Managing Cases of Suspected Malpractice and Maladministration

Guidance for centres

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For external use

Document revision history

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1. Introduction

This document is now published as Version 1.0 due to the extensive changes made since the previous version. The document has been comprehensively updated and aligned to create a more centre-focused resource that offers a high-level overview of City & Guilds' approach to malpractice and maladministration.

1.1. Purpose of this guidance

This guidance supports City & Guilds approved centres in the identification, prevention, management and reporting of suspected malpractice and maladministration. It outlines the responsibilities of centres, explains how concerns should be reported, and describes how City & Guilds manages investigations and applies outcomes where concerns are substantiated. This document should be read alongside the current Joint Council for Qualifications (JCQ) *Suspected Malpractice: Policies and Procedures* guidance.

This guidance helps centres understand:

- what malpractice and maladministration are
- how to reduce the risk of malpractice and maladministration occurring
- what actions centres must take when concerns arise
- when and how concerns should be reported to City & Guilds
- how City & Guilds investigate malpractice and maladministration
- the outcomes and sanctions that may apply and
- the rights of appeal available to centres, staff and learners.

1.2. Who this guidance is for

This guidance applies to all City & Guilds approved centres and should be read by staff involved in:

- qualification delivery;
- assessment and internal quality assurance;
- examination administration;
- centre quality assurance;
- senior leadership and centre management; and
- learner support and compliance functions.

2. Definitions

2.1. Malpractice

Malpractice is any act, default or practice which breaches regulations, Awarding Organisation requirements or established processes and which compromises, or has the potential to compromise:

- assessment validity
- qualification integrity
- learner outcomes
- public confidence in qualifications or
- the reputation of centres or awarding organisations.

Examples may include:

- plagiarism
- collusion
- cheating during assessments
- falsification of evidence
- misuse of Artificial Intelligence (AI)
- inappropriate assistance to learners
- secure assessment material breaches and
- conflicts of interest that are not appropriately managed.

2.2. Maladministration

Maladministration is generally a failure to follow required processes, procedures, regulations or guidance that arises through error, neglect, poor practice or lack of understanding rather than deliberate intent.

Examples may include:

- inadequate assessment records
- administration errors
- failure to follow assessment requirements
- poor invigilation arrangements and
- insufficient quality assurance controls.

2.3. Learner and staff malpractice

Malpractice may involve learners, centre staff, contractors or other individuals involved in the delivery, quality assurance or administration of qualifications and assessments. City & Guilds may apply different sanctions depending on the type and severity of malpractice identified.

3. Our approach to malpractice and maladministration

City & Guilds is committed to maintaining the validity, reliability and integrity of assessments and qualifications. We adopt a proportionate approach focused on:

- prevention
- early identification
- effective investigation
- mitigation of risk
- protecting learners and
- preventing recurrence.

All allegations will be considered objectively and investigated appropriately according to the circumstances of the case.

3.1. Centre responsibilities

As a condition of approval, centres must:

- maintain a malpractice and maladministration policy
- take reasonable steps to prevent malpractice and maladministration
- ensure staff understand relevant requirements and assessment arrangements
- establish arrangements for reporting concerns
- report concerns where required
- investigate concerns appropriately when authorised by City & Guilds
- preserve evidence relating to investigations and
- cooperate fully with City & Guilds investigations.

The Head of Centre retains overall responsibility for ensuring that appropriate controls are in place to prevent and detect malpractice and maladministration.

3.2. Regulatory requirements

City & Guilds is required by regulators to investigate allegations of malpractice and maladministration and, where necessary, take action to protect learners and the integrity of qualifications.

City & Guilds operates in accordance with applicable regulatory requirements and adheres to the JCQ *Suspected Malpractice: Policies and Procedures* guidance. Centres are expected to familiarise themselves with and comply with relevant JCQ requirements and City & Guilds guidance.

4. Managing Suspected Malpractice and Maladministration

4.1. Reducing the risk of malpractice and maladministration

Centres must take reasonable steps to prevent malpractice and maladministration. Appropriate controls may include:

4.1.1. Policies and procedures

- maintaining a malpractice and maladministration policy
- implementing clear assessment procedures
- establishing conflict of interest arrangements and
- maintaining robust quality assurance processes.

4.1.2. Staff awareness and training

- ensuring staff are appropriately trained
- maintaining awareness of current City & Guilds and JCQ requirements
- providing regular updates on malpractice risks and
- ensuring staff understand reporting obligations.

4.1.3. Learner awareness

- informing learners about malpractice and its consequences
- providing guidance on plagiarism and AI use
- using learner authenticity declarations and
- communicating expectations prior to assessment activities.

4.1.4. Assessment controls

- verifying learner identity
- conducting appropriate assessment authentication checks
- implementing examination security arrangements
- monitoring learner work for authenticity and
- applying effective internal quality assurance arrangements.

4.2. Reporting suspected malpractice and maladministration

Centres must notify City & Guilds as soon as they become aware of suspected malpractice or maladministration that may affect the integrity of qualifications, assessments or learner outcomes.

This includes:

- suspected staff malpractice
- staff maladministration
- learner malpractice
- attempted malpractice and
- serious breaches of assessment requirements.

Forms for notifying City & Guilds of suspected candidate and/or centre staff malpractice are available on the JCQ website and must be submitted to

investigationandcompliance@cityandguilds.com

Anonymous reports will be considered, although anonymity may potentially affect the scope of any investigation.

4.3. Confidentiality

City & Guilds will handle reports sensitively and appropriately. However, it may not always be possible to protect the identity of individuals who raise concerns.

Information may need to be disclosed:

- as part of an investigation
- in response to legal obligations
- to regulators
- to other awarding organisations or
- to law enforcement agencies where appropriate.

For further guidance relating to whistleblowing, individuals should refer to the JCQ *Public Interest Disclosure (Whistleblowing)* guidance.

4.4. City & Guilds investigation process

Following receipt of an allegation, City & Guilds will assess:

- the nature of the concern
- potential risk to assessment integrity
- potential impact on learners and
- whether a centre-led or City & Guilds-led investigation is appropriate.

Throughout an investigation, centres must preserve all relevant evidence and cooperate fully with requests for information.

All investigations will seek to establish:

- what happened
- when it happened
- how it happened
- who was involved
- the scale of the issue and
- whether any remedial action is required

4.5. Centre-led investigations

In some cases, City & Guilds may authorise a centre to undertake an investigation on its behalf.

Where this occurs, the centre must:

- appoint an appropriate investigator
- manage conflicts of interest
- gather and preserve evidence
- conduct interviews where appropriate
- provide individuals with an opportunity to respond to allegations and
- submit a comprehensive investigation report.

Further guidance on conducting centre investigations is available on the JCQ website along with a template for reporting suspected malpractice/maladministration involving centre staff.

4.6. City & Guilds led investigations

City & Guilds may investigate concerns directly where:

- senior management may be involved
- there are concerns regarding assessment integrity
- there is significant regulatory risk

- there are multiple allegations and/or affected learners or
- City & Guilds determines that direct intervention is required.

During an investigation, City & Guilds may require access to:

- learner records
- assessment evidence
- learner contact details
- quality assurance records
- examination records
- centre policies and procedures and
- staff and learner statements.

Depending on the circumstances, City & Guilds may also:

- withhold results or certificates
- impose restrictions on registrations or certifications
- require additional quality assurance activity or
- implement other proportionate controls whilst an investigation is ongoing.

4.7. Outcomes and sanctions

Where malpractice or maladministration is substantiated, City & Guilds may apply proportionate penalties and sanctions.

These may include:

4.7.1. Centre sanctions

- additional quality assurance activity
- action plans
- restrictions on registrations or certifications
- suspension of approval or
- withdrawal of centre approval.

4.7.2. Staff sanctions

- formal warnings
- restrictions on involvement in qualifications
- temporary debarment or
- permanent debarment.

4.7.3. Learner sanctions

- warnings
- loss of marks
- disqualification from unit(s)
- disqualification from the qualifications or
- temporary debarment from future qualifications.

4.8. Appeals

Appeals against malpractice decisions must be submitted in accordance with the City & Guilds *Appeals Policy* and relevant JCQ guidance.

Appeals will normally be accepted from:

- Heads of Centre acting on behalf of learners
- Heads of Centre acting on behalf of staff and
- individual members of staff where decisions relate directly to them.

Further information can be found in the City & Guilds Appeals Policy and the JCQ publication *A Guide to the Awarding Bodies' Appeals Processes*.

5. Relevant Policies and Supporting Guidance

Centres should ensure they are familiar with the most current versions of:

- JCQ Suspected Malpractice: Policies and Procedures
- JCQ General Regulations for Approved Centres
- JCQ AI Use in Assessments Guidance
- JCQ Public Interest Disclosure (Whistleblowing) Guidance
- JCQ Instructions for Conducting Examinations
- City & Guilds Appeals Policy
- City & Guilds Reporting Malpractice Guidance
- Relevant City & Guilds qualification handbooks and assessment guidance.

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About City & Guilds

City & Guilds is the global skills partner, empowering people, organisations and economies to develop the skills they need for growth. With almost 150 years of trusted expertise, we support people into work, help them develop on the job and move into the next job.

We work with Governments, employers, training providers, colleges and industry stakeholders to design and deliver high-quality training, qualifications, assessments and credentials that lead to meaningful career progression. We understand the life changing link between skills development, social mobility and success. Our solutions span critical sectors including construction, engineering, transport, energy and electrical, serving over 1 million learners annually.

Through our comprehensive portfolio of brands and trusted global network, we set industry-wide standards for technical, behavioural and commercial skills to improve performance and productivity. We believe you can achieve your potential - and we're here to help make it happen.

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