

## Malpractice and Maladministration Policy

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<b>Policy Approved by</b>	CEO – Judith Allen
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<b>Update Log</b>	April 26 - Updated AI use guidance, including learner declaration requirements and addition of an AI Review Checklist (Appendix 1) to support assessment authenticity.

## Purpose

Educationwise is committed to protecting the integrity of all assessments, qualifications, and apprenticeship end-point assessments. This policy defines malpractice and maladministration, sets out how we prevent, detect, investigate, and report them, and explains our approach to the appropriate and transparent use of Artificial Intelligence (AI) by learners.

## Scope

This policy applies to:

- **Learners** on any Educationwise programme.
- **Staff** involved in delivery, assessment, internal quality assurance (IQA), and administration.
- **Third parties**, including subcontractors, mentors/workplace supervisors, EPAOs, awarding organisations (AOs), and any contractors acting on our behalf.

## Definitions & Examples

**Malpractice:** Any act or practice that compromises the integrity, validity, reliability, or security of assessment/qualification processes. Examples include (not exhaustive):

- Plagiarism; collusion; impersonation; contract cheating.
- Fabrication/forgery of evidence; unauthorised access to assessment materials.
- Inappropriate use of AI (see “AI Use”).
- Assessor bias; breaches of assessment conditions; failure to follow controlled-conditions rules.

**Maladministration:** Inefficient, careless, or wilful non-compliance with required processes that risks compliance or validity, e.g.:

- Late/inaccurate registrations or certification claims.
- Poor record-keeping; insecure storage of assessment evidence.
- Failure to follow AO/EPAO or internal procedures and timelines.

## AI Use (Permitted, Prohibited, and Detection)

### Permitted learner use (with disclosure):

Learners must clearly declare where Artificial Intelligence tools have been used to support their work. A short statement should be included within the submission outlining how the tool was used (for example research support, summarising content or grammar checking).

- Using AI to **research, brainstorm, summarise, or draft** ideas **provided** the learner:
  - Critically reviews/edits the output,
  - Demonstrates their own understanding, and
  - **Declares** AI assistance in the submission (e.g., a short “AI support used for...” note).

### Prohibited learner use:

- Submitting work **entirely or predominantly** generated by AI as original work.
- Using AI to **circumvent learning**, misrepresent authorship, or generate data/evidence.
- Using AI where an AO/EPAO explicitly bans it for a given assessment.
- Submitting AI generated responses that the learner cannot explain or justify.
- Using AI tools to generate reflective accounts, workplace evidence, professional discussion responses or assessment answers.

### Detection and evidence:

- Educationwise does **not** blanket-screen all work. Where concerns arise, we may use AI-indication tools **alongside** other evidence (e.g., version history, source checks, questioning).
- **Decisions will not be based solely on automated tools.** Where appropriate, we may ask the learner to attend a short **professional discussion/oral explanation** to demonstrate understanding.

## Responsibilities

### Learners

- Produce original work; follow assessment rules; declare permitted AI support and all sources.
- Cooperate with investigations and attend discussions if requested.

### Staff (tutors/assessors/IQA/administration)

- Apply AO/EPAO and internal procedures consistently.
- Give clear instructions about assessment rules (including AI) at induction/briefings.
- Remain vigilant for red flags; report promptly; keep secure records.

## IQA / Compliance

- Maintain and review procedures to prevent/detect malpractice and maladministration.
- **Log and track** all allegations, investigations, outcomes, and actions.
- Liaise with AOs/EPAOs promptly where required; implement corrective actions.

## Subcontractors / Third parties

- Comply with this policy and relevant AO/EPAO requirements.
- Report suspected incidents to Educationwise immediately and cooperate fully.

## Preventative Controls

- Clear assessment briefs, authenticity declarations, and controlled-conditions guidance.
- Staff training and periodic refreshers (incl. AI literacy and academic integrity).
- Sampling, internal verification, and moderation (risk-based).
- Secure system controls (e.g., platform access, version history).
- Learner and employer inductions that cover integrity and permitted technology.

## Reporting & Investigation (Stages and Timescales)

### Reporting a concern

- Staff, learners, employers, and subcontractors can report concerns to the **IQA/Compliance** function or to a senior manager. Urgent concerns should be raised immediately.

### Acknowledgement & initial review

- We will **acknowledge** reports within **5 working days** and conduct an initial review to determine scope, evidence required, and any immediate safeguards.

### Investigation

- An investigator (independent of delivery where practicable) will gather evidence (e.g., assessments, feedback, platform logs, communications, AI-indication reports) and may interview relevant parties.
- Learners/staff will be informed of the allegation and given a fair chance to respond.
- Where relevant, we may invite the learner to a **professional discussion** to demonstrate knowledge/skills.

### Outcome & actions

- A written outcome will **normally** be provided within **10 working days** of acknowledging the concern (complex cases may require longer; we will keep parties informed).
- If malpractice/maladministration is **not** upheld, no detriment will follow.
- If **upheld**, we will apply proportionate sanctions and corrective actions (see below).

## Sanctions & Corrective Actions

Sanctions are proportionate to severity, intent, impact, and any prior history. Possible outcomes include:

- **For learners:** formal warning; resubmission/reassessment; mark invalidation; unit/qualification disallowance; withdrawal from programme (in the most serious cases).
- **For staff:** retraining and supervision; removal from assessment duties; disciplinary action under HR procedures.
- **For centre processes:** process changes; additional sampling; re-training; strengthened controls; re-submission of data; notification to AO/EPAO.

## External Notifications

Where required by regulations or AO/EPAO rules, Educationwise will **promptly notify**:

- The relevant **Awarding Organisation/End Point Assessment Organisation** of suspected/confirmed centre or learner malpractice/maladministration.
- Any other relevant regulators or stakeholders as directed by the AO/EPAO.

## Record-Keeping

- The IQA/Compliance team will maintain a **Malpractice & Maladministration Incident Log**, including allegations, evidence, decisions, sanctions, and actions.
- Records will be retained securely for a **minimum of six years**.

## Rights, Support, and Fairness

- **Right to be accompanied:** Learners (and staff) may be accompanied to formal meetings by a suitable representative.
- **Confidentiality & non-retaliation:** All reports are handled sensitively. No one will be disadvantaged for raising a concern in good faith.
- **Accessibility:** Information about this policy can be provided in alternative formats on request.

## Appeals

- Parties have the right to **appeal** decisions related to malpractice.
- Appeals must be submitted **in writing within 10 working days** of the decision to the Director of Quality, Compliance & Excellence (Nick Preston).

- An independent reviewer (not involved in the original decision) will consider the appeal and issue a written outcome (normally within **10 working days**).
- Where applicable, learners may subsequently appeal to the **AO/EPAO** following their procedures; details will be provided with the appeal outcome.

## Monitoring and Review

- The SLT and IQA will review trends from the incident log, audits, and sampling to drive continuous improvement.
- This policy and associated procedures will be **reviewed annually** or sooner in response to regulatory changes, AO/EPAO updates, or emerging technologies (including AI).

**Queries/Reports:** Contact **Nick Preston, Director of Quality, Compliance & Excellence** – [npreston@education-wise.org](mailto:npreston@education-wise.org)

## Appendix 1 – Artificial Intelligence (AI) Review Checklist

Where tutors or assessors have concerns about the authenticity of submitted work, the following indicators may be considered as part of the review process.

### Possible indicators of AI generated content may include:

- sudden changes in writing style compared with previous submissions
- vocabulary or academic language significantly above the learner’s typical level
- responses that are overly generic and lack workplace or personal context
- examples that appear unrealistic or not linked to the learner’s role
- references or sources that cannot be verified
- identical structure or phrasing commonly associated with AI generated responses
- the learner being unable to clearly explain how the answer was developed

The presence of a single indicator does not confirm misuse. Tutors should consider the overall context of the learner’s work and progress.

## Tutor Response Framework

### Level 1 - Minor concern

- **Findings:** One or two indicators present.
- **Action:** Tutor discusses the submission with the learner and reminds them of the responsible use of AI tools.
- **Outcome:** Learner confirms understanding and no further action required.

### Level 2 - Moderate concern

- **Findings:** Several indicators present or authenticity unclear.
- **Action:** Tutor requests clarification and may ask the learner to revise or resubmit the work.
- **Outcome:** Assessment resubmission required.

### Level 3 – Significant concern

- **Findings:** Strong evidence of AI generated work or the learner cannot explain the submission.
- **Action:** Assessment is rejected and referred through the Malpractice and Maladministration procedure.
- **Outcome:** Formal investigation may take place in line with the policy.

