POLICY

Policy title	IMI – Malpractice & Maladministration
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Policy owner	Principal

Status	Approved
Summary of changes	Reviewed and updated to reflect change to current guidance

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Introduction

The policy is aimed at staff of The Hastings Academy to ensure they deal with all malpractice & maladministration investigations in a consistent manner.

It sets out the steps that The Hastings Academy staff and candidates will follow when reporting suspected or actual cases of malpractice and/or maladministration and the responsibilities in dealing in such cases.

Centre responsibility

It is important that all staff involved in the management, assessment and quality assurance of The Hastings Academy qualifications, and candidates are fully aware of the contents of the policy and we have arrangements in place to prevent and investigate instances of malpractice and maladministration.

Definition of malpractice

Malpractice is essentially any activity or practice, which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- The assessment process
- The integrity of IMI products
- The validity of a result or certificate
- The reputation and credibility of the centre
- The reputation and credibility of the IMI

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records in order to claim certificates.

Examples of malpractice include but not limited to:

- Failure to carry out assessments in accordance with IMI requirements
- Failure to carry out quality assurance in accordance with IMI requirements
- Deliberate failure to maintain appropriate auditable records of assessment and certification
- The unauthorised use of inappropriate personnel, materials and/or equipment for assessments
- Collusion or permitting collusion in assessments (including online assessments)
- Candidates still working towards an IMI product after certification claims have been made
- Persistent instances of maladministration within the centre
- Plagiarism by candidates/staff
- A loss, theft of, or a breach of confidentiality in any assessment materials
- Copying from another candidate (including using ICT to do so)
- Assuming the identity of another candidate 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 qualification (including units),
- Deliberate submission of false information to gain a qualification (including units),
- False identification used at the registration stage
- Creation of false records

- Cheating
- Cash for certificates (e.g. the selling of certificates for cash)
- Selling certificates, questions and/or assessment details
- Fraud

Definition of maladministration

Maladministration is essentially 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 centre (e.g. inappropriate candidate records).

Examples of maladministration are (this list is not exhaustive):

- Late candidate registrations (both infrequent and persistent)
- Inaccurate claims for certificates (including certificates claimed 'in error')
- Failure to adhere to IMI qualification approval requirements
- Failure to maintain appropriate auditable records (e.g. certification claims)
- Misuse of IMI logo and trademarks or misrepresentation of a centre's relationship with the IMI and/or its recognition and approval status with the IMI
- Withholding of information from the IMI which is required to assure the IMI of the centre's ability to deliver qualifications appropriately

Reporting

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must notify the Centre Coordinator of The Hastings Academy immediately.

In doing so, details should be provided in writing, with the appropriate supporting evidence.

All allegations must include (where possible):

- the nature of the suspected or actual malpractice/maladministration and associated dates
- details of the qualification, unit or exam
- centre's name, address and number
- candidate's name and registration or enrolment number
- details of centre personnel (e.g. name, job role) if they are involved in the case
- details and outcome of any initial investigation carried out by The Hastings Academy or anybody else involved in the case, including any mitigating circumstances

Confidentiality

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous, although it is always preferable if they reveal their identity and provide us with their contact details. However, if a whistleblower is concerned about possible adverse consequences that may occur should their identity be revealed to another party, they should inform us that they do not want their identity divulged.

The Hastings Academy will always aim to keep the identity of the person making the allegations confidential where asked to do so, although we cannot guarantee this. We may need to disclose their identity should the allegation lead to issues that need to be taken forward by other parties such as:

- The Police (to investigate or prevent crime)
- The Courts (in connection with any court proceedings)
- Other third parties such as regulatory authorities (in connection with certification)

Once a concern has been raised we have a duty to pursue the matter.

Responsibility for the Investigation

The Centre Coordinator of The Hastings Academy must ensure that the staff involved in any internal investigation are competent and have no personal interest in the outcome of the investigation. The Centre Coordinator should be involved in all such investigations unless the allegations relate to the Centre Coordinator or the management of the centre. In which case, such investigations should be carried out by an additional Management person of the centre or his/her nominee.

The nominated person will be responsible for ensuring that the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy. They will allocate a relevant member of staff to lead the investigation and establish whether or not the malpractice or maladministration has occurred, and review any supporting evidence received or gathered by the process.

At all times we will ensure that The Hastings Academy personnel assigned to the investigation have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

Notification of Relevant Parties

Where malpractice or maladministration has taken place or is alleged, we will notify the most appropriate senior member of the The Hastings Academy quality team.

All suspected and actual cases of malpractice and maladministration must be reported to the awarding body, the The Hastings Academy will inform the IMI if we believe there has been an incident of malpractice or maladministration, which could either invalidate the award of an IMI product. We will keep them informed of progress in the matter.

Investigation Timelines and Process

Where possible, The Hastings Academy aim to complete the investigation within 10 working days of receipt of the allegation. However, in some cases the investigation may take longer. In such instances, we'll advise all parties concerned of any revised timescales.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so, investigations will be underpinned by terms of reference and based around the following broad objectives:

- To establish the facts relating to allegations in order to determine whether any malpractice and/or maladministration has taken place
- To identify the cause of any malpractice and/or maladministration and those involved
- To establish the scale of any malpractice and/or maladministration and whether other IMI products are affected
- To determine whether remedial action is required to reduce the risk to current registered candidates and to preserve the integrity of the IMI products
- To ascertain whether any action is required in respect of certificates already issued
- To identify any adverse patterns or trends.

In carrying out any investigation we will be sensitive to the effect on, and reputation of The Hastings Academy, and/or those members of staff who may be the subject to investigation. We will strive to ensure that the investigation is carried out as confidentially as possible and the organisation/person who is the subject of the allegation will have the opportunity to raise any issues about the proposed approach and the conduct of the investigation.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, we will expect all parties, who are either directly or indirectly involved in the investigation, to co-operate fully with us.

In any interviews carried out with the person(s) accused of malpractice and/or maladministration, they can choose to be accompanied by a work colleague, trade union representative or other party.

We will ensure that all material collected as part of an investigation is kept secure. All records and original documentation concerning a completed investigation will be retained for a period of no less than 6 years.

If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for 6 years thereafter.

Investigation Report

If The Hastings Academy believes there is sufficient evidence to implicate an individual within our centre, in malpractice and /or maladministration we will:

Inform them (preferably in writing) of the allegation

- Provide them with details of the evidence we found to support our judgment
- Inform them of the possible consequences
- Inform them that information in relation to the allegation and investigation may be, or has been, shared with the IMI and other relevant bodies (e.g. police)
- Provide them with an opportunity to consider and respond to the allegation and our findings

After an investigation, we will produce a report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and ourselves. The report will endeavour to:

- Identify where the malpractice/maladministration, if any, occurred
- Confirm the facts of the case (and any mitigating factors if relevant)
- Identify who was responsible for the malpractice/maladministration (if any)
- Contain supporting evidence where appropriate (e.g. written statements)
- Confirm an appropriate level of remedial action to be applied.

If it's an internal investigation against a member of our staff the Head of Human Resources will agree the report with the relevant internal managers and appropriate internal disciplinary procedures will be implemented.

Investigation Outcome

If the investigation confirms that malpractice or maladministration has taken place The Hastings Academy will consider what action to take to:

- Minimise the risk to the integrity of certification now and in the future

- Maintain public confidence in the delivery of qualifications
- Discourage others from carrying out similar instances of malpractice or maladministration
- Ensure there has been no gain from compromising our standards.

In such cases where certificates are deemed to be invalid, we will inform the candidates that are affected and let them know the action being taken and that their original certificates are invalid. We will work with the relevant IMI and return the invalid certificates to them.

POLICY REVIEW

The Hastings Academy review their policies and procedures on an annual basis and the next review is scheduled for:

- 01 September 2026

Issue Number	Effective Date	Amendments	Reasons
1	1.9.2025		