

End-point assessment malpractice and maladministration policy

QS&G / 2021

Who and what is this policy for:

This policy is for employers, providers, and apprentices.

It includes the definitions of malpractice within the context of end-point assessments. It includes what action we will take where there is alleged or suspected malpractice and maladministration in EPA.

Pearson Education Ltd – Our Mission and Values

Welcome to Pearson, the world's learning company. We have a simple mission: to help people make more of their lives through learning. Whether it's at home, in the classroom or in the workplace, learning is the key to improving our life chances. We are the UK's largest awarding body and we are regulated by Ofqual (England), SQA Accreditation (Scotland), CCEA Regulation (Northern Ireland) and Qualifications Wales (Wales). We offer academic and vocational qualifications that are globally recognised and benchmarked, with educational excellence rooted in names like Edexcel, BTEC, and LCCL.

Our regulatory policies are integral to our approach and articulate in a consistent way how we meet regulatory requirements. These policies are designed to support centres and learners with the design, delivery and award of Pearson qualifications and services.

Contents

Pearson Education Ltd – Our Mission and Values	2
Contents	2
1. Scope of policy	4
Malpractice in end-point assessment.....	4
2. What is malpractice and maladministration?	4
3. How to report suspected malpractice and maladministration in EPA.....	5
4. How we will investigate suspected maladministration and malpractice	6
5. Penalties and sanctions for proven maladministration or malpractice	7

6. Appeals.....	8
7. Regulatory references.....	8
8. Policy review date.....	9

1. Scope of policy

Malpractice in end-point assessment

- 1.1 This policy applies to each process associated with end-point assessments: registration, booking, Gateway, end-point assessment delivery, results, and post-results processes.
- 1.2 It is important that you comply with this policy as this is part of your EPA service agreement with us.
- 1.3 For information about malpractice and maladministration in Pearson qualifications included in an apprenticeship please read our [Centre guidance for dealing with malpractice and maladministration](#).

2. What is malpractice and maladministration?

- 2.1 **Malpractice** is taken to mean any act, default or practice which is a breach of the regulations or which: gives rise to prejudice to candidates; and/or compromises public confidence in qualifications; and/or compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre. For example:
 - Breaching EPA requirements.
 - Providers, employers, or apprentices intentionally providing inaccurate or misleading submissions of declaration forms and/or other evidence, within the Gateway process, or during the EPA.
 - Providers or employers helping apprentices to answer assessment questions or producing assessment evidence, beyond what EPA requirements allow.
 - Any staff or apprentices undertaking the EPA on behalf of someone else.
 - Submitting or plagiarising work that is not the apprentice's own original work (such as using a project writing service to buy work and submit it as their own).
 - Deliberate destruction or tampering with work or assessment records.
 - Giving a false declaration of authenticity of assessment evidence.

- Deliberately giving false assessment evidence, records, results and other documents relating to the EPA.
 - Intentionally accessing or trying to access and share confidential assessment material.
 - Apprentices offering a bribe of any type to invigilators, employer or provider staff or Pearson staff (independent end-point assessors or internal quality assurers).
 - Use of unauthorised material or devices during the assessment.
 - Breaching the invigilation conditions, including inappropriate behaviour, such as apprentices communicating with one another or failing to follow the instructions of the invigilator.
 - Anyone failing to cooperate with an investigation or act as requested by Pearson.
- 2.1 Maladministration** is a form of malpractice and includes any actions, neglect, default or other practice that compromises the assessment or quality assurance process, including the integrity of the EPA, the validity of any results or certificates, or the reputation and credibility of Pearson. For example:
- Failing to maintain and keep accurate records about apprentices EPAs.
 - Failing to provide accurate records about apprentices to Pearson.
 - Incidents of not complying with EPA invigilation requirements.
 - Any actions that lead to apprentices having an unfair advantage or disadvantage.

3. How to report suspected malpractice and maladministration in EPA

- 3.1** You should refer to the *JCQ Suspected Malpractice Policies and Procedures* (<https://www.jcq.org.uk/exams-office/malpractice>).
- 3.2** You must report any incident of reported, suspected or actual:
- Malpractice or attempted malpractice by employer or provider staff;
 - Maladministration by employer or provider staff; and
 - Malpractice or attempted malpractice by apprentices.
- 3.3** Incidents of apprentice malpractice should be reported to us using the JCQ Form M1 (www.jcq.org.uk/exams-office/malpractice).
- 3.4** Incidents of employer or provider staff malpractice should be reported to us using the JCQ Form M2 (www.jcq.org.uk/exams-office/malpractice) before an investigation is undertaken. Upon receipt, the Investigations team will confirm the next steps and how the matter should be investigated.

3.5 When reporting incidents, try to include as much information as possible, as a guide this should include:

- The dates of the alleged or suspected malpractice/maladministration.
- Employer or provider details.
- The people involved and whether other apprentices have been affected.
- Which assessment standard it is.
- The details of the alleged malpractice/maladministration, including locations.
- Any supporting evidence, for example statements, emails, or copies of documents.

3.6 Incidents should be reported to us using the following email addresses:

- Apprentice malpractice: candidatemalpractice@pearson.com
- Employer or provider staff malpractice or maladministration: pqsmalpractice@pearson.com

3.7 If our staff find or suspect malpractice when conducting an EPA, or during quality assurance activities, this will be referred to our Investigations team.

3.8 Anyone wishing to anonymously report actual or suspected malpractice can do so by contacting us by email at pqsmalpractice@pearson.com. Where requested, we will not disclose an informant's identity, unless legally obliged to do so. As our investigations are confidential, we will not be able to disclose to informant's details of the outcome of the investigation or what action has been taken.

4. How we will investigate suspected maladministration and malpractice

4.1 We may need to carry out an independent investigation and it is important that you support us with the investigation.

4.2 When dealing with alleged malpractice or maladministration in a centre our Investigations team will work mostly with the key personnel named within your end-point assessment services agreement. We may require access to the premises for investigation purposes, though we will communicate to you about this if we need to.

4.3 As part of the investigation we retain the right to:

- Involve the apprentice and others in the investigation process;
- Contact the apprentice (and/or the apprentice's representative) directly; and
- Contact staff members directly.

- 4.4** This may occur, for example, when an apprentice's account of events is different with that of the employer or provider. Anyone being interviewed can be accompanied by another person.
- 4.5** During the investigation period, we may:
- Refuse apprentice bookings;
 - Request that ESFA withhold the release of certificates; and
 - Withhold test papers if the security of a test is considered at risk, pending the outcome of the investigation.
- 4.6** If malpractice or maladministration is suspected by a Pearson representative (for example end-point assessors) or has been reported directly to us by a third party, we will investigate it in a form appropriate to the nature of the alleged malpractice/maladministration. Such an investigation will require the full support of the key personnel named within your end-point assessment agreement, and all staff linked to the allegation.
- 4.7** Any alleged incident of malpractice or maladministration brought to our attention after the issue of certificates will result in a full investigation by us. Depending on the outcome of the investigation, certificates may be recalled by ESFA and declared invalid.
- 4.8** We may need to access any documents you store in relation to alleged malpractice or maladministration. In some incidents, such as provider or employer staff malpractice, we may be required to:
- Report the incident to the relevant External Quality Assurance organisation and other stakeholders, including the action that has been taken by the key personnel named within your end-point assessment agreement, or employer, governing body, or the responsible employer.
 - Notify or share information with fellow EPAOs or other organisations.

5. Penalties and sanctions for proven maladministration or malpractice

- 5.1** Where malpractice/maladministration is proven, we will consider whether the integrity of our end-point assessments might be at risk if the provider or employer staff member/apprentice in question were to be involved in future Pearson end-point assessments and so we may act to protect the integrity of our EPA service. This action may include:

- Refusing to accept assessment registrations and/or bookings from a provider or employer in cases where malpractice is proven for specific apprenticeship standards.
- Stopping access to an EPA or suspending delivery of an EPA.
- Termination of the EPA Service agreement.
- Refusing to issue EPA results.
- Invalidating claims for an apprenticeship certificate.
- Debarring an employer or provider staff member from involvement in the delivery of our end-point assessments for several years/life.
- Disqualifying an apprentice from taking any component of the EPA.

6. Appeals

6.1 Please read our [Enquiries and appeals about end-point assessment policy](#) for full details.

7. Regulatory references

7.1 UK regulators require all awarding organisations to establish and maintain their compliance with regulatory conditions and criteria. As part of this process, policies that relate to Pearson's status as an awarding organisation will reference any conditions and criteria that they address.

7.2 This policy addresses the following regulatory criteria and conditions:

Qualification regulator or relevant governing body	Regulatory rule or guidance document	Regulatory condition, criteria, or principle
Ofqual	General Conditions of Recognition	A8
ESFA	Conditions for being on the register of end-point assessment organisations	2.4
JCQ	JCQ Suspected malpractice	All sections

8. Policy review date

8.1 This policy will be reviewed in December 2021.