



MALPRACTICE AND MALADJUSTMENT POLICY

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Purpose

The purpose of this policy is to set out the steps to follow when reporting suspected or actual cases of malpractice and maladministration with regards to examinations. It is also in place to review those processes which led to the suspected or actual case of malpractice and/or maladministration and to support any investigations.

This policy is aimed at ELKOLET users, including learners and staff members who are using or deliver the qualifications and courses ELKOLET offer and who are involved in suspected or actual malpractice and/or maladministration.

As an approved centre of TQUK, we will act upon any reports of suspected or actual cases of malpractice and/or maladministration that we receive regarding our staff or learners, which may affect the integrity of ELKOLET training courses, qualifications and quality assurance systems. We also have a professional responsibility to report non adherence to this policy to our awarding organisation, TQUK.

Definitions

Malpractice:

Malpractice is any activity or practice which deliberately contravenes regulations and compromises the integrity of the assessment process and/or the validity of certificates. For the purpose of this policy this term also covers professional misconduct.

Maladministration:

Maladministration is any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate learner records).

The categories listed below are examples of centre and learner malpractice and maladministration. Please note that these examples are for guidance only and are not exhaustive:

- Plagiarism of any nature by learners.
- Forgery of evidence.
- Exam irregularities of any nature by learners.
- Exam irregularities of any nature by staff.
- Submission of false information to gain a proxy or a qualification.
- Discriminatory, bullying or harassing behaviour.
- Unprofessional conduct.
- Behaviour likely to endanger the health or safety of the public.

- Breach of confidentiality including, staff members, learners or ELKOLET information.
- Failure to meet TQUK's or regulator's requirements.
- Falsifying assessment and/or exam records.
- Falsifying administration records.

Reporting Procedure

Any person identifying cases of malpractice and/or maladministration should report them to a senior member of staff or centre manager to investigate.

If senior staff members or centre managers are suspected of being involved in malpractice and /or maladministration, the awarding organisation, TQUK can be contacted directly at Quality Assurance Department on 03333 583344 or email at customer.service@tquk.org

ELKOLET have to investigate all cases of malpractice and maladministration in liaison with any parties concerned. If an investigation finds evidence of malpractice or maladministration, we will have to take the necessary steps to ensure that the learners' interests are protected as far as is reasonably possible.

We will:

- acknowledge reports received within 3 working days of receipt
- arrange for appropriate personnel to review the report and commence the investigation
- aim to action and resolve all investigations within 7 working days of receipt of the report
- advise on the outcome of our investigation within 2 working days of making our decision
- report any suspected or actual incidents of malpractice and/or maladministration to TQUK.
- we will allocate a panel comprising senior ELKOLET staff members to investigate. The panel will review the report and supporting evidence and carry out the investigation.

Reports into malpractice and/or maladministration must include:

- The learner's name, staff member details (name, job role) if they are involved in the case
- The title of the qualification affected or nature of the service affected
- The date(s) suspected or actual malpractice and/or maladministration occurred
- The full nature of the suspected or actual malpractice and/or maladministration

The Investigation Process

During the investigation the panel's review may involve:

- A request for further information
- Interviews (face to face or by telephone) with personnel involved in the investigation
- We will make informed decisions based on the evidence
- We will protect the identity of the 'informant' if required.

As part of our approved centre status with TQUK, ELKOLET must inform TQUK of any investigations and reports produced from investigations into suspected or actual cases of malpractice and maladministration.

TQUK reserve the right to lead and/or review any reported investigations into malpractice and/or maladministration within approved centres.

If issues regarding malpractice and maladministration are reported directly to TQUK, ELKOLET must allow TQUK access to the centre, including staff members, learners, learners work and third party information (as required) in order to fully investigate any issues.

For further information regarding TQUK's Malpractice and Maladministration Policy, please visit www.tquk.org

Learner Malpractice

If the investigation confirms that learner malpractice has taken place, ELKOLET have no alternative but to impose one or more of the following sanctions on the learner. Please note that this list is not exhaustive:

- Disallowing all or part of the learner's assessment evidence
- Disallowing a learner to undertake an exam
- Disallowing all or part of the learner's external assessment marks
- Not requesting the learner's certificate(s) from TQUK
- Disallowing a learner to undertake a qualification or course with
- Disqualification from the qualification

In cases of malpractice and/or maladministration by learners, we will make learners aware that their final results may be void if the case is proven. Any certificates which have already been issued by TQUK may be deemed to be invalid. Certificates may need to be returned to the awarding body.

If a learner is not satisfied with the investigation process or outcome conducted by ELKOLET, they can escalate their issues to TQUK to investigate.

The decision regarding any malpractice and/or maladministration investigation undertaken by TQUK is final.