

PROCEDURES FOR DEALING WITH CASES OF ALLEGED MALPRACTICE (RQF)

Introduction

This policy aims to define malpractice in the context of assessment and certification for IRRV RQF qualifications and sets out the rights and responsibilities, with regard to malpractice, of the candidate, centre and IRRV.

It is in the interest of candidates and centre staff to respond effectively and openly to all requests for an investigation into an incident or a suspected incident of malpractice. Centre co-ordinators or their nominees are required to inform candidates and centre staff of their responsibilities and rights. The IRRV will supervise all investigations resulting from both Centre Malpractice or Candidate Malpractice.

IRRV reserves the right, in suspected cases of malpractice, to withhold the issuing of results/ certificates to the candidate while an investigation is in progress.

Definitions

Malpractice consists of those acts which undermine the integrity and validity of assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification.

IRRV may impose penalties and/or sanctions on candidates and/or centres where incidents (or attempted incidents) of malpractice have been proven.

These sanctions may include 1 or more of the following:-

- removal of approval status
- removal of direct claim status
- suspension of candidate registration and/or certification
- an increased level of external verification

CANDIDATE MALPRACTICE

What constitutes candidate malpractice?

The following are examples of malpractice by candidates:

1. Plagiarism by copying and passing off, as the candidates own, the whole or part(s) of another persons work, with or without the originators permission or coping from AI software without stating it.
2. Collusion by working collaboratively with other candidates to produce work that is submitted as individual candidate work.
3. Impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take ones place in an assessment.
4. Fabrication of results and/or evidence.
5. Behaving in such a way as to undermine the integrity of the assessment.

PROCEDURES FOR REPORTING ALLEGED CENTRE malpractice or maladministration

Where IRRV External Quality Assurance Officers (RQF) discover evidence of suspected or actual malpractice or maladministration by a centre, they must report their findings to the IRRV immediately. The report should include the details of the malpractice or maladministration, the centre staff and/or candidates involved, the date(s) the malpractice or maladministration took place, and the RQF to which the case relates. The EQA should inform the centre that a report has been submitted.

Where any other person suspects malpractice in a centre they should notify the IRRV of their concerns and of as much detail as possible in order to enable the IRRV to consider whether it is appropriate to conduct an investigation

INVESTIGATIONS INTO ALLEGED CENTRE OR CANDIDATE MALPRACTICE

All allegations of suspected malpractice will be logged by the IRRV, whether or not an investigation is considered necessary, for 5 years to enable trends to be identified.

Any allegation will be reported to the IRRV Qualifications Management Board who will appoint an Investigation Team

The IRRV Management Committee will:

1. acknowledge a case of alleged malpractice within 5 working days of the case being brought to the attention of the IRRV
2. appoint the Investigation Team within 5 working days of the case being brought to the attention of the IRRV. The Team will comprise one member of the Qualifications Management Board, the Head of Professional Services or a deputy, and an EQA unconnected with the centre.

Suspend claims for certificates from the centre during an investigation into alleged Centre malpractice.

Objective of an investigation

The objective of the investigation will be to:

- ◆ Identify the cause of the irregularities and those involved
- ◆ Establish the scale of any irregularities
- ◆ Evaluate any action already taken by the Centre
- ◆ Determine whether remedial action is required to reduce the risk to current candidates and to preserve the integrity of the qualification
- ◆ Ascertain whether any action is required in respect of certificates already issued
- ◆ Obtain evidence to support any sanctions to be applied to the centre and/or to members of staff
- ◆ Identify any patterns or trends

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The IRRV Investigation Team will:

1. Make those suspected of malpractice of the nature of the allegation and the possible consequences should the case be proven. In the case of an allegation in respect of a candidate who is under the age of 19, also inform the candidate's guardian
2. Inform anyone accused of malpractice of the avenues for appealing should a judgement be made against them
3. Give the Centre [and candidate malpractice] the opportunity to respond, preferably in writing, to the allegations made.
4. Where necessary, visit the Centre to interview any relevant parties and collect copies of any documentation or records that are required to assist with the investigation
5. Complete the investigations and decide what action should be taken within 20 working days of the case being brought to the attention of the IRRV.

The report will detail

- a statement of the fact
- a detailed account of the circumstances
- the Centre's and any candidate's account of the events
- their conclusions including any sanctions that are to be applied

6. Inform the centre [and any affected candidates] the of the outcome of the case in writing immediately a decision in v) has been made.

7. Keep the centre and any affected candidate regularly informed of progress throughout the investigation.
8. Make sure the case is treated in confidence.
9. Look at any patterns of malpractice and try to improve areas with continuing problems.
10. Report the case to the IRRV Qualifications Management Board.
11. Report the case to the regulatory authority, if considered appropriate.

Record Retention

All records and original documentation concerning a completed investigation that leads to sanctions against a centre [or candidate¹] will be retained securely for a period of not less than five 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 five years thereafter.

Rights of Appeal

If a centre [or candidate¹] disagrees with the IRRV Investigation Team's decision, they may appeal to the Institute's independent appeals representative, c/o the IRRV, within 30 working days of receipt of the team's decision. The independent representative will investigate the appeal and forward his/her findings to the relevant regulatory authority within 30 days for final adjudication.

Invalid Certificates

The IRRV Qualifications Management Board will report cases of malpractice to the regulatory authorities whenever it finds evidence that certificates may be invalid. The IRRV will cooperate with any follow-up investigations of malpractice required by the regulatory authorities. The IRRV will agree with the regulatory authorities on appropriate remedial action if there is evidence that certificates may be invalid

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