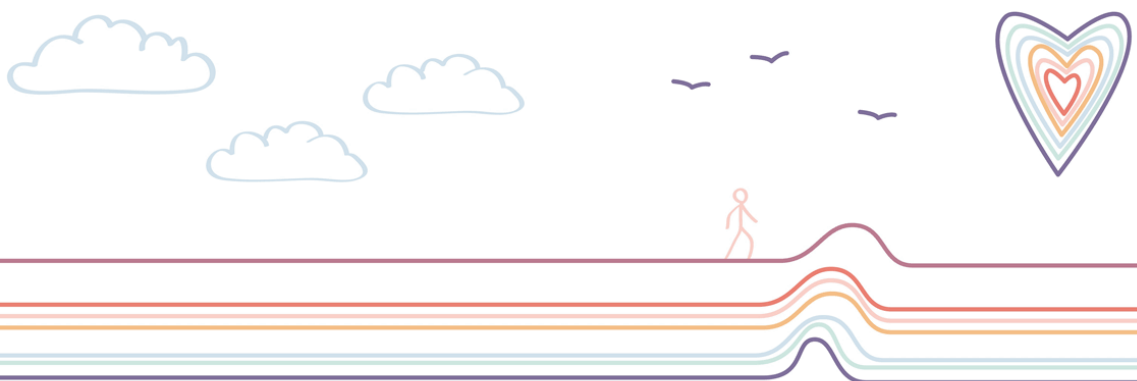




The only awarding body
run *by* counsellors

2023 - 2024

CPCAB Policy on Malpractice and Maladministration



1. Introduction

This policy aims to define malpractice and maladministration in the context of the design, delivery and assessment of CPCAB qualifications. It sets out the rights and responsibilities of candidates, centres and CPCAB and outlines the procedures to be followed should malpractice or maladministration be suspected or identified.

2. CPCAB'S Definition of Malpractice

CPCAB defines malpractice as an intentional act that threatens the integrity and/or validity of delivery, assessment or certification of one of its qualifications. Please note that the examples below are not exhaustive and are only intended as guidance on CPCAB's definition of malpractice/maladministration.

Examples of candidate malpractice can include:

- introducing unauthorised material in external assessment or passing off work by someone else as if it was their own (plagiarism);
- altering assessment documents or certificates, falsifying evidence or documentation;
- copying from another candidate or allowing their work to be copied, e.g. posting work on social networking sites prior to an external assessment;
- any act that could convey an unfair advantage over others in the same situation.

Examples of malpractice within a centre can include:

- failing to follow CPCAB procedures for conducting external assessment, moderation or verification;
- registering groups with inaccurate or misleading information, such as tutor(s) associated with the group;
- Fraudulent claims for certification, such as where all aspects of the qualification have not been achieved, (eg client placement hours);
- compromising the integrity of external assessment materials or falsifying assessment records;
- failing to declare a conflict of interest (eg when a candidate is a family member, close friend or client). See also CPCAB's [Conflict of Interest Policy](#);
- inappropriate assistance to candidates by centre staff, (eg unfairly helping them to pass coursework or in the composition of their external assessment);
- providing reasonable adjustments in external assessment where this has not been approved by CPCAB;
- deliberate misuse of the CPCAB logo or misrepresentation of a centre's relationship with CPCAB;
- assessment bias or behaving in such a way as to undermine the integrity of the qualification.

Examples of CPCAB malpractice can include:

- a member of staff failing to declare a connection with a centre, tutor or candidate;
- disclosure of assessment material to an unauthorised person;
- assessment bias or behaving in such a way as to undermine the integrity of the qualification.

3. CPCAB'S Definition of Maladministration

CPCAB defines maladministration as a lack of care, judgment or competence by anyone involved in the development, delivery, assessment or award of its qualifications. On-going maladministration could constitute malpractice.

Examples of centre maladministration can include:

- administrative error, failure to follow published procedures or inadequate record-keeping;
- incorrect action or failure to take a necessary action;
- failure to adhere to the requirements of [CPCAB’s reasonable adjustments and special consideration policy](#);
- failure to provide information or providing misleading, inaccurate or out-of-date information;
- inadequate communication, unacceptable delay or failure to investigate concerns;
- any action likely to lead to an Adverse Effect.¹

Examples of CPCAB maladministration can include:

- errors in assessment material;
- delays in publication of results or publication of inaccurate results;
- misinformation.

4. Process for making an allegation of malpractice or maladministration

Any person who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify CPCAB. In doing so they should put their concerns in writing or email and enclose appropriate supporting evidence.

All allegations must include (where possible):

- Centre name
- Candidate name and CPCAB candidate number where applicable
- Centre staff details (name, job role) if they are involved in the case
- details of the CPCAB qualification or nature of the service affected
- nature of the suspected or actual malpractice and associated dates
- details and outcome of any initial investigation carried out by the centre

A person making an allegation of malpractice or maladministration may wish to remain anonymous. Although it is always preferable for a whistleblower to reveal their identity and contact details to CPCAB this is not a necessity. See CPCAB’s [Whistleblowing policy](#) for more information.

5. Procedures for Dealing with Malpractice and Maladministration

In the event of malpractice or maladministration being suspected at a centre, a responsible person must:

- inform CPCAB at once;
- inform the person implicated (preferably in writing) of the nature of the alleged event;
- give that person the opportunity to respond (in writing);
- keep CPCAB informed of the progress and outcome of the centre’s investigation;
- co-operate with any further investigation that may be required and take steps to prevent a re-occurrence.

CPCAB will:

¹ Ofqual’s definition of an Adverse Effect: ‘An act, omission, event, incident or circumstance has an Adverse Effect if it -

- (a) gives rise to prejudice to Learners or potential Learners, or
- (b) adversely affects -
 - (i) the ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition,
 - (ii) the standards of qualifications which the awarding organisation makes available or proposes to make available, or
 - (iii) public confidence in qualifications.’

- inform a centre should any allegations of malpractice or maladministration come to our attention;
- initiate (or require the centre to initiate) an investigation appropriate to the gravity of the allegations. We will agree an appropriate time frame for the investigation and require the centre to provide a statement of how the malpractice happened and the extent of its impact;
- initiate (or require the centre to initiate) an action plan for mitigating any Adverse Effect that may have resulted. This may include, for example, the recall of certificates that were issued prematurely or in error;
- initiate (or require the centre to initiate) an action plan to avoid any repetition of the event in the future.

An investigation may be initiated by the centre itself or at the request of CPCAB. In the event of an allegation of malpractice or maladministration against the head of centre, the investigation must be carried out by the Chair of the Governing Body of the centre or another appropriate nominee and reported to CPCAB when completed. Investigations must be carried out rigorously, effectively and by persons of appropriate competence who have no personal interest in their outcome. It is important to note that in all instances the centre must immediately notify CPCAB if they suspect malpractice or maladministration has occurred as we have a responsibility to our regulators to ensure that all investigations are carried out rigorously and effectively.

CPCAB can provide centres with guidance on preventing, investigating and dealing with malpractice and maladministration on request.

6. Malpractice or Maladministration by CPCAB Staff

Any investigation into suspected cases of malpractice or maladministration by CPCAB staff will be carried out by senior management who, should it be confirmed, will take all reasonable steps to:

- make sure that the malpractice is brought to a halt immediately;
- remedy any problems caused by the event and take all reasonable steps to prevent any Adverse Effect or mitigate them as far as possible;
- produce an action plan to ensure that such malpractice or maladministration does not happen in the future, and
- take action against the people responsible, proportionate to the gravity and scale of the occurrence.

7. Penalties and Sanctions Applied by CPCAB

CPCAB reserves the right in suspected cases of malpractice or maladministration, both during the investigation and when the outcome is known, to apply sanctions which may include:

- suspending candidate or group registrations;
- withholding results or suspending, withholding or cancelling the issuing of certificates;
- withdrawing approval for any tutor implicated in malpractice;
- withholding the centre's Annual Practising Certificate;
- notifying the regulators (see below), other awarding organisations or professional associations
- de-registering the centre. If this final step is necessary, CPCAB recognises a duty of care to registered learners.

See also CPCAB's [Sanctions policy](#) available on the CPCAB website.

CPCAB is obliged to inform the regulators (Ofqual, Qualifications Wales or CCEA Regulation) of malpractice or maladministration likely to have an Adverse Effect and is required to inform other awarding organisations if the incident is likely to affect them or their candidates. All cases of

malpractice or maladministration are tracked and reported annually to CPCAB's governing body via the Qualification Service annual report.

7. Appeals

Centres or candidates are entitled to appeal against any action required by CPCAB following an investigation into malpractice or maladministration, using the procedures set out in the [Appeals policy](#)

This policy is reviewed as necessary and at least annually as part of the documentation update.

CPCAB 2023