



## Maladministration and Malpractice Policy

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Date approved:	May 2024
Date review:	May 2025
Version No:	V3

## Maladministration and Malpractice Policy

*Active Swim* Approved Centre is committed to the integrity and credibility of the qualifications. We will ensure that the risk of malpractice and maladministration are minimised and apply to the tutors/trainers, assessors, internal verifiers and learners.

### What are Malpractice and Maladministration?

"Malpractice is any deliberate or neglectful act which undermines the integrity and validity of assessment and certification of qualification.

Maladministration is defined as any activity or practice which results in unintentional non-compliance with regulations and requirements of the qualifications offered." Please also refer to the whistleblowing policy for safeguarding or other appropriate issues.

### Examples of centre malpractice:

- Deliberate failure to adhere to learner registration and certification procedures.
- Failure to carry out delivery, internal assessment, internal moderation or internal verification in accordance with the SEQ requirement.
- Collusion or permitting collusion in exams and assessments.
- Use inappropriate materials/equipment during assessments (e.g. mobile phones).
- Learners are still working towards qualification after certification claims have been made.
- Deviation of the centre away from the SEQ assessment strategy and guidelines, whether practical or written.
- Centre staff provide inappropriate assistance to learners (e.g. unfairly helping them pass a unit or qualification).
- Passing a unit when there is not enough evidence.
- Insecure storage of assessment materials and exam papers.
- Deliberate failure to adhere to the 'reasonable adjustment' requirements by SEQ.
- Fraudulent claim for certificates.
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims.
- Denial of access to resources (records, assessments, learners and assessors) for external verifiers or SEQ representatives.
- Intentionally withholding feedback and information from SEQ is critical to maintaining the rigour of quality assurance and qualifications standards.
- Persistent instances of maladministration within the centre.

### Examples of learner malpractice:

- Forgery of submitted evidence – unreliable and not authenticated by the learner.
- Submission of false information to gain a qualification or unit.
- Plagiarism of any nature by learners.
- Impersonation in an examination or test.
- Behaving in such a way as to undermine the integrity of the assessment.
- The alteration of any results document, including certificates.
- Bribery.

### ATC Responsibility

In line with the SEQ ATC requirement, *Active Swim* agrees to:

- Maintain full accountability for assessment arrangements that lead to the achievement of qualifications and responsibility for all staff or persons participating in the assessment process.
- Ensure that all staff members know their responsibilities to prevent malpractice and follow the ATC and SEQ procedures regarding administration, delivery, and internal verification.

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- Report any irregularities in writing immediately as they are discovered using the Malpractice Notification Form. All forms are available in the ATC secure area (the Box).
- Co-operate fully with any investigations and, in all cases, keep all affected staff and learners informed of the process.
- The Key Centre Contact (KCC) will respond to SEQ within five working days should there be a request to either carry out an investigation or provide information to address suspected irregularities reported by another source.
- Ensure that any investigation into suspected irregularities will be done promptly and provide a detailed response to ensure that learners and the integrity of SEQ qualifications and/or assessments are not put at further risk.

Active Swim has a duty to investigate all malpractice cases with all parties concerned. If an investigation finds evidence of maladministration, necessary steps will be taken to ensure that the learners' interests are protected as reasonably practicable, including making arrangements for reassessment.

If the investigation reveals that the certification is inappropriate, Hamid Anwary will notify SEQ and take the necessary steps to revoke the certification to protect the public's health, safety and welfare.

### Process

During the investigation, in the first instance, the course tutor will speak to the learner directly about the concerns. The following actions may include:

- Request for further information from the learner, tutor, assessor, internal verifiers or quality assurers
- Conduct interviews either face-to-face or by telephone

Active Swim reserves the right, in suspected malpractice cases, to withhold the issuing of results or certificates while an investigation is in progress.

### Learner malpractice

Active Swim may impose one or more sanctions if the investigation confirms that malpractice has occurred. Please note that this list is not exhaustive:

- Exclude all or part of the assessment evidence
- Exclude all or part of the external assessment marks
- Withhold or reclaim certificate(s)
- Not accept any further course bookings
- Disqualification from the programme

For further information, refer to the appendix on the SEQ Malpractice Policy.

If a learner has an issue or seeks clarification, in the first instance, contact their tutor.

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### How to manage and prevent malpractice and maladministration?

1. *Active Swim* will provide an initial induction to educate learners ([within two days of the course commencing](#))
2. The key contact must be alerted when a case of potential malpractice or maladministration may occur. In writing, the following information should be submitted [within two days of finding the notification](#): Your name and contact details; the Learner's name; course details; the Tutor's or Internal Verifier's contact details; the information of the suspected or actual malpractice or maladministration; Please also refer to the whistleblowing policy
3. *Active Swim will appoint an investigator within five working days of notification*. This person will have no previous involvement with the course and program. They will investigate the report's content and identify any appropriate interventions required.
4. The result (outcome) will be recorded and placed on file. Should the investigation determine that either malpractice or maladministration occurs, *Active Swim* will notify SEQ [within ten working days](#) of the result.
5. The information will remain confidential at this stage. Information should be communicated to the learner within [two working days](#).

### SEQ Sanction

- Ultimately, the removal of ATC's status as the training provider

For reporting and expressing any concerns, please contact:

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