

MALPRACTICE AND MALADMINISTRATION POLICY

1. PURPOSE

The purpose of this policy is to outline the procedures and responsibilities involved in identifying, reporting, investigating, and resolving suspected cases of malpractice or maladministration in relation to assessment delivery.

This policy ensures that all cases are managed fairly, transparently, and in accordance with Ofqual's General Conditions of Recognition, the DfE Apprenticeship Assessment Principles, and DSW's commitment to integrity, consistency, and high-quality assessment practice.

2. SCOPE

This policy applies to:

- All candidates undertaking Assessments with DSW
- All training providers, centres and employers engaged in the assessment process
- All DSW staff, contractors and assessors

It covers:

Malpractice — deliberate or negligent acts compromising EPA integrity

Maladministration — procedural or administrative failures resulting in non-compliance

3. DEFINITIONS

Malpractice: A deliberate or negligent act that compromises or could compromise the integrity of assessment.

Maladministration: Activity or omission resulting in non-compliance with required assessment processes or administrative regulations.

Notification: A report submitted to DSW alleging or identifying malpractice or maladministration.

Investigator: An individual appointed by DSW to conduct a formal investigation.

4. POLICY STATEMENT

DSW is committed to ensuring that all malpractice and maladministration concerns are:

- Reported promptly
- Investigated thoroughly and impartially
- Resolved within defined timelines
- Recorded and reviewed to support continuous improvement

DSW will comply with all relevant regulatory and data-protection requirements.

5. PROCEDURES

Suspected cases may be identified by:

- Assessors
- IQAs
- DSW administrative staff
- Training Providers or Centres
- Employers
- Members of the public
- Other agencies

5.1 REPORTING A NOTIFICATION

- DSW staff (assessors, IQAs, administration) must report to the Quality Manager.
- All other parties should email: quality@dswlearning.co.uk
- Email subject line must include: “Malpractice” or “Maladministration”.

5.2 UPON RECEIPT OF A NOTIFICATION

The Quality Manager will:

- Log the Notification in the Governance Log
- Initiate a preliminary review
- Communicate timelines and next steps to the reporter (if not anonymous)

6. INVESTIGATING

6.1 INITIAL REVIEW (WITHIN 2 WORKING DAYS)

DSW will:

- Review the Notification
- Decide whether a formal investigation is required
- Inform affected stakeholders of:
 - The Notification
 - Timescales
 - Any temporary changes to service levels

6.2 COMMUNICATION (WITHIN 5 WORKING DAYS)

The reporter will be informed of no further action, including rationale or the initiation of a full investigation, usually completed within 10 working days

6.3 FULL INVESTIGATION

An Investigator will be appointed to:

- Gather and review evidence (records, assessment materials, communications, interviews)
- Produce an investigation report detailing:
 - Summary of the Notification
 - Evidence reviewed
 - Findings
 - Recommendations

7. OUTCOMES

Upon completion of the investigation:

- The Investigator will meet with at least two members of the compliance team.
- Actions will be agreed and implemented.
- Affected stakeholders will be informed of the outcome.
- Stakeholders will be signposted to the DSW Appeals Policy.
- The Compliance Team will review lessons learned and implement improvements.

7.1 REGULATORY REPORTING

If malpractice/maladministration is upheld:

- Ofqual may be notified
- Other AOs will be informed where necessary
- Information sharing will follow UK GDPR and be limited to what is essential

8. USE OF ARTIFICIAL INTELLIGENCE (AI)

Candidates must not use AI to generate assessment evidence presented as their own work. Misuse of AI constitutes malpractice.

ACCEPTABLE USE

- Workplace tools that utilise AI
- Referenced use of AI where appropriate
- Verified and correctly cited AI-generated insights

UNACCEPTABLE USE (MALPRACTICE)

- Generating assessment evidence using AI
- Failing to acknowledge AI involvement
- Misleading or incomplete AI references
- Copying or paraphrasing AI-generated content

9. EXAMPLES OF MALPRACTICE AND MALADMINISTRATION

Non-exhaustive examples include:

- Plagiarism
- Falsification of evidence
- Impersonation
- Providing inappropriate assistance
- Interfering with assessment processes
- Non-disclosed conflicts of interest
- Falsifying or failing to maintain records
- Failure to follow required processes
- AI misuse

Potential Consequences, depending on severity:

- Written warnings
- Suspension or withdrawal of centre approval
- Barring individuals from assessment involvement
- Grade adjustments
- Requirement for resit (at client cost)
- Disqualification from assessment
- Notification to regulator or other AOs

10. MONITORING AND REVIEW

This policy will be reviewed annually or sooner where required due to:

- Regulatory updates
- Changes to apprenticeship assessment principles
- Internal quality assurance findings
- Outcomes of investigations

11. POLICIES AND DOCUMENTS

- DSW Appeals Policy
- DSW Complaints Policy
- DSW Reasonable Adjustments and Special Considerations Policy
- DSW Data Protection Policy

12. REGULATORY REFERENCES

- Ofqual General Conditions of Recognition (particularly A1, C2, D3, I1)
- DfE Apprenticeship Assessment Principles (2025)
- DfE Funding Rules (where applicable)
- Data Protection Act 2018 / UK GDPR

13. CONTACT INFORMATION

Accessible versions of this policy (e.g., large print) are available upon request. Please contact the Quality Team for support.

For questions or further information about this policy, please contact:

DSW Quality Team

Email: quality@dswlearning.co.uk