**Malpractice and maladministration procedures**

**ESO education and training (NW) ltd** (simplified to **ESO** for the remainder of this document) has the responsibility to prevent and investigate any and all instances of alleged or suspected **malpractice** or **maladministration** and take appropriate action where required to maintain the integrity of units and qualifications.

**Malpractice** is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates issued by the relevant awarding body (Laser Trident). It also covers the following

* The assessment processes
* Integrity of a regulated qualification
* The validity of a result or certificate
* The reputation and credibility of the relevant awarding body (Laser Trident)
* The qualification of the wider qualification’s community.

**Maladministration** is any activity, neglect, default or other practice that results in the centre not complying with the specified requirements for delivery of units and qualifications.

Should an alleged malpractice/maladministration arise on the part of the learners, centre staff, or others involved in providing an awarding organisation qualification (Laser Trident), **ESO** will:

* Report immediately to the relevant awarding organisation (Laser Trident), any suspected case of malpractice/maladministration arising after learners have been registered.
* Investigate and record full details of the nature of the suspected malpractice/maladministration issue, including personnel involved and any action taken.

**Misconduct Procedure (Learners)**

Where an issue of misconduct occurs and is discovered or reported the following action will be taken:

* The Invigilator (paul German, Rebecca Heron, John McDowell) /Centre Contact (Simon Owen) is empowered to expel a learner from the assessment room, where applicable, any disruption to the exam or course will be time stamped and if necessary, the exam will be halted whilst the disruption is dealt with. Time lost for other candidates during the disruption will be reallocated and the test can resume, major disruption may cause the exam/assessment to be cancelled and rescheduled.
* The expelled learner’s assessment paper will be securely retained, and a report filed to the Centre Contact, Simon Owen
* The report and assessment record will be available for submission to the awarding organisation (Laser Trident) and the regulatory authority (Ofqual) upon request a coply will also be sent to the IQA (Joel Igenoza j.igenoza@dynamisenterprises.co.uk)

If any of the rules of external assessment are deemed to have been broken by a learner, invigilator or other person involved in the assessment process, then **ESO** and the awarding organisation (Laser Trident) may declare the assessment void.

In the event of proven misconduct, **ESO** reserves the right to cancel the offending learner’s enrolment. No refund will be granted and the obligation to pay any outstanding amounts will not be cancelled. The learner will be offered no future enrollments with **ESO**.

Examples of learner misconduct include:

* Non-compliance in observing the mandatory rules of conduct during an assessment. This includes but is not limited to talking during a theory assessment and or using a mobile phone or other prohibited device (be it electronic or otherwise) during an assessment for example:
  + using the device to look up answers to assessment questions
  + texting/ringing someone for answers
  + Accessing data stored on the device to answer exam questions
* Replication of another learner’s work in either the practical, theoretical or portfolio aspect of assessment. Both learners could be at fault if the copying is conducted with the knowledge of the learner whose work is being copied.

**Malpractice/Maladministration Procedure (Centres)**

Where an issue of malpractice or maladministration occurs, is discovered or reported **ESO** will:

* Report the issue to the awarding organisations Lead Quality Assurer (Laser Trident quality@laser-awards.org.uk) who will investigate the suspected case of malpractice/maladministration
* Investigate the facts relating to allegations/complaints in order to determine whether any irregularities have occurred

Conclusions will be based on established and proven evidence. A course of proposed actions will be identified, agreed, implemented and monitored in association with the awarding organisation (Laser Trident). All relevant evidence will be considered without bias.

**Examples of centre malpractice/maladministration could include but not be limited to:**

* Failure of ESO to report any suspected malpractice reported to the awarding organisation (Laser Trident) from other sources
* Failure of ESO to apply the awarding organisation (Laser Trident) recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
* Failure of ESO to apply the awarding organisations (Laser Trident) recommended assessment paperwork and procedures for internal assessment, (IQA Joel Igenoza j.igenoza@dynamisenterprises.co.uk) thus affecting the validity of the assessment process
* Failure of ESO to apply the awarding organisations (Laser Trident) recommended security procedures as identified within the centre approval declaration
* Failure on behalf of ESO to comply with awarding organisation (Laser Trident) guidance relating to reasonable assessment adjustments
* Claims for certification being submitted by ESO for units and/or qualifications that have not been approved for delivery by the awarding organisation (Laser trident)
* Delivery and assessment of units and/or qualifications that have not been approved by the awarding organisation (Laser Trident)
* Claims for certification being submitted by ESO for learners that have not been registered with the awarding organisation (Laser Trident)
* Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment
* ESO or any part (if a consortium group) becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure
* There is any significant change in control of ESO (or a change of membership if a consortium group). The awarding organisation (Laser Trident) should be informed immediately if this occurs

Reviewed February 2024

Simon Owen 

Relevant contacts pertained within this document

HEAD OF CENTRE

Simon Owen Simonowen@esotrainingnw.co.uk

IQA

Joel Igenoza [j.igenoza@dynamisenterprises.co.uk](mailto:IQAj.igenoza@dynamisenterprises.co.uk)

INVIGILATORs

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AWARDING BODY CONTACT

Laser Trident [trident@laser-awards.org.uk](mailto:trident@laser-awards.org.uk)