

Malpractice and Maladministration Policy

Family:	Quality
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Purpose

The purpose of this policy is to protect the integrity, validity and credibility of qualifications and learning programmes delivered by The Skills Network.

The policy sets out The Skills Network's approach to preventing, identifying, reporting, investigating and responding to malpractice and maladministration. It ensures that concerns are managed fairly, consistently and proportionately, while meeting the requirements of awarding organisations, regulators and funding bodies.

Scope

This policy applies to:

- all learners undertaking programmes delivered by The Skills Network;
- all employees, associates, contractors and freelance staff;
- individuals involved in the delivery, assessment, quality assurance or administration of programmes and qualifications;
- any third party acting on behalf of The Skills Network.

This policy applies to activities undertaken by The Skills Network in the delivery of learning programmes, qualifications and associated services.

Where The Skills Network provides services on behalf of another organisation, this policy applies to the activities, staff and processes under the control of The Skills Network. The Skills Network will cooperate fully with investigations led by partner organisations, awarding organisations, regulators or funding bodies where appropriate.

Responsibility for learner registration, certification, awarding organisation notification and overall qualification governance remains with the approved centre, qualification provider or lead organisation unless otherwise agreed through contractual arrangements.

Principles

The Skills Network is committed to maintaining the integrity, validity and credibility of learning programmes, qualifications and assessment activities.

When responding to suspected malpractice or maladministration, The Skills Network will be guided by the following principles:

Integrity

The Skills Network will take reasonable steps to ensure that assessment decisions, learner achievements and certification claims are accurate, authentic and reliable.

Fairness

All concerns will be considered objectively and individuals will be treated fairly throughout any investigation process. Decisions will be based on the available evidence and the circumstances of each case.

Confidentiality

Information relating to suspected or confirmed malpractice and maladministration will be handled sensitively and shared only with those who have a legitimate need to know.

Proportionality

Actions taken by The Skills Network will be proportionate to the nature, seriousness and impact of the concern identified.

Accountability

The Skills Network will maintain appropriate records of reported concerns, investigations, outcomes and actions taken. Where required, information will be shared with partner organisations, awarding organisations, regulators or funding bodies.

Continuous Improvement

Lessons learned from investigations will be used to improve policies, procedures, staff development and quality assurance arrangements to reduce the risk of future occurrences.

Definitions

Malpractice

Malpractice is any deliberate act, omission or practice that compromises, or has the potential to compromise:

- the integrity of an assessment
- the validity of learner achievement
- the security of assessment materials or processes
- the reputation of The Skills Network, an awarding organisation or a qualification.

Examples of malpractice may include, but are not limited to:

- plagiarism
- collusion
- impersonation
- falsification of records or evidence
- unauthorised assistance during assessment
- misuse of artificial intelligence or other technologies
- fraudulent certification claims
- failure to report known malpractice.

Learner Malpractice

Learner malpractice is malpractice committed by a learner undertaking a programme, qualification or assessment.

Staff Malpractice

Staff malpractice is malpractice committed by an employee, associate, contractor, freelancer or other individual acting on behalf of The Skills Network.

Maladministration

Maladministration is any unintentional act, omission, error or failure to follow required procedures that may adversely affect learners, assessment outcomes, quality assurance arrangements, regulatory compliance or the integrity of a qualification.

Examples of maladministration may include:

- administrative errors
- inaccurate record keeping
- failure to follow established procedures

- delays in learner registration or certification
- inadequate assessment or quality assurance records.

Suspected Malpractice or Maladministration

Suspected malpractice or maladministration refers to any concern, allegation or information received which indicates that malpractice or maladministration may have occurred and requires further review or investigation.

Roles and Responsibilities

All Staff

All employees, associates, contractors and freelance staff engaged by The Skills Network are responsible for:

- maintaining high standards of integrity and professional conduct
- complying with relevant policies, procedures and awarding organisation requirements
- reporting suspected malpractice or maladministration promptly through the appropriate internal channels
- cooperating fully with investigations where required.

Assessors, Tutors and Quality Assurance Staff

Staff involved in assessment, learner support and quality assurance are responsible for:

- promoting authentic learner work and academic integrity
- identifying and reporting suspected malpractice or maladministration
- maintaining accurate, complete and auditable records
- complying with assessment and quality assurance requirements
- supporting investigations where required.

Learners

Learners are responsible for:

- completing and submitting their own authentic work
- complying with assessment requirements and instructions
- acting honestly and professionally throughout their programme
- reporting concerns relating to malpractice or maladministration where appropriate.

Quality Team

The Quality Team is responsible for:

- managing reports of suspected malpractice and maladministration
- determining the appropriate course of action following receipt of a concern
- coordinating and overseeing investigations
- maintaining investigation records and associated evidence
- liaising with awarding organisations, partner organisations, regulators and funding bodies where appropriate
- monitoring trends and identifying opportunities for improvement.

Leaders and Managers

Leaders and managers are responsible for:

- promoting a culture of integrity, compliance and accountability
- ensuring staff understand their responsibilities under this policy
- supporting investigations where required
- implementing actions arising from investigations and lessons learned.

Partnership Arrangements

Where The Skills Network delivers services on behalf of another organisation, responsibilities for the management of malpractice and maladministration will be determined in accordance with contractual arrangements and awarding organisation requirements.

The Skills Network will investigate concerns relating to its own staff, activities and services and will cooperate fully with investigations led by partner organisations, awarding organisations, regulators or funding bodies where appropriate.

All concerns identified by staff working on behalf of The Skills Network must be reported through The Skills Network's internal processes. External notifications will be managed by the Quality Team or other authorised representatives as appropriate.

Prevention

The Skills Network is committed to preventing malpractice and maladministration through effective systems, processes and quality assurance arrangements.

To reduce the risk of malpractice and maladministration, The Skills Network will:

- provide appropriate training, guidance and support to staff
- provide learners with clear information regarding assessment requirements, academic integrity and expected standards of conduct
- maintain effective quality assurance and monitoring arrangements
- implement appropriate assessment, verification and quality control processes
- promote a culture of honesty, accountability and continuous improvement
- maintain secure systems and records where required
- take appropriate action to address identified risks and emerging trends.

The Skills Network will review information arising from audits, quality assurance activities, investigations, complaints, appeals, learner feedback and other sources to identify opportunities to strengthen preventative controls and reduce the likelihood of future occurrences.

Further guidance relating to assessment authenticity, plagiarism, collusion, artificial intelligence and academic integrity is provided through separate learner and staff guidance documents.

Reporting Concerns

The Skills Network encourages the prompt reporting of any suspected malpractice or maladministration.

Any learner, employee, associate, contractor, freelancer or stakeholder who becomes aware of, or suspects, malpractice or maladministration should report the concern as soon as reasonably practicable. Reports should be made through The Skills Network's established management, quality assurance or whistleblowing arrangements and should include any available information or evidence to support the concern.

All concerns will be treated seriously and considered on their individual merits. Reports may be submitted by learners, staff, partner organisations, awarding organisations, regulators, funding bodies or other stakeholders. Where concerns relate to services delivered on behalf of another organisation, The Skills Network will notify the relevant partner organisation in accordance with contractual arrangements and agreed operational procedures.

The Skills Network will seek to maintain confidentiality throughout the reporting and investigation process, sharing information only with those who have a legitimate need to know.

No individual will be disadvantaged for raising a genuine concern in good faith.

Whistleblowing

Individuals who are unable to report concerns through normal management or quality assurance arrangements may raise concerns through The Skills Network's Whistleblowing Policy.

Reports made under the Whistleblowing Policy will be considered in accordance with the principles set out within that policy and any applicable legal protections.

Investigation Process

The Skills Network will investigate all reported concerns relating to suspected malpractice and maladministration in a fair, objective and proportionate manner.

The purpose of an investigation is to establish the facts, determine whether malpractice or maladministration has occurred, identify any associated risks, and determine any actions required to protect learners, qualifications and the integrity of assessment processes.

Investigation Principles

Investigations will:

- be conducted by an appropriately trained individual with no conflict of interest in the outcome
- consider all relevant information and available evidence
- provide individuals with an opportunity to respond to allegations or concerns
- be conducted in a timely manner
- maintain confidentiality wherever possible
- be documented appropriately, including the rationale for decisions made.

The Skills Network will consider individual needs and reasonable adjustments throughout investigation and appeals processes to ensure individuals are able to participate fully and fairly.

Investigation Activities

Depending on the nature of the concern, an investigation may include:

- reviewing learner, assessment or quality assurance records
- reviewing communications, documentation or system records
- obtaining written statements from relevant individuals
- conducting interviews or meetings with those involved
- reviewing evidence provided by learners, staff, partner organisations or awarding organisations
- seeking advice or guidance from awarding organisations, regulators or other relevant bodies where appropriate.

Partnership and External Investigations

Where services are delivered on behalf of another organisation, The Skills Network will work collaboratively with the partner organisation and support any investigation in accordance with agreed contractual and operational arrangements.

Where responsibility for the qualification, learner registration or certification rests with another organisation, The Skills Network will provide relevant information and evidence to support the investigation and any required notifications to awarding organisations, regulators or funding bodies.

The Skills Network may also cooperate with investigations led by awarding organisations, regulators, funding bodies or other authorised bodies where appropriate.

Interim Measures

Where necessary to protect learners, assessment integrity or the interests of The Skills Network, interim measures may be implemented while an investigation is ongoing.

Such measures may include:

- enhanced monitoring or quality assurance activity
- temporary suspension of assessment, quality assurance or other duties
- withholding assessment decisions, certification claims or recommendations pending the outcome of an investigation
- any other reasonable action considered necessary to protect the integrity of the investigation
- The implementation of interim measures does not imply that malpractice or maladministration has occurred.

Investigation Outcomes

At the conclusion of an investigation, findings will be documented and communicated to relevant parties where appropriate.

Where malpractice or maladministration is substantiated, The Skills Network will determine any corrective actions, sanctions or improvement measures required in accordance with this policy and any applicable awarding organisation, regulatory or contractual requirements.

Outcomes and Sanctions

Where an investigation concludes that malpractice or maladministration has occurred, The Skills Network will determine appropriate actions based on the nature, seriousness and impact of the concern.

Actions taken will be proportionate, evidence-based and designed to protect learners, assessment integrity, qualification standards and compliance with awarding organisation, regulatory and contractual requirements.

Learner Outcomes

Where learner malpractice is substantiated, actions may include:

- additional scrutiny of assessment evidence
- requirement to resubmit assessment evidence where permitted
- rejection of assessment evidence
- withdrawal of assessment decisions
- referral to the relevant awarding organisation or qualification provider
- disqualification from an assessment, unit or qualification where determined by the awarding organisation or qualification provider
- any other action required under awarding organisation or qualification requirements.

Staff Outcomes

Where staff malpractice or maladministration is substantiated, actions may include:

- additional training, coaching or support
- increased monitoring or quality assurance activity
- removal of specific responsibilities, allocation, or duties
- formal management action
- disciplinary action in accordance with The Skills Network's policies and procedures
- termination of employment or contractual arrangements where appropriate.

Organisational Outcomes

Where investigations identify weaknesses in systems, processes or controls, The Skills Network will take appropriate corrective action. This may include:

- policy or procedure reviews
- additional staff training
- process improvements
- enhanced quality assurance activity
- increased monitoring of identified risk areas
- implementation of recommendations arising from investigations.

Awarding Organisations, Regulators and Partners

Where required, The Skills Network will notify awarding organisations, regulators, funding bodies or partner

organisations, or provide information and evidence to support notifications made by the organisation responsible for qualification governance.

The Skills Network will implement any actions, sanctions or recommendations required by awarding organisations, regulators, funding bodies or partner organisations where applicable.

Recording and Monitoring Outcomes

The Quality Team will maintain records of investigation outcomes, actions taken and lessons learned. Information arising from investigations will be reviewed to identify trends, recurring themes and opportunities for continuous improvement.

Appeals

Individuals have the right to appeal decisions arising from malpractice or maladministration investigations where they believe the outcome was unreasonable, inconsistent with the evidence available, or where relevant procedures were not followed.

Appeals will be considered fairly, independently and in accordance with The Skills Network Appeals Policy.

Where the outcome of an investigation has been determined by an awarding organisation, qualification provider, regulator or partner organisation, any appeal will be managed in accordance with the relevant organisation's published appeals procedures.

The submission of an appeal does not automatically delay the implementation of actions necessary to protect learners, assessment integrity or regulatory compliance. However, each case will be considered on its individual circumstances.

The outcome of an appeal will be communicated to the individual concerned and recorded in accordance with The Skills Network's record-keeping requirements.

Monitoring, Reporting and Review

The Skills Network is committed to using information arising from malpractice and maladministration investigations to support continuous improvement and protect the integrity of its services, programmes and qualifications.

The Quality Team will maintain appropriate records of:

- reported concerns
- investigations undertaken

- outcomes and actions implemented
- sanctions applied
- notifications made to awarding organisations, regulators, funding bodies or partner organisations where applicable
- lessons learned and improvement actions
- Information arising from investigations will be reviewed periodically to identify:
- recurring themes and trends
- emerging risks
- areas of good practice
- opportunities for improvement in policies, procedures, systems and staff development.

Findings and significant themes arising from malpractice and maladministration investigations will be reported through The Skills Network's quality assurance and governance arrangements, including the Quality Performance Committee where appropriate.

The Skills Network will implement corrective and preventative actions where required and monitor their effectiveness through ongoing quality assurance and improvement activities.

Equality, Diversity and Inclusion

The Skills Network will implement this policy fairly and consistently, having due regard to its Equality, Diversity and Inclusion Policy.

Reasonable adjustments will be considered where appropriate to ensure individuals are able to participate fully in reporting, investigation and appeals processes.

An Equality Impact Assessment has been completed for this policy. No adverse impacts have been identified and the policy will continue to be monitored as part of its regular review cycle.

Review

This policy will be reviewed annually, or sooner where required as a result of:

- changes to legislation or regulation
- changes to awarding organisation requirements
- changes to contractual or partnership arrangements
- findings arising from investigations, audits or reviews
- organisational changes within The Skills Network.

