



## MALPRACTICE

### Malpractice/Maladministration Procedure

**VIBE CONCEPTS** will investigate instances of alleged or suspected malpractice or maladministration and will take appropriate action where required 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 units and qualifications.

Should an alleged malpractice/maladministration arise on the part of the learners, centre staff, or others involved in providing a YMCA Awards qualification, **VIBE CONCEPTS** will:

1. Report immediately to YMCA Awards any suspected case of malpractice/maladministration arising after learners have been registered.
2. Investigate and record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

*Centre note: YMCA Awards reserve the right to withdraw centre approval in the event of an alleged or suspected occurrence of malpractice/maladministration*

*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on any future acceptance of registration entries and certification issue, and may result in centre approval being withdrawn.*

### **Examples of learner misconduct could include:**

- Non-compliance in observing the mandatory rules of conduct during an assessment
- Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment,

### **Misconduct procedure (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 will be securely retained and a report filed to the Centre Contact
- The report and assessment record will be available for submission to YMCA Awards and the regulatory authority (Ofqual) 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 **VIBE CONCEPTS** and YMCA Awards may declare the assessment void.

### **Examples of centre malpractice/maladministration could include:**

- Failure of **VIBE CONCEPTS** to report any suspected malpractice reported to YMCA Awards from other sources
- Failure of **VIBE CONCEPTS** to apply the YMCA Awards recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
- Failure of **VIBE CONCEPTS** to apply YMCA Awards recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process
- Failure of **VIBE CONCEPTS** to apply the YMCA Awards recommended security procedures as identified within the centre approval declaration
- Failure on behalf of **VIBE CONCEPTS** to comply with YMCA Awards guidance relating to reasonable assessment adjustments
- Claims for certification being submitted by **VIBE CONCEPTS** for units and/or qualifications that have not been approved for delivery by YMCA Awards
- Delivery and assessment of units and/or qualifications that have not been approved by YMCA Awards

- Claims for certification being submitted by **VIBE CONCEPTS** for learners that have not been registered with YMCA Awards
- Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment
- **VIBE CONCEPTS** 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 **VIBE CONCEPTS** or a change of membership if a consortium group). YMCA Awards should be informed immediately if this occurs

### **Malpractice/maladministration procedure (centres)**

Where an issue of malpractice or maladministration occurs, is discovered or reported **VIBE CONCEPTS** will:

- Report the issue to YMCA Awards's Lead Quality Assurer who will investigate the suspected case of malpractice/maladministration
- Investigate the facts relating to allegation/complaints in order to determine whether any irregularities have occurred

Conclusions will be based on established evidence. A course of proposed actions will be identified, agreed, implemented and monitored in association with YMCA Awards. All relevant evidence will be considered without bias.

For information regarding YMCA Awards's Malpractice Procedure follow this [link](#).

## 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> <p>Replication of another learner's work in either the practical, theoretical or portfolio aspect of assessment, resulting in fraudulent claims for certification (including plagiarism, copying, collusion, impersonation)</p>	<ul style="list-style-type: none"> <li>• learner expelled from assessment</li> <li>• assessment paper retained and report filed securely</li> <li>• assessment paper and report file made available to YMCA Awards and regulatory authorities (Ofqual)</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of certification (tariff level 3)</li> <li>• suspension of registration (tariff level 3)</li> <li>• suspension of YMCA Awards approval</li> <li>• possible assessment void decision</li> </ul>
<p>Centre failure to report any suspected malpractice reported to YMCA Awards from other sources.</p>	<ul style="list-style-type: none"> <li>• YMCA Awards investigation</li> <li>• YMCA Awards record evidence</li> <li>• YMCA Awards report to Ofqual</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of certification (tariff level 3)</li> <li>• suspension of registration (tariff level 3)</li> </ul>
<p>Centre failure to apply YMCA Awards's recommended investigation procedures for external assessment, thus affecting the validity of the assessment process.</p>	<ul style="list-style-type: none"> <li>• YMCA Awards investigation</li> <li>• proven loss of the integrity of assessment decisions</li> <li>• irretrievable breakdown in management and quality assurance of specific programmes</li> <li>• YMCA Awards report to Ofqual</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of YMCA Awards approval</li> <li>• possible assessment void decision</li> <li>• loss of integrity of assessment decisions - danger of invalid claims for certification (tariff level 3)</li> <li>• withdrawal of centre approval for specific units and/or qualifications (tariff level 4)</li> <li>• notification to Ofqual</li> <li>• possible notification to other awarding bodies</li> </ul>

Malpractice occurrence	Procedure/Rationale	Action and sanctions
Centre failure to apply YMCA Awards's recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process.	<ul style="list-style-type: none"> <li>• YMCA Awards investigation</li> <li>• proven loss of the integrity of assessment decisions</li> <li>• irretrievable breakdown in management and quality assurance of specific programmes YMCA Awards report to Ofqual</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of certification (tariff level 3)</li> <li>• suspension of registration (tariff level 3)</li> <li>• suspension of YMCA Awards approval</li> <li>• possible assessment void decision</li> <li>• loss of integrity of assessment decisions - danger of invalid claims for certification (tariff level 3)</li> <li>• withdrawal of centre approval for specific units and/or qualifications (tariff level 4)</li> <li>• notification to Ofqual</li> <li>• possible notification to other awarding bodies</li> </ul>
Centre claims for certification being submitted for units and/or qualifications that have not been approved for delivery by YMCA Awards.		
Centre claims for certification being submitted for learners that have not been registered with YMCA Awards (where applicable).		
Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment.		
Payment for YMCA Awards accreditation is not received in accordance with the payment terms (see terms and conditions).	<ul style="list-style-type: none"> <li>• non-compliance with contracted agreement but no threat to the integrity of the assessment decisions</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of certification (tariff level 3)</li> <li>• suspension of registration (tariff level 3)</li> <li>• suspension of YMCA Awards approval - until resolution achieved</li> <li>• withdrawal of centre approval for all programmes (tariff level 5) – if no resolution achieved</li> </ul>

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"> <li>• irretrievable breakdown in management and quality assurance of all unit and qualifications run by the centre</li> <li>• threat to learner completion of certification – learner support/guidance required</li> <li>• YMCA Awards report to Ofqual</li> </ul>	<ul style="list-style-type: none"> <li>• withdrawal of centre approval for all units and qualifications (tariff level 5)</li> <li>• notification to Ofqual</li> </ul>
<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"> <li>• potential irretrievable breakdown in management and quality assurance of all units and qualifications run by the centre</li> <li>• threat to learner completion of certification – learner support/guidance required</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of centre approval for all units and qualifications</li> </ul>
<p>Centre begins delivery/assessment of a YMCA Awards unit/qualification that has not been approved.</p>	<ul style="list-style-type: none"> <li>• YMCA Awards investigation</li> <li>• proven loss of the integrity of assessment decisions – danger of invalid claims for certification</li> </ul>	<ul style="list-style-type: none"> <li>• suspension of certification (tariff level 3)</li> <li>• suspension of registration (tariff level 3)</li> <li>• suspension of YMCA Awards approval</li> <li>• possible assessment void decision</li> </ul>