Maladministration and Malpractice Policy

Issue date	1st June 2024
Last reviewed date	4th July 2025
Renewal date	4th July 2027
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Notes	Please also refer to the HBXL Complaints, Appeals & Whistleblowing Policy and HBXL Conflict of Interest Policy.

1. Aims and Scope

This policy is relevant to all HBXL Building Software customers, learners and staff members who are using, delivering, assessing or undertaking a qualification through HBXL Skills Academy. The policy relates to any person (s) who are involved in suspected or actual malpractice.

The purpose of this policy is to set out the steps to follow when reporting suspected or actual cases of malpractice and maladministration. It is also in place to review those processes which led to the suspected or actual case of malpractice and/or maladministration and to support any investigations.

HBXL Skills Academy will act upon any reports of suspected or actual cases of malpractice and/or maladministration that we receive regarding our staff or learners, which may affect the integrity of any assessments, qualifications and quality assurance systems in place.

All staff are required to read the HBXL Maladministration and Malpractice Policy as part of their induction programme. Thereafter, all staff are expected to revisit the policy on an annual basis, along with other HBXL Skills Academy policies.

The HBXL Maladministration and Malpractice Policy is available for all staff members, learners and third parties to access via our website. Learners who enrol onto our courses are sent an Induction Pack which contains a link to all HBXL Skills Academy Policies.

2. Definitions and Examples

Definition of Maladministration

Maladministration is any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a learning provider (e.g. inappropriate learner records).

Definitions of Malpractice

Malpractice is any activity or practice which deliberately contravenes regulations and compromises the integrity of the assessment process and/or the validity of certificates. For the purpose of this policy this term also covers professional misconduct.

Examples

The categories listed below are examples of malpractice and maladministration. This list is for guidance and is not exhaustive:

- Plagiarism of any nature by learners – including the use of Artificial Intelligence (AI)
- Forgery of evidence
- Submission of false information to gain a proxy or a certificate
- Discriminatory, bullying or harassing behaviour
- Unprofessional conduct
- Behaviour likely to endanger the health or safety of the public
- Falsifying assessment records
- Falsifying administration records
- Assessment irregularities of any nature by learners
- Assessment irregularities of any nature by staff

3. Procedure for reporting and investigating suspected maladministration or malpractice

Reporting Process

Any person identifying or suspecting cases of malpractice and/or maladministration should report them to the Skills & Quality Assurance Manager or the Skills Academy Lead to investigate.

If senior staff members are suspected of being involved in malpractice and /or maladministration, the relevant accrediting organisation must be contacted directly.

The HBXL Skills Academy will investigate all suspected and actual cases of maladministration/ malpractice.

If an investigation finds evidence of malpractice or maladministration, HBXL Skills Academy will have to take the necessary steps to ensure that the learners' interests are protected as far as is reasonably possible.

Reports into malpractice and/or maladministration must include:

- the learner(s) name
- staff members details (name, job role)
- the title of the course affected or nature of the service affected
- the date(s) suspected or actual malpractice and/or maladministration occurred
- the full nature of the suspected or actual malpractice and/or maladministration

The HBXL Skills Academy will acknowledge any reports relating to maladministration/ malpractice within two working days of receipt. HBXL Skills Academy will:

- arrange for appropriate personnel to review the report and commence the investigation
- aim to action and resolve all investigations within 7 working days of receipt of the report
- advise on the outcome of our investigation within 2 working days of making our decision
- report any suspected or actual incidents of malpractice and/or maladministration to the relevant accrediting organisation

Any cases of suspected or actual maladministration or malpractice will be investigated by a relevant manager, appointed by the Skills & Quality Assurance Manager or Skills Academy Lead.

Investigation Process

An investigation may involve:

- a request for further information
- interviews (face to face or by telephone) with personnel involved in the investigation
- informed decisions being made based on the evidence provided

- the protection of the identity of the 'informant' if required.

Any awarding or accrediting organisations will be informed of any investigations and reports produced from investigations into suspected or actual cases of maladministration/malpractice. All documents relating to investigations will be given to the relevant awarding or accrediting organisation, who may in turn wish to undertake their own investigation, in line with their own policies and procedures relating to malpractice and maladministration.

4. Learner Malpractice

A tutor must inform the HBXL Skills Academy Skills & Quality Assurance Manager of suspected or proven incidents of plagiarism or malpractice, following the reporting process detailed above.

An investigation will be conducted following the process outlined above.

Consequences of Learner Malpractice

If an investigation confirms that learner malpractice has taken place, HBXL Skills Academy may impose one or more of the following sanctions on the learner.

Please note that this list is not exhaustive:

- Not allowing the learner to submit part or all of the assessment evidence
- Not allowing the learner to complete the course
- Not issuing course completion certificate(s)

Learners are able to appeal any outcome of a malpractice investigation, in line with HBXL Skills Academy's Complaints, Appeals & Whistleblowing Policy.

It is as the discretion of individual tutors at HBXL Skills Academy whether they enable a learner to re-submit evidence for assessment, if actual or suspected plagiarism or any form of malpractice has occurred.

If work is to be re-submitted, it must be received by the tutor within three days of the notification from the tutor that their work is suspected or proven to have been plagiarised or malpractice has occurred.

HBXL Skills Academy reserve the right to terminate any learner's access to HBXL Skills Academy accreditations or certification, whether they have paid the full course fee or not, due to suspected or proven incidents of plagiarism or malpractice.

A learner will not receive a refund for their qualification fee or any monies paid (such as instalments) if they have been terminated from completing an HBXL Skills Academy course due to plagiarism or malpractice – either proven or suspected.

If a learner is to be removed from an HBXL Skills Academy course due to suspected or proven incidents of plagiarism or malpractice, they will be given written notice of this.

If a learner is allowed to proceed on an HBXL Skills Academy course after an incident of proven or suspected plagiarism or malpractice has been identified, any future or further issues of plagiarism or malpractice, whether suspected or proven, will result in the immediate removal of the learner from their course. No refund of any monies paid by a learner, either the full course fee or instalments, will be returned to the learner.

All proven or suspected cased of plagiarism must be reported to the relevant awarding or accrediting organisation.

By enrolling onto an HBXL Skills Academy qualification, a learner is agreeing to the terms and conditions within this policy. Learners should also note that their assessment evidence is subject to a plagiarism or AI checker. This is at the discretion on their HBXL Skills Academy Tutor.

5. Review and Monitoring

The Maladministration and Malpractice Policy will be reviewed bi-annually and at other times in the intervening period as necessary.