

Malpractice and Maladministration Policy

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1. Introduction and Values

LLSE works with clusters of schools and strategic partners committed to growing and developing the next generation of school leaders equipped with the skills, determination and passion necessary to lead outstanding schools.

LLSE works with schools to identify potential outstanding leaders of the future and provide them with the opportunities to learn from and with their peers, building professional networks that will sustain them in their careers and ultimately improve the achievement, wellbeing and life outcomes of children and young people in their care.

LLSE values its staff, partners and participants and is committed to supporting their wellbeing and development in every interaction, promoting an ethos of caring for each other.

Our Vision - that every child and young person's learning is able to flourish in schools where outstanding leadership creates environments full of rich opportunities to learn.

Our Values - we are committed to promoting and modelling the following values: Integrity, objectivity, accountability, openness, honesty, leadership and selflessness.

Our Objectives

- To work in partnership with schools and groups of schools to co-design and co-deliver innovative leadership development opportunities
- To create leadership development experiences and programmes that impact directly on the quality of school leadership and pupil outcomes
- To grow the next generation of school and system leaders with the skills to lead the schools of the future
- To work strategically with stakeholders to create coherence throughout the school system

2. Purpose of the Policy

LLSE is committed to providing high-quality leadership development training to all our participants. LLSE operates within a procedural and regulatory framework designed to ensure quality of provision, participant experience and outcomes. LLSE is committed to preventing and addressing any cases of malpractice and maladministration and this policy sets out the procedures by which we do this.

This policy is designed to guide the practice of:

- Participants enrolled on LLSE programmes
- Delivery Partners
- Sub-contractors involved in the development or delivery of LLSE's programmes
- The LLSE Programme Team (comprising administration, management and facilitation personnel)

It is also for use by LLSE staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

The policy sets out the steps that participant, delivery partner or cluster Delivery Partners, cluster lead schools, participants, sub-contractors and/or other personnel must follow when reporting suspected or actual cases of malpractice/maladministration and LLSE's responsibilities in dealing with such cases. It also sets out the procedural steps LLSE will follow when reviewing the cases.

All staff involved in the management, assessment and quality assurance of an LLSE programme must be fully aware of the contents of the policy. LLSE will provide its personnel with the policy as part of their contracting and induction arrangements. The policy will be available to participants via the LLSE website.

3. Responsibilities

3.1. Delivery Partners

Delivery Partners and sub-contractors will share the policy with all relevant locally-employed personnel and take all reasonable steps to prevent and / or investigate malpractice and maladministration.

A Delivery Partner / sub-contractor's compliance with this policy and how it takes reasonable steps to prevent and/or investigate instances of malpractice and maladministration will be reviewed by LLSE periodically through the ongoing Continuous Quality Improvement (CQI) process.

A failure to report suspected or actual malpractice/maladministration cases or have in place effective arrangements to prevent such cases, may lead to sanctions.

3.2. Responsibilities of Participants

Participants enrolled on LLSE programmes are responsible for ensuring that they comply with the policy. Failure to comply or to report a suspected or actual malpractice/maladministration may result in suspension or removal from the programme or the over-turning of assessment and qualification outcomes.

4. Definitions

4.1. Malpractice

Malpractice is 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 a regulated qualification,
- the validity of a result or certificate,
- the reputation and credibility of LLSE, and/or
- the qualification or the wider qualifications community.

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.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

4.2. 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 (e.g. inappropriate participant records).

4.3. Examples

Malpractice

The categories listed below are examples of possible malpractice by a delivery partner, sub-contractor, cluster, learner or other personnel. 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 LLSE representative and/or the Regulatory Bodies.
- Failure to carry out internal assessment, marking or internal verification in accordance with LLSE requirements.
- Actions resulting in redaction of any assessment materials.
- Tampering with assessment materials and/or learner records.
- Deliberate failure to adhere to our participant registration and certification procedures.
- Deliberate failure to address any actions for improvement identified by LLSE.
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence.
- Fraudulent claim for results and/or certificates.
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards of qualifications.
- Deliberate misuse of our logo and/or trademarks or misrepresentation of a centre's relationship with LLSE and/or its recognition and approval status with LLSE.
- Collusion or permitting collusion in assessments.
- Persistent instances of maladministration within the centre.
- Deliberate contravention by a delivery partner, cluster and/or participants of the assessment arrangements that we specify for our qualifications.
- Loss, theft of, or a breach of confidentiality in, any assessment materials.
- Plagiarism by learners/staff complicit in such actions.
- Copying from another learner (including using ICT to do so).
- Inappropriate assistance to participants by any staff in assessment activity.
- Deliberate submission of false information to gain a qualification.

Maladministration

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

- Persistent failure to adhere to our learner registration and certification procedures.
- Failure to register participants appropriately or within prescribed deadlines.
- Unreasonable delays in responding to requests and/or communications from LLSE.
- Inaccurate claim for scholarship funding.

- Failure to maintain appropriate auditable records, e.g. attendance registers, application forms.
- Withholding of information, by deliberate act or omission, from us which is required to assure us of the delivery partners and/or cluster's ability to deliver qualifications appropriately.
- Misuse of our logo and trademarks or misrepresentation of a centre's relationship with LLSE and/or its recognition and approval status with LLSE.

5. Making an allegation of malpractice or maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify LLSE by email enquiries@llse.org.uk and enclose appropriate supporting evidence.

If a Delivery Partner or sub-contractor has conducted an initial investigation prior to formally notifying us, they should ensure that staff involved in the initial investigation are competent and have no personal interest in the outcome of the investigation. However, it is important to note that in all instances the partner must immediately notify LLSE if they suspect malpractice or maladministration has occurred as LLSE has a responsibility to the DfE and its QAA agent to ensure that all investigations are carried out rigorously and effectively.

In all reported cases of suspected malpractice and maladministration reported LLSE will protect the identity of the 'informant' in accordance with our duty of confidentiality and/or any other legal duty.

6. Responsibility for the investigation

All suspected cases of maladministration and malpractice will be examined promptly by LLSE to establish if malpractice or maladministration has occurred and we will take all reasonable steps to prevent any adverse effect from occurring.

All suspected cases of malpractice and maladministration will be passed to the LLSE Director of Improvement, who will acknowledge receipt, as appropriate, to external parties within 3 working days.

The appointed Director will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy. S/he will review any supporting evidence received or gathered by LLSE and allocate a relevant member of staff to lead the investigation and establish whether the malpractice or maladministration has occurred.

LLSE personnel assigned to the investigation will have the appropriate level of training and competence and no previous involvement or personal interest in the matter.

In the case of claims of malpractice and/or maladministration against a member of LLSE's staff or LLSE as an organisation, the Directors may appoint an external investigator and may consult with the DfE and the DfE's QAA agent for advice in appointing a suitable person / organisation.

7. Notifying relevant parties

LLSE will notify the Board of Directors, the DfE and the DfE's QAA agent and the Delivery Partner Lead School (where applicable) of all investigations into possible instances of malpractice or maladministration. The DfE and the DfE's QAA agent will be notified within 24 hours of LLSE becoming aware of such instances with all other parties notified within 5 working days of receipt of the suspected claim and within 14 days of the conclusion of investigation.

8. Investigation timelines and summary process

LLSE aims to action and resolve all stages of the investigation within a maximum of 6 weeks of receipt of the allegation.

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 based around the following broad objectives:

- to establish the facts relating to allegations/complaints to determine whether any irregularities have occurred,
- to identify the cause of the irregularities and those involved,
- to establish the scale of the irregularities,
- to evaluate any action already taken by the centre,
- to determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of the qualification,
- to ascertain whether any action is required in respect of certificates already issued,
- to obtain clear evidence to support any sanctions to be applied to the centre, and/or to members of staff, and
- to identify any adverse patterns or trends.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation. Therefore, LLSE will:

- ensure that all material collected as part of an investigation is kept secure. All records and original documentation concerning a completed investigation that ultimately leads to sanctions against a centre be retained for a period of no less than 2 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 2 years thereafter, and
- expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with the investigation.

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, LLSE reserves the right to impose sanctions to protect the interests of participants and the integrity of the qualifications.

Sanctions may include withholding a participant's, and/or cohort's, results for all the LLSE qualifications they are studying at the time of the notification or investigation of suspected or actual malpractice/maladministration.

Should LLSE find that the complexity of a case or a lack of cooperation means that they are unable to complete an investigation, they may consult with the DfE and/or the DfE's QAA Agent to determine how best to progress the matter.

Where a member of LLSE's staff is under investigation they may be suspended or moved to other duties until the investigation is complete.

Throughout the investigation the LLSE Director of Improvement will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and, for liaising with and keeping relevant external parties informed.

9. Investigation report

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

- identify where the breach, if any, occurred,
- confirm the facts of the case,
- identify who is responsible for the breach (if any),
- confirm an appropriate level of remedial action to be applied, and
- confirm any actions/sanctions (if any) should be imposed on the sub-contractor, delivery partner, cluster or participant.

LLSE will make the final report available to the parties concerned, to the LLSE Directors, the DfE and to the DfE's QAA agent and other external agencies as required.

Where the suspected case of malpractice or maladministration was reported by an independent/third party, LLSE will also inform them of the outcome. In doing so LLSE may withhold some details if disclosing such information would breach a duty of confidentiality or any other legal duty.

In the case of an internal investigation against a member of LLSE staff the report will be agreed by the Board of Directors with the relevant internal managers and appropriate internal disciplinary procedures will be implemented.

10. Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place LLSE will consider what action to take in order to:

- minimise the risk to the integrity of qualification now and in the future,
- maintain public confidence in the delivery and awarding of qualifications,
- discourage others from carrying out similar instances of malpractice or maladministration, and
- ensure there has been no gain from compromising our standards.

Actions may include:

- Imposing actions and specified deadlines in order to address the instance of malpractice/maladministration and to prevent recurrence. Where the malpractice or maladministration relates to a member of staff, sanctions will be in line with the company's Disciplinary Policy and may include dismissal.
- Imposing sanctions on the participant, delivery partner or cluster and providing a rationale for the applied sanctions.
- In cases where certifications are deemed to be invalid, inform the DfE and the DfE QAA agent why they are invalid and agree any action to be taken for reassessment and/or for the withdrawal of the certificates.
- Notifying affected learners of the action being taken and amending the learner database so that duplicates of the invalid certificates cannot be issued.
- Amending aspects of LLSE's qualification development, delivery and awarding arrangements and, if required, assessment and/or monitoring arrangements and associated guidance to prevent the issue from reoccurrence.
- Informing relevant third parties (e.g. funding bodies) of findings in case they need to take relevant action in relation to the Delivery Partner, Cluster and/or sub-contractor.

In proven cases of malpractice and/or maladministration by a Delivery Partner, cluster or participant, LLSE reserves the right to charge for any re-submission of assessment. See also NPQ Summative Assessment Policy.

In addition to the above, the Director of Improvement will record any lessons learnt from the investigation and pass these onto the LLSE Board of Directors and relevant internal colleagues to help LLSE prevent similar instances of maladministration or malpractice from reoccurrence.

11. Appeal

An appeal may only be considered on the grounds that this policy and its stated processes have not been adhered to.

If, after a case has been investigated and reported, the participant, sub-contractor, delivery partner, cluster or other personnel wishes to challenge the outcome of the investigation, they may follow the process as set out below:

- I) Notify the LLSE Executive Director of their intention to appeal within 2 days of receiving the report
- II) Submit an appeal within 5 working days of the reported outcome stating any elements of the process that they believe have not been followed

The letter of appeal will be considered by the Executive Director, unless they have been directly involved in the investigation in which case they may refer the appeal to a nominated Director from the LLSE Board.

The Executive Director or nominated Director will review the appeal and the investigation report to determine whether the process has been adhered to fully. If they judge that it has been followed this will conclude the appeals process. If they judge that there may have been errors in the process they may revise the outcomes. Revisions may include requesting a further review, overturning the judgement, revising the sanction and/or revising the recommendations for continuous improvement of policy and practice.

12. Policy Review

This policy will be reviewed on a bi-annual basis, normally in January.

The next review is due in January 2026