

Malpractice Policy and Procedures	HRC/P-17 Revision: 2 Effective Date: 01/02/2017
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This document provides guidance for Horizon Risk Consultancy Ltd (Hereinafter referred to as Horizon) to identifying and managing forms of malpractice and maladministration to ensure appropriate internal controls and audit trails are in place.

Definitions of Malpractice

According to NEBOSH, Malpractice means ‘any act, neglect, default or other practice that is a breach of NEBOSH’s regulations and/or that:

- compromises, attempts to compromise, or may compromise the process of assessment, the integrity of any qualification, or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility in NEBOSH’s qualifications or the wider qualifications community’.

Malpractice may also include a range of issues including the failure to maintain appropriate records or systems, deliberate falsification of records in order to claim certification and neglect of professional duty/unethical conduct. Failure by a Learning Partner to notify, investigate and report to NEBOSH allegations of suspected malpractice constitutes malpractice.

The following are (non-exhaustive) types of malpractice (Appendix 1 in NEBOSH Malpractice policy and procedures documents gives examples for each type):

- breach of security;
- deception;
- improper assistance to learners;
- failure to co-operate with an investigation;
- maladministration;
- learner malpractice.

Definition of maladministration

Maladministration means ‘any actions, neglect, default or other practice that compromises the

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accreditation or quality assurance process, including the integrity of accredited qualifications, the validity of certificates or the reputation and credibility of NEBOSH'.

Horizon will:

- ensure that learners and staff are aware of NEBOSH's regulations and requirements for examinations and assessments;
- report to NEBOSH immediately all suspicions or actual incidents of malpractice using the Report of Suspected Malpractice form, which can be found in the Policies, Procedures & Forms section of the secure area of the NEBOSH website (login required)
- ensuring that the Learning Partner and their staff comply at all times with NEBOSH's instructions regarding an investigation;
- report to NEBOSH immediately any suspected or actual incidents of maladministration. Maladministration may be reported to NEBOSH by using the Contact us form on the NEBOSH website. Completion of a specific form is not required; however, details of the affected assessments/examination(s) should be provided (as appropriate), together with a summary of the circumstances of the incident and any corrective actions that have been taken;
- where appropriate, personally supervise investigations that NEBOSH directs the Learning Partner to carry out, or ensure that if it is necessary to delegate the investigation to a member of Learning Partner staff, that the member of staff chosen is independent of the suspected malpractice or maladministration;
- maintain confidentiality in relation to any investigation of malpractice. This includes details of the complainant or whistleblower, the alleged learner(s) or Learning Partner staff and the nature of the incident, respond speedily and openly to all requests for an investigation into an allegation of malpractice or maladministration;

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- provide or make available information requested by NEBOSH;
- co-operate and ensure the staff co-operate fully with an enquiry into an allegation of malpractice or maladministration, whether the Learning Partner is directly involved in the case or not;
- inform staff members and learners of their individual responsibilities and rights as set out in this document;
- pass on to the individuals concerned any warnings or notifications of penalties and ensure compliance with any requests made by NEBOSH as a result of a Learning Partner staff malpractice case;
- at all times comply with data protection law;
- review internal quality procedures to minimise the risk of further malpractice or maladministration;
- retain the following records for three years (or five years in an investigation involving criminal activity):
 - details of any investigations carried out by the Learning Partner into the suspected case of learner(s) malpractice;
 - C018 Policy and procedures for suspected malpractice in examinations and assessments v18 Page 9 of 27 details of any investigations carried out by the Learning Partner into the suspected case of maladministration;
 - written statements from Learning Partner staff and learner(s) involved;
 - any work of the learner(s) and internal assessment records relevant to the investigation;
 - details of any remedial action taken to ensure the integrity of certification now and in

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the future.

- implement a system and procedure for recording all suspected instances of learner malpractice.

Horizon will also:

- have in place robust procedures for preventing and investigating incidents of malpractice or maladministration, ensuring these are up to date and that staff and NEBOSH registered learners are informed of them.
- deliver assessments in a manner that does not encourage malpractice, being vigilant to such possibilities.
- take all reasonable steps to prevent incidents of malpractice or maladministration from occurring.
- regularly review procedures for preventing and investigating incidents of malpractice or maladministration, and make any improvements necessary to ensure the procedures remain relevant and fit for purpose.

Related form: HRCF-22 Malpractice Investigation Register

NEBOSH resources

- Detailed guidance of NEBOSH Malpractice policy and procedures documents can be accessed at NEBOSH website below:

[Policy and Procedures for Suspected Malpractice in Examinations and Assessments \(C018\)](#)

- Please note that any appeals will be heard under the [Appeals Policy \(Q020\)](#).

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- For more information on malpractice, plagiarism and collusion in relation to digital assessments, please see NEBOSH's [Digital Assessments - Plagiarism and collusion page](#).
- NEBOSH quarterly Ethical Practice Reports give an overview of malpractice cases and the penalties given: [NEBOSH Ethical Practice Report](#).

Horizon will review and update this document periodically to reflect any changes/updates that NEBOSH make to this policy.

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