

Malpractice & Maladministration Policy.

Introduction

The Rail Academy (TRA) shall utilise this policy to prevent and manage any potential or actual occurrences of Malpractice and/or Maladministration. Its aim is to set out:

- The process for reporting potential or actual occurrences.
- TRA's responsibilities in dealing with such cases.
- The steps TRA will follow when reviewing the cases.

Definitions

TRA has adopted the Ofqual definitions of malpractice and maladministration in the delivery of its assessment services.

Definition of Maladministration

Maladministration generally covers mistakes or poor process where there has been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude or may result from carelessness or inexperience.

The following are examples of maladministration:

- avoidable delay.
- mistakes arising from inattention.
- faulty procedures.
- failure to follow correct procedures.
- poor record keeping.
- inadvertent failure to take action.
- poor communication.
- inadvertently giving misleading or inadequate information.

Definition of Malpractice

Malpractice will generally involve some form of intent, which may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions with a conscious decision to do anything covered under maladministration and additionally bias or discrimination could also lead to malpractice, Based on this guidance, we define malpractice as any activity or practice which deliberately contravenes regulations and compromises the:

- Assessment process.
- Integrity of an assessment.
- Validity of a result or certificate.
- Reputation and credibility of TRA.

Although malpractice and maladministration are distinct, the two concepts can be on a spectrum. As such, they will sometimes shade into one another. For example, repeated maladministration may become malpractice.

Malpractice and maladministration may occur at any time during the qualification lifecycle from design and development through to delivery, award and quality assurance and reference must be made to **TRA-L2-INT-002 Preventing and Managing Bribery-Corruption-Conflicts of Interest-Malpractice and Maladministration**, which provides examples, alongside the procedure for identification, reporting, investigation, and decision.

Document Number: TRA-L1-INT-004	Issue No: 1.1	Issue Date: 16/06/2023	Page: 1 of 2
Function lead / Approver: MD	Document Owner: HC&QA	Next Review Date: 16/06/2026	



TRA-L1-INT-004.

Malpractice & Maladministration Policy.

Responsibilities

TRA employees, those acting for, or on behalf of the company, that are involved in the design / development, management, delivery and quality assurance of qualifications, customers and learners, must be aware of, and adhere to the contents of this policy and its supporting procedure.

Review of arrangements

TRA will review this policy annually as part of our annual self-assessment arrangements and quality plan. The policy will be revised as and when necessary, in response to:

- Customer and learner feedback,
- Operational feedback,
- Changes in our practices,
- Actions from the regulatory authorities, external agencies or changes in legislation.

Cath Bellamy, Managing Director

The Rail Academy

Date: June 2023

Document Number: TRA-L1-INT-004	Issue No: 1.1	Issue Date: 16/06/2023	Page: 2 of 2
Function lead / Approver: MD	Document Owner: HC&QA	Next Review Date: 16/06/2026	