

## UK TAE KWON DO COMMISSION



### **MALPRACTICE & MALADMINISTRATION POLICY**

**This is the adopted Malpractice & Maladministration Policy of the UK Tae Kwon Do Commission and is to be implemented and adhered to in all member clubs and organisations.**

# MALPRACTICE/MALADMINISTRATION

## Introduction

**The UK Tae Kwon Do Commission** 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 an Focus Awards qualification, **The UK Tae Kwon Do Commission** will:

1. Report immediately to Focus Awards, any suspected case of malpractice/maladministration arising after learners have been registered.
2. Investigate the facts relating to allegation/complaints in order to determine whether any irregularities have occurred
3. Investigate and record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

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

## 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 Tutor/assessor is empowered to expel a learner from the assessment room
- The expelled learner's assessment paperwork will be securely retained and a report filed to the Centre Co-ordinator
- The report and assessment record will be available for submission to Focus Awards and the regulatory authority (Ofqual) upon request

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

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Denial of access to premises, records, information, learners and staff to any authorised Focus Awards representative and/or the regulatory authorities
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with Focus Awards requirements
- Deliberate failure to adhere to Focus Awards learner registration and certification procedures.
- Deliberate failure to continually adhere to Focus Awards centre recognition and/or qualification approval requirements or actions assigned to **The UK Tae Kwon Do Commission**
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claim(s) for certificates
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Deliberate misuse of Focus Awards logo and trademarks or misrepresentation of **The UK Tae Kwon Do Commission** relationship with Focus Awards and/or its recognition and approval status with Focus Awards
- Collusion or permitting collusion in exams/assessments
- Learners still working towards qualification after certification claims have been made
- Persistent instances of maladministration within the centre
- Deliberate contravention by **The UK Tae Kwon Do Commission** and/or its learners of the assessment arrangements specified by Focus Awards for their qualifications
- A loss, theft of, or a breach of confidentiality in, any assessment materials
- Plagiarism by learners/staff
- Copying from another learner (including using ICT to do so).
- Personation - assuming the identity of another learner or having someone assume your identity during an assessment.
- Unauthorised amendment, copying or distributing of exam/assessment papers/materials
- Inappropriate assistance to learners by centre staff (e.g. unfairly helping them to pass a unit or qualification)
- Deliberate submission of false information to gain a qualification or unit
- Deliberate failure to adhere to, or to circumnavigate, the requirements of Focus Awards Reasonable Adjustments and Special Considerations Policy.

**Malpractice sanctions**

Following an investigation, if a case of malpractice is upheld, **The UK Tae Kwon Do Commission** may impose sanctions or other penalties on the individual(s) concerned. Where relevant we will report the matter to Focus Awards, and Focus Awards may impose one or more sanctions upon the individual(s) concerned. Any sanctions imposed will reflect the seriousness of the malpractice that has occurred.

Listed below are examples of sanctions that may be applied to a learner, or to a member of staff who has had a case of malpractice upheld against them. Please note that this list is not exhaustive and other sanctions may be applied on a case-by-case basis.

### **Possible UK Tae Kwon Do Commission sanctions that may be applied to learners:**

- A written warning about future conduct.
- Notification to an employer, regulator or the police.
- Removal from the course.

### **Possible sanctions that may be applied to staff members of The UK Tae Kwon Do Commission**

- A written warning about future conduct.
- Imposition of special conditions for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of learners and/or assessment.
- Informing any other organisation known to employ the individual in relation to Focus Awards qualifications of the outcome of the case.
- **The UK Tae Kwon Do Commission** may carry out unannounced monitoring of the working practices of the individual(s) concerned.
- Dismissal.

### **Reporting a suspected case of malpractice**

This process applies to centre staff and to any reporting of malpractice by a third party or individual who wishes to remain anonymous.

1. Any case of suspected malpractice should be reported in the first instance to the Internal Quality Assurer (IQA) of [insert company name].
2. A written report should then be sent to the IQA, clearly identifying the factual information, including statements from other individuals involved and / or affected, any evidence obtained, and the actions that have been taken in relation to the incident.
3. Suspected malpractice must be reported as soon as possible to the IQA, and at the latest within two working days from its discovery. Where the suspected malpractice has taken place in an examination, the incident be reported urgently and the appropriate steps taken as specified by Focus Awards.
4. Wherever possible, and provided other learners are not disrupted by doing so, a learner suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the centre.
5. In cases of suspected malpractice by centre staff and any reporting of malpractice by a third party or individual who wishes to remain anonymous, the report made to the IQA and should include as much information as possible, including the following:
  - a) the date time and place the alleged malpractice took place, if known.
  - b) the name of the centre staff or other person(s) involved
  - c) a description of the suspected malpractice; and
  - d) any available supporting evidence.

6. In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous, **The UK Tae Kwon Do Commission** will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

### **Administering suspected cases of malpractice**

**The UK Tae Kwon Do Commission** will investigate each case of suspected or reported malpractice relating to Focus Awards qualifications, to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. We will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of Focus Awards qualifications and reputation is taken.

**The UK Tae Kwon Do Commission** will acknowledge all reports of suspected malpractice within 14 working days. All of the parties involved in the case will then be contacted within 28 working days of receipt of the report detailing the suspected malpractice. We may also contact other individuals who may be able to provide evidence relevant to the case.

The individual(s) concerned will be informed of the following:

- a) that an investigation is going to take place, and the grounds for that investigation;
- b) details of all the relevant timescales, and dates, where known;
- c) that they have a right to respond by providing a personal written response relating to the suspected malpractice (within 15 working days of the date of that letter);
- d) that, if malpractice is considered proven, sanctions may be imposed either by **The UK Tae Kwon Do Commission** or by Focus Awards, reflecting the seriousness of the case;
- e) that, if they are found guilty, they have the right to appeal.
- f) that **The UK Tae Kwon Do Commission** has a duty to inform Focus Awards and other relevant authorities / regulators, but only after time for the appeal has passed or the appeal process has been completed. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.

Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.

The individual has a right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.

Records of all malpractice cases and their outcomes are maintained by **The UK Tae Kwon Do Commission** for a period of at least 3 years.