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2024 - 2025

# CPCAB Malpractice and Maladministration Policy



## 1. Introduction

This policy aims to define malpractice and maladministration in the context of the design, delivery and assessment of CPCAB qualifications. It sets out the rights and responsibilities of candidates, centres and CPCAB and outlines the procedures to be followed should malpractice or maladministration be suspected or identified.

## 2. Malpractice - Definitions and types

CPCAB defines malpractice as an intentional act of an individual or business that threatens the integrity and/or validity of delivery, assessment or certification of one of its qualifications. Malpractice can be conducted by centres, centre staff, candidates and awarding organisations. Please note that the examples below are not exhaustive and are only intended as guidance on CPCAB's definition of malpractice/maladministration.

**2.1** Candidate malpractice - Examples of candidate malpractice may include but are not limited to:

- introducing unauthorised material in assessment or passing off work by someone else as if it was their own (plagiarism or use of generative Artificial Intelligence tools);
- altering assessment documents or certificates, falsifying evidence or documentation;
- copying from another candidate or allowing their work to be copied, e.g. posting work on social networking sites prior to an assessment;
- any act that could convey an unfair advantage over others in the same situation.

**2.2** Centre malpractice - Examples of malpractice within a centre may be with regards to internal management systems, staff, resources, assessment or internal quality assurance and may include but are not limited to:

- failing to follow CPCAB policies and procedures for conducting all forms of assessment, moderation or verification;
- repeated cases of maladministration that affect the integrity or validity of a qualification and where improvements have been previously recommended;
- registering groups with inaccurate or misleading information, such as tutor(s) associated with the group;
- fraudulent claims for certification, such as where all aspects of the qualification have not been achieved, (eg client placement hours);
- compromising the integrity of assessment materials or falsifying assessment records;
- failing to declare a conflict of interest (eg when a candidate is a family member, close friend or client). See also CPCAB's [Conflict of Interest Policy](#);
- inappropriate assistance to candidates by centre staff, (eg unfairly helping them to pass coursework);
- deliberate misuse of the CPCAB logo or misrepresentation of a centre's relationship with CPCAB;
- assessment bias or behaving in such a way as to undermine the integrity of the qualification.

**2.3** CPCAB malpractice - Examples of malpractice within the awarding organisation may include but are not limited to:

- a member of staff failing to declare a connection with a centre, tutor or candidate;
- disclosure of assessment material to an unauthorised person;
- assessment bias or behaving in such a way as to undermine the integrity of the qualification.

### 3. Maladministration - Definitions and types

CPCAB defines maladministration as a lack of care, judgment or competence by anyone involved in the development, delivery, assessment or award of its qualifications. Maladministration is an activity of poor practice that results in the centre, or candidate, not complying with the specific requirements for a qualification, and impacts on the integrity or validity of the qualification. Maladministration is often a reflection of poor rather than improper practice and therefore may require CPCAB to raise actions for quality improvement. The severity of any maladministration is initially assessed, and although some instances of maladministration may not require a full investigation by CPCAB and can be managed promptly, repeated cases and failure to mitigate and prevent further instances may then itself be escalated to constitute as malpractice. Where maladministration is conducted dishonestly or with intent by an individual or a centre, this in itself may be referred to and investigated as malpractice by CPCAB.

**3.1 Centre maladministration** - Examples of maladministration within a centre may include but are not limited to:

- administrative error, failure to follow published procedures or inadequate record-keeping;
- incorrect action or failure to take a necessary action;
- failure to adhere to the requirements of [CPCAB's reasonable adjustments and special consideration policy](#);
- failure to provide information or providing misleading, inaccurate or out-of-date information;
- inadequate communication, unacceptable delay or failure to investigate concerns;
- any action likely to lead to an Adverse Effect.<sup>1</sup>

**3.2 CPCAB maladministration** - Examples of maladministration within CPCAB may include but are not limited to:

- errors in assessment material;
- delays in publication of results or publication of inaccurate results;
- delays in the issuing of certificates;
- misinformation.

### 4. Process for making an allegation to CPCAB of centre or candidate malpractice or maladministration

Any person who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify CPCAB. In doing so they should put their concerns in writing or email and enclose appropriate supporting evidence.

All allegations must include (where possible):

- centre name;
- candidate name and CPCAB candidate number where applicable;
- centre staff details (name, job role) if they are involved in the case;
- details of the CPCAB qualification or nature of the service affected;
- nature of the suspected or actual malpractice and associated dates;

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<sup>1</sup> Ofqual's definition of an Adverse Effect: 'An act, omission, event, incident or circumstance has an Adverse Effect if it -

(a) gives rise to prejudice to Learners or potential Learners, or

(b) adversely affects -

(i) the ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition,

(ii) the standards of qualifications which the awarding organisation makes available or proposes to make available, or

(iii) public confidence in qualifications.'

- details and outcome of any initial investigation carried out by the centre. This may include a timeline of events;
- state whether they believe the allegation has led to a potential or actual Adverse Effect.

A person making an allegation of malpractice or maladministration may wish to remain anonymous. Although it is always preferable for a whistleblower to reveal their identity and contact details to CPCAB this is not a necessity. See CPCAB's [Whistleblowing policy](#) for more information.

## 5. Procedures for Dealing with Malpractice and Maladministration

**5.1 Centre responsibilities** - In the event of malpractice or maladministration being suspected at a centre, a responsible person (Head of Centre, Head of Department, a senior manager, or equivalent) must:

- inform CPCAB at once;
- conduct an investigation into the event following the centre's own published policies and procedures
- inform the person implicated (preferably in writing) of the nature of the alleged event;
- give that person the opportunity to respond (in writing);
- keep CPCAB informed of the progress and outcome of the centre's investigation;
- take immediate remedial action if necessary;
- co-operate with any further investigation that may be required and take steps to prevent a re-occurrence.

**5.2 CPCAB responsibilities** - Where there are suspicions or allegations of malpractice or maladministration CPCAB will:

- inform a centre should any allegations of malpractice or maladministration relating to CPCAB qualifications come to our attention;
- initiate (or require the centre to initiate) an investigation appropriate to the gravity of the allegations. We will agree an appropriate time frame for the investigation and require the centre to provide a statement of how the malpractice or maladministration happened and the extent of its impact;
- initiate (or require the centre to initiate) an action plan for mitigating any potential or actual Adverse Effect that may have resulted. This may include, for example, the recall of certificates that were issued prematurely or in error;
- initiate (or require the centre to initiate) an action plan to avoid any repetition of the event in the future.

An investigation may be initiated by the centre itself or at the request of CPCAB. In the event of an allegation of malpractice or maladministration against the Head of Centre, the investigation must be carried out by the Chair of the Governing Body of the centre or another appropriate nominee and reported to CPCAB when completed. Investigations must be carried out rigorously, effectively and by persons of appropriate competence who have no personal interest in their outcome. It is important to note that in all instances the centre must immediately notify CPCAB if they suspect malpractice or maladministration has occurred as we have a responsibility to our regulators to ensure that all investigations are carried out rigorously and effectively.

CPCAB can provide centres with guidance on preventing, investigating and dealing with malpractice and maladministration on request.

## 6. Malpractice or Maladministration by CPCAB Staff

Any investigation into suspected cases of malpractice or maladministration by CPCAB staff will be carried out by senior management who, should it be confirmed, will take all reasonable steps to:

- make sure that the malpractice or maladministration is brought to a halt immediately;
- remedy any problems caused by the event and take all reasonable steps to prevent any Adverse Effect or mitigate them as far as possible;
- produce an action plan to ensure that such malpractice or maladministration does not happen in the future, and
- take action against the individual/people responsible, proportionate to the gravity and scale of the occurrence.

## 7. Penalties and Sanctions Applied by CPCAB

CPCAB reserves the right in suspected cases of malpractice or maladministration, both during the investigation and when the outcome is known, to apply sanctions which may include:

- conducting an additional quality assurance visit, for which there is an additional charge;
- implementing closer scrutiny and monitoring;
- requesting centres take immediate remedial action to prevent reoccurrence;
- suspending candidate or group registrations;
- withholding results or suspending, withholding or cancelling the issuing of certificates;
- withdrawing approval for any tutor implicated in malpractice;
- withholding the centre's Annual Practising Certificate;
- notifying the regulators (see below), other awarding organisations or professional associations;
- de-registering the centre. If this final step is necessary, CPCAB recognises a duty of care to registered learners.

See also CPCAB's [Sanctions policy](#) available on the CPCAB website.

CPCAB is obliged to inform the regulators (Ofqual, Qualifications Wales or CCEA Regulation) of malpractice or maladministration likely to have an Adverse Effect and is required to inform other awarding organisations if the incident is likely to affect them, their qualifications or their candidates. All cases of malpractice or maladministration are tracked and reported annually to CPCAB's governing body as part of the Qualification Service annual report.

## 7. Appeals

Centres or candidates are entitled to appeal against any action required by CPCAB following an investigation into malpractice or maladministration, using the procedures set out in the [Appeals policy](#)

This policy is reviewed as necessary and at least annually as part of the documentation update.

*CPCAB 2024*