity Forms which may result in false certification claims.

These instances are detailed in the Sanctions Policy which sits within the Centre Guidelines document. Any certification claims found to be false will be reported to the PLASA EU Regional Board and result in suspension of registrations and direct claims until a full investigation had been carried out.

Suspected Malpractice by External Verifiers/Moderators

1. Suspected cases of malpractice by an External Verifier/moderator may be reported by internal verifiers, assessor/trainers, trainers, candidate/trainee s, trainees and other centre personnel.
2. Written reports should be submitted to the Director of Membership Skills and Technical and should include the following information:
 - The external verifier's /moderator's name.
 - The assessment/training /training centre name/location.
 - The date and time of the suspected malpractice.
 - A full description of the suspected malpractice.
 - Relevant documentary and/or security camera evidence, if applicable.

Reports should normally be submitted to PLASA within **48 hours** of the suspected malpractice taking place.

Anonymous Reports of Suspected Malpractice

PLASA will take all reasonable steps to investigate suspected cases of malpractice that are reported anonymously provided that the information supplied establishes a prima facie case for investigation.

PLASA reserves the right not to investigate cases reported anonymously in cases where there is no evidence or if insufficient evidence has been provided.

PLASA Response to a Report of Suspected Malpractice or Maladministration

1. **PLASA** will be responsible for responding to all reports of suspected malpractice and will acknowledge all reports of suspected malpractice within **5 working days** of receipt.
2. **PLASA** will contact the individual suspected of malpractice and any others able to provide evidence relevant to the incident in question within **10 working days** of receipt of a report.
3. **PLASA** will notify the individual concerned that an investigation will take place and inform him/her of the procedures and timeframe(s) that will apply.
4. **PLASA** will also remind the individual concerned of his/her right to respond by way of a personal written report explaining the circumstances of the case and request that this is submitted to **PLASA** within **15 working days**.
5. **PLASA** will also inform the individual concerned that, if the case of suspected malpractice is proven, one or more sanctions might be imposed and that such sanctions will reflect the seriousness of the case.
6. The individual will also be notified of any requirement on **PLASA** to report cases of proven malpractice to the relevant authorities/regulators subject to completion of the process and only after time for appeal has passed or the appeal process has been completed.
7. In cases of suspected malpractice where more than one individual is involved - e.g. where candidates/trainees are suspected of working collaboratively, **PLASA** will contact each individual concerned separately.
8. **PLASA** will take all reasonable steps to ensure that reports and the relevant accompanying evidence have been submitted and are complete. It reserves the right to request further information if this is deemed necessary in order to investigate the case.
9. In cases where an individual who is the subject of suspected malpractice does not respond to **PLASA** communications, **PLASA** will make every effort to secure a response, but reserves the right not to send reminders after all reasonable steps have been taken.
10. Cases of suspected malpractice will be investigated, in the first instance, by a nominated member of **PLASA** staff. The staff member will be responsible for ensuring that all relevant documentary information/evidence has been requested and that each individual involved has been given the opportunity to submit a personal written report relating to the suspected malpractice.
11. When all relevant documentary evidence has been received, each individual involved will be notified by **PLASA** that the allegation will be considered by the **PLASA** Malpractice Panel and informed that the outcome will be notified to him/her within **30 working days**.
12. The **PLASA** Malpractice Panel will consist of the Head of Skills, and a member of the Quality Assurance panel.
13. On considering a case of alleged malpractice, the **PLASA** Malpractice Panel will convene to confirm whether the correct procedures have been followed thus far, ensuring that each individual suspected of malpractice has been given the opportunity to respond by submitting a personal written report.

14. The **PLASA** Malpractice Panel will then review the documentary evidence available, reserving the right to request further information.
15. When all appropriate evidence is available, the **PLASA** Malpractice Panel will decide whether the act constitutes malpractice. If the **PLASA** Malpractice Panel is of the opinion that there is no case to answer, the individual(s) involved will be informed in writing within 2 working days of the decision being made. If such cases relate to an candidate/trainee, he/she will be given full credit for the assessment/training work submitted.
16. If the outcome of the review of the evidence is that the **PLASA** Malpractice Panel decides that malpractice has taken place, it will then decide what action, if any, is to be taken. It will set out its reasons, which will be reported to the relevant parties.

Imposition of Sanctions in Cases of Proven Malpractice

The **PLASA** Malpractice Panel will ensure that any sanctions imposed reflect the seriousness of the act and that all similar cases are treated in an equitable, fair and unbiased manner.

The Centre is obliged to report to **PLASA** any suspected incidents of malpractice. As a consequence of not doing so their status as a centre could be suspended or withdrawn.

Examples of possible sanctions are provided below.

Sanctions Relating to Malpractice by Candidate/trainee s

1. A written warning about future assessment/training/training conduct.
2. Loss of achievement for a defined section of the assessment/training. This may lead to the candidate/trainee having to retake the assessment/training.
3. Loss of achievement for the entire assessment/training and all assessment/training modules taken previously (resulting in having to re-sit the entire qualification if the regulations allow).
4. The candidate/trainee not being allowed to re-sit the relevant assessment/training for a specified period of time.
5. The candidate/trainee not being allowed to sit or re-sit any other assessment/training modules relating to that for a specified period of time.
6. The candidate/trainee not being allowed to sit or re-sit any other assessment/training relating to any certification awarded by **PLASA** for a specified period of time.
7. Certificates recalled and declared invalid.

Sanctions Relating to Malpractice by Assessor/trainers/Internal Verifiers/Centre

1. A written warning about future assessment/training conduct.
2. Dismissal as a **PLASA** assessor/trainer/approved centre.
3. Notification to the organisation employing the individual as an assessor/trainer/centre employee that the person in question is not permitted to have any involvement with **PLASA** certification until retrained in **PLASA** procedures/requirements to the satisfaction of **PLASA**.
4. Notification to the organisation employing the individual as an assessor/trainer/centre employee that the person in question is not permitted to have any future involvement with **PLASA** certification at all.

Sanctions Relating to Malpractice by External Verifiers/Moderator

1. A written warning about future EV/Moderator conduct.
2. Dismissal as a **PLASA** External Verifier/Moderator
3. Notification to the organisation which has awarded the individual the EV Award.

Communication of the Outcome of an Investigation into Malpractice by PLASA

1. When a case of suspected malpractice has or has not been proven in the view of the **PLASA** Qualifications Malpractice Panel, the individual(s) concerned will be notified in writing by **PLASA** within 48 hours of the decision being made.
2. If the case has been proven, **PLASA** will provide details of the Panel's findings and what sanctions, if any, are to be applied.
3. If the case is proven, the individual(s) concerned will also be notified of any requirement on **PLASA** to report cases of proven malpractice to the relevant authorities/regulators subject to completion of the process and only after time for appeal has passed or the appeal process has been completed.

Right of Appeal against a PLASA Malpractice Panel Decision

1. The individual(s) concerned has/have the right to appeal against any decision(s) or sanction(s) imposed by the **PLASA** Malpractice Panel.
2. An appeal must be made in writing to the Head of Skills within 30 working days from receipt of the written notification of the **PLASA** Awarding Body Malpractice Panel's decision.
3. The individual(s) concerned have the right of access to all the evidence, used by the **PLASA** Malpractice Panel to make its decision, in order to provide a full response.

PLASA Action Upon Receipt of an Appeal

On receipt of an appeal, **PLASA** will acknowledge receipt within **5 working days**.

All appeals to malpractice decisions will be dealt with under the **PLASA** Appeals policy.

Reporting Cases of Malpractice to External Parties

PLASA will maintain detailed records of all cases of suspected malpractice, proven or otherwise.