



Malpractice Procedure

CYQ will investigate instances of alleged or suspected malpractice and will take appropriate action to maintain the integrity of units and qualifications. Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates.

Maladministration is any activity, neglect, default or other practice that results in the centre not complying with the specified requirements for delivery of the units and qualifications.

CYQ reserve the right to withdraw centre approval in the event of an alleged or suspected occurrence of malpractice/maladministration arising on the part of learners, centre staff, or others involved in providing a CYQ qualification. In order to ensure that CYQ is kept fully informed, the following procedures should be followed:

1. Centres must report immediately to CYQ any suspected case of malpractice/maladministration arising after learners have been registered.
2. Centres must record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

CYQ wishes to advise centres that failure to comply with these requirements will impact on any future acceptance of registration entries and certification issue, and may result in centre approval being withdrawn.

1. Examples of learner misconduct could include:

- Non-compliance in observing the mandatory rules of conduct during an assessment, resulting in fraudulent claims for certification
- Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment, resulting in fraudulent claims for certification
- Misconduct procedures (learners)
- Where an issue of misconduct occurs and is discovered or reported the following action will be taken:
 - The Invigilator/Centre Contact is empowered to expel a learner from the assessment room
 - The expelled learner's assessment paper must be securely retained and a report filed to the Centre Contact
 - The report and assessment record must be available for submission to CYQ and the regulatory authority (Ofqual or SQA) upon request
 - If any of the rules of external assessment are deemed to have been broken by a learner, Invigilator or other person involved in the assessment process, then CYQ may declare the assessment void

Examples of centre malpractice could include:

- Failure of the approved centre to report any suspected malpractice reported to CYQ from other sources
- Failure of the approved centre to apply the CYQ recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
- Failure of the approved centre to apply CYQ's recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process
- Failure of the centre to apply the CYQ recommended security procedures as identified within the Security Declaration Form
- Failure on behalf of the centre to comply with CYQ/FAB guidance relating to reasonable adjustments
- Claims for certification being submitted by the approved centre for units and/or qualifications that have not been approved for delivery by CYQ
- Delivery and assessment of units and/or qualifications that have not been approved by CYQ
- Claims for certification being submitted by the approved centre for learners that have not been registered with CYQ
- Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment
- Payment for CYQ services/accreditation is not received in accordance with the terms and conditions of payment
- The centre or any part (if a consortium group) becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure
- There is any significant change in control of the centre (or a change of membership if a consortium group). CYQ must be informed immediately in this case

Malpractice procedures (centres)

Where an issue of malpractice occurs and is discovered or reported the following action will be taken:

- CYQ will investigate the suspected case of malpractice
- CYQ will report significant cases of malpractice automatically to the regulatory authorities (Ofqual or SQA) (and all other cases on request)
- CYQ will inform the regulatory authorities (Ofqual or SQA), whenever it finds evidence that certificates may be invalid
- CYQ will assist the regulatory authorities with any further investigations of malpractice, and agree appropriate remedial action if there is evidence that certificates may be invalid
- CYQ will withdraw approval from a centre that is proved guilty of malpractice and automatically refuse any further certificates or accept future registrations of learners

Malpractice investigations

- The objective of an investigation is to establish the facts relating to allegation/complaints in order to determine whether any irregularities have occurred
- All relevant evidence will be considered without bias
- CYQ will also investigate allegations made by whistle blowers and anonymous informants
- Investigations will be carried out either by the CYQ Lead Verifier, and they will liaise with the head of the centre or their nominee
- Conclusions will be based on established evidence. A course of proposed actions will be identified, agreed, implemented and monitored

3. Withdrawal or suspension of approval

Centre approval may be suspended or withdrawn by CYQ at any time if the centre has not complied with the stated terms of agreement covering all policies, regulations, requirements and procedures which are currently in force and which have been agreed with the Centre Contact and/or guarantor signatory personnel.

Examples of non compliance which result in deficiencies in the assessment process and in inappropriate quality of assessment provision, will entitle CYQ to withdraw or suspend all or some of a centre's activities for a specified period of time or indefinitely.

4. Temporary suspension

A temporary suspension will allow CYQ to suggest immediate remedial action and enable the centre to rectify the situation. Temporary suspension may also be implemented to protect current cohorts of learners if the centre is the subject of investigation. CYQ will discuss the problem with the centre and allow a reasonable period of notice (three months) within which to resolve the problem.

Please note: If centre approval is withdrawn CYQ will individually specify the earliest date for reapplication of approval. A fee will be incurred for re-approval.

In order to assist any current learners who may be affected by the suspension or withdrawal of approval, CYQ expect centres to inform those learners about completion of their unit or qualification within the specified timescale, and to offer reasonable support to assist their achievement.

Continued overleaf



Withdrawal or suspension will not affect any earlier certification claims. Any document or certificate that has been issued on the result of a voided assessment will be recalled and cancelled.

Centre Sanctions - The EV completes a risk report at each visit. This document provides detailed information on your current status and should be reviewed carefully. Guidance on examples of sanctions relating to differing levels of malpractice is provided in the Sanction Procedure document.

5. Provision for appeal

CYQ provides a formal route for appeal against a decision to suspend or withdraw centre approval and encourages its centres and learners to use the enquiry service provided to formally lodge such an appeal (please refer to the Appeals Procedures).

Please contact CYQ if you require further guidance as to how to prevent, investigate and deal with malpractice and maladministration

Non-compliance monitoring guidelines - malpractice

Malpractice Occurrence	Procedure/Rationale	Action and Sanctions
<p>Non-compliance in observing the mandatory rules of conduct during an assessment, resulting in fraudulent claims for certification.</p>	<ul style="list-style-type: none"> • Learner expelled from assessment • Assessment paper retained and report filed securely • Assessment paper and report file made available to CYQ and regulatory authorities (Ofqual or SQA) 	<ul style="list-style-type: none"> • Suspension of certification (tariff level 3) • Suspension of registration (tariff level 3) • Suspension of CYQ approval • Possible assessment void decision
<p>Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment, resulting in fraudulent claims for certification.</p>		
<p>Centre failure to report any suspected malpractice reported to CYQ from other sources.</p>	<ul style="list-style-type: none"> • CYQ investigation • CYQ record evidence • CYQ report to Ofqual or SQA 	<ul style="list-style-type: none"> • Suspension of certification (tariff level 3) • Suspension of registration (tariff level 3) • Suspension of CYQ approval • Possible assessment void decision
<p>Centre failure to apply CYQ's recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process.</p>	<ul style="list-style-type: none"> • CYQ investigation • Proven loss of the integrity of assessment decisions • Irretrievable breakdown in management and quality assurance of specific programmes • CYQ report to Ofqual or SQA 	<ul style="list-style-type: none"> • Loss of integrity of assessment decisions - danger of invalid claims for certification (tariff level 3) • Withdrawal of centre approval for specific units and/or qualifications (tariff level 4) • Notification to Ofqual or SQA

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Malpractice Occurrence	Procedure/Rationale	Action and Sanctions
Centre failure to apply CYQ's recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process.		
Centre claims for certification being submitted for units and/or qualifications that have not been approved for delivery by CYQ.		
Centre claims for certification being submitted for learners that have not been registered with CYQ (where applicable).		
Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment.		
Payment for CYQ accreditation is not received in accordance with the payment terms (see terms and conditions).	<ul style="list-style-type: none"> • Non-compliance with contracted agreement but no threat to the integrity of the assessment decisions 	<ul style="list-style-type: none"> • Suspension of certification (tariff level 3) • Suspension of registration (tariff level 3) • Suspension of CYQ approval - until resolution achieved • Withdrawal of centre approval for all programmes (tariff level 5) – if no resolution achieved

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Malpractice Occurrence	Procedure/Rationale	Action and Sanctions
<p>The centre or any part (if a consortium group) becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure.</p>	<ul style="list-style-type: none"> • Irretrievable breakdown in management and quality assurance of all unit and qualifications run by the centre • Threat to learner completion of certification – learner support/guidance required • CYQ report to Ofqual or SQA 	<ul style="list-style-type: none"> • Withdrawal of centre approval for all units and qualifications (tariff level 5) • Notification to Ofqual or SQA
<p>There is any significant change in control of the centre or a change of membership if a consortium group.</p>	<ul style="list-style-type: none"> • Potential irretrievable breakdown in management and quality assurance of all units and qualifications run by the centre • Threat to learner completion of certification – learner support/guidance required 	<ul style="list-style-type: none"> • Suspension of centre approval for all units and qualifications
<p>Centre begins delivery/assessment of a CYQ unit/qualification that has not been approved.</p>	<ul style="list-style-type: none"> • CYQ investigation • Proven loss of the integrity of assessment decisions – danger of invalid claims for certification 	<ul style="list-style-type: none"> • Suspension of certification (tariff level 3) • Suspension of registration (tariff level 3) • Suspension of CYQ approval • Possible assessment void decision

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