

CMI Awarding Body

Apprenticeship Assessment Malpractice and
Maladministration Policy V7

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AB/POL/0035 - November 2025 - V7

History

Date	Amendments Made
03/09/2025	Review of document and inclusion/amendments to the reporting process to include CPC actions.
04/03/2024	Review completed - amend to V7.0 - taking account of Ofqual General Compliance with Ofqual General Conditions of Recognition A8
20/07/2023	Amplification added to support awareness of plagiarism, collusion and the use of artificial intelligence; change to version 6.0
27/02/2023	Review of the whole document in context to Ofqual General Conditions of Recognition- condition A8, current CMI policy and procedure
21/02/2021	Thorough review and update of the whole document. Amendments made in line with updates in Ofqual General Conditions of Recognition

Intended Audience

- Employers and Centres
- All EPA Managers

- CMI staff and associated third parties

All of CMI's policies are published on the [CMI Policies Webpage](#)

Purpose

The successful delivery of CMI Apprenticeship Assessments relies on the trust, integrity and diligence of Training Providers, Apprentices, Independent Apprenticeship Assessors, CMI and the wider education community. In the majority of circumstances, the apprenticeship system functions well, but on occasion things go wrong. When this happens, CMI will investigate and, where appropriate, take specific action to ensure public confidence is maintained and that the integrity and quality of apprenticeship outcomes and assessments remain fit for purpose.

CMI will take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery and implementation of Apprenticeship Assessment which it makes available or proposes to make available.

Where it has not been possible to prevent this, it is in everyone's interest to ensure that all cases of suspected or actual malpractice and/or maladministration are dealt with quickly, thoroughly and effectively. All reasonable steps taken to prevent any adverse effect from occurring.

Scope

This policy applies to all CMI EPA staff (including contractors), Centres, CMI-registered Apprentices and Apprentice Employers, if appropriate.

Regulatory Requirements

This policy meets the regulatory requirements set out by our regulators: Ofqual

[Ofqual - Conditions of Recognition](#)

Regulator or Relevant Regulatory Body	Reference Details	Legislation/Regulatory Reference
Ofqual	General Conditions of Recognition	Principle 2 Principle 3 Condition A8

		Condition C1 Condition G8: Condition J1 Condition B3
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Definitions

What is Malpractice and Maladministration?

Malpractice and maladministration are two distinct, but related, concepts.

Maladministration

The term maladministration relates to any activity, neglect, default or other practice by a CMI Training Provider, Employer or their respective staff that results in Apprentices not complying with the specified requirements of assessment. In broad terms, maladministration generally covers mistakes or poor processes 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.

Examples of maladministration may include the Centre staff (noting that the list is not exhaustive or prescriptive):

- Failing to maintain and keep accurate records about Apprentices Assessments, this includes any declarations at the apprenticeship gateway stage (if appropriate).
- Failing to provide accurate records about Apprentices to CMI
- Incidents of not complying with assessment invigilation requirements
- Any actions that lead to Apprentices having an unfair advantage or disadvantage
- Avoidable delay; in reporting actual or potential issues or concerns to CMI;
- Inadvertent failure to take action when actual or potential issues or concerns have been identified
- Mistakes arising from inattention or inaction
- Faulty or out of date procedures within the Centre
- Failure to follow correct procedures, this includes both CMI and Centres procedures
- Poor communication with Internal Training Provider staff, Apprentices, Employers and/or CMI
- Inadvertently giving misleading or inadequate information to CMI

Malpractice

The term malpractice covers any deliberate actions, neglect, default or other practises that compromise, or could compromise:

- The Assessment process
- The integrity of a regulated apprenticeship and assessment
- The validity of a result or certificate
- The reputation and credibility of CMI and/or apprenticeships
- The AO or the wider AO community
- The confidentiality of assessment materials

Malpractice may include a range of issues from the failure to maintain appropriate assessment and internal quality assurance records or systems, to the deliberate falsification of records in order to claim certificates or gain CMI recognition.

Failure by a Centre to deal with suspected or actual identified issues may in itself constitute malpractice.

Types of Malpractice

Malpractice will generally involve some form of intent. It may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions. Malpractice could consist of a conscious decision to do anything covered in the list above. Bias, coercion or discrimination could also lead to malpractice.

Examples of potential malpractice are (noting that the list is not exhaustive or prescriptive):

CMI Training Provider and Training Provider Staff Malpractice

Examples of Centre and Centre Staff malpractice may include:

- Breaching assessment requirements
- Providers or employers intentionally providing inaccurate or misleading submissions of declaration forms and/or other evidence, within the Gateway process (if relevant), or during the assessment
- Providers or employers helping Apprentices to answer assessment questions or produce assessment evidence, beyond what AO requirements allow
- Any staff undertaking the assessment on behalf of someone else
- Knowingly submitting work that is not the Apprentice's own original work

- Deliberate destruction or tampering with work or assessment records.
- Giving a false declaration of authenticity of assessment evidence.
- Deliberately giving false assessment evidence, records, results and other documents relating to the assessment
- Intentionally accessing or trying to access and share confidential assessment material
- Use of unauthorised material or devices during the assessment.
- Breaching the invigilation conditions, including inappropriate behaviour
- Anyone failing to cooperate with an investigation or act as requested by CMI

Apprentice Malpractice

- Apprentices intentionally providing inaccurate or misleading submissions of declaration forms and/or other evidence, within the Gateway process (if relevant), or during the assessment
- Apprentices offering a bribe of any type to invigilators, employer or provider staff or CMI staff (Independent Apprenticeship Assessors or Internal Quality Assurers)
- Use of unauthorised material or devices during the assessment
- Breaching the invigilation conditions, including inappropriate behaviour
- Plagiarism - failure to acknowledge sources properly and/or the submission of another person's work as if it were the Apprentice's own
- Failure to declare or appropriately cite the use of AI tools
- Collusion with others when an assessment must be completed by individual Apprentices and/or evidence must relate to that individual Apprentice
- Copying from another Apprentice (including using ICT to do so)
- Impersonation - assuming the identity of another Apprentice or an Apprentice asking another person to assume their identity during an assessment
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence. This includes vulgarity and swearing that is outside of the context of the assessment, or any material of a discriminatory nature (including racism, sexism and homophobia)
- Inappropriate behaviour during an assessment that causes disruption. This includes shouting and/or aggressive behaviour or language and having an unauthorised electronic device that causes a disturbance
- Apprentice obtaining unfair advantage at the assessment

Irrespective of the underlying cause or the people involved, all allegations of suspected or actual malpractice in relation to assessment need to be investigated in order to protect the integrity of the apprenticeship assessment and to ensure fairness to the CMI Training Provider and all Apprentices.

Preventing and Dealing with Malpractice and Maladministration

Roles and Responsibilities

In context of provision of apprenticeship assessment, CMI is responsible for:

- Taking all reasonable steps to identify the risk of any incidents, malpractice or maladministration which could have an 'Adverse Effect'
- Taking all reasonable steps to prevent any incidents, malpractice or maladministration which could have an 'Adverse Effect'
- Provide appropriate training and/or information to Centres on ways of working and arrangements to prevent malpractice and maladministration
- Ensuring it has written up to date procedures in place for the investigation of suspected or alleged malpractice and/or maladministration
- Carrying out or overseeing investigations of cases (or suspected cases) of malpractice and/or maladministration to establish whether it has occurred
- Promptly taking all reasonable steps to prevent (or mitigate) any adverse effects arising from the malpractice and/or maladministration
- Keeping under review the arrangements put in place by Centres for preventing and investigating malpractice and maladministration
- Providing guidance to Centres (upon request) as to how best to prevent, investigate, and deal with malpractice and maladministration
- Taking steps to prevent any malpractice or maladministration from recurring
- Taking appropriate and proportionate action against those who are responsible for the malpractice and/or maladministration
- Informing Centres and other Awarding Organisations of the malpractice and/or maladministration, as appropriate
- Notifying regulators when it has cause to believe that an event has occurred, or is likely to occur, which could have an Adverse Effect
- Reporting the matter to the police, where there is a credible allegation of suspected malpractice and/or maladministration that could constitute criminal activity (especially where the malpractice has led to fraud)
- Designing apprenticeship assessment processes to reduce, as far as reasonably possible, the opportunity for malpractice and maladministration to occur
- Providing guidance to Apprentices as to content and arrangement for assessment

¹Adverse 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 a way that complies 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.

Awareness of Plagiarism, Collusion and Artificial Intelligence (AI)

Plagiarism, Collusion and Artificial Intelligence (AI) misuse are very serious offences and any Apprentice found to be copying another Apprentice's work; quoting work from another source without recognising and disclosing that source; buying in an assignment from a third party to pass off as their own either in part or totally; or using AI software to generate in part or totally assessment evidence or responses without correct citation and against CMI guidelines will be penalised.

'Plagiarism' means presenting work, excerpts, ideas or passages of another author without appropriate referencing or attribution.

'Collusion' occurs when two or more Apprentices submit work which is so alike in ideas, content, wording and/or structure that the similarity goes beyond what might have been mere coincidence.

'AI' use in the context of assessment refers to the use of AI tools and technologies to acquire information and content which might be used in work produced. This may involve the application of AI-powered algorithms, machine learning models, and data-driven processes to gather, analyse, and generate relevant data, insights, or assessment content that can enhance the quality and effectiveness of work produced by Apprentices. AI chatbots are AI tools which generate text in response to user prompts and questions. Misuse of AI tools or features without clear citation may be viewed as malpractice.

While AI composition software can be a useful tool for tasks such as grammar and spelling checks, analysing, improving, and summarising text or conducting research on assignment topics, it should not be used to generate original content. Assessments conducted by a professional discussion either in person or virtually, do not allow the use of AI by the Apprentice.

AI tools are only permitted to be used where the Apprentice is able to demonstrate that the final submission is the product of their own independent work and independent thinking. Examples of AI misuse include, but are not limited to the following:

- Copying or paraphrasing sections of AI-generated content so that the work is no longer the Apprentice's own;
- Copying or paraphrasing whole responses of AI-generated content and submitting them as their own work;

- Failing to acknowledge/reference the use of AI tools when they have been used as a source of information;
- Incomplete or poor acknowledgement/referencing of the use of AI tools;
- Submitting work with intentionally incomplete or misleading references or bibliographies.

CMI expects our Apprentices to produce original content that is attributable to them and representative of the work they have undertaken during their apprenticeship. This means ensuring that submitted evidence is in their own words, and is not copied or paraphrased from another source such as an AI tool and that the content reflects their own independent work and activities. Apprentices are expected to demonstrate their own knowledge, skills and behaviours as required in line with the published assessment plan.

Reporting Suspected Malpractice or Maladministration

CMI Training Providers

Provider staff should be fully aware of the Training Provider's own procedures for preventing malpractice and maladministration, and adhere to those during the on-programme phase of the apprenticeship. CMI's policy on Apprenticeship Assessment Malpractice and Maladministration covers only the assessment of apprentices by CMI.

Staff or persons involved in the provision of EPA

- All staff are responsible for promptly reporting any suspected malpractice or maladministration to CMI's Apprenticeships Quality Manager (or their nominated deputy).
- CMI's Apprenticeships Quality Manager will ensure all reported cases of suspected malpractice or maladministration are investigated within 20 working days.
- CMI's Apprenticeships Quality Manager is responsible for appointing where required, a Lead Investigator who is independent of the staff/apprentices/training provider/employer being investigated.
- The appointed Lead Investigator is responsible for undertaking the investigation and documenting the findings within 20 working days.
- The Regulator, or their nominated representative, may be responsible for leading the investigation if the Apprenticeships Quality Manager, in conjunction with the Head of Awarding Organisation (or their nominated Deputy), deems the situation to be sufficiently serious to warrant regulatory authority involvement.

Throughout the investigation CMI's Apprenticeships Quality Manager will be responsible for overseeing the work of the investigation to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping all relevant parties informed. In all cases of

whistleblowing, CMI will protect the identity of the informant (should they so wish) in accordance with our duty of confidentiality and/or any other legal duty.

Where applicable, CMI's Apprenticeships Quality Manager will inform the Head of Awarding Organisation (or their nominated Deputy), who will decide whether or not to notify the Regulator of any investigation into suspected or actual cases of serious malpractice and, where there is evidence that results may be invalid, will agree the appropriate course of remedial action with them. In exceptional cases, the Regulator or their nominated representative may lead the investigation.

On conclusion of the investigation, a report detailing the outcome and any required remedial actions will be produced and distributed to the relevant parties. CMI's Apprenticeships Quality Manager retains responsibility for ensuring any remedial actions are undertaken in a timely manner to prevent re-occurrence of any instances of plagiarism, malpractice and/or maladministration.

Third Parties and Confidentiality

If suspected or alleged cases of malpractice and/or maladministration are brought to CMI's attention by a third party or 'whistleblower', CMI will take the below steps to establish the facts of the alleged case.

- This will be done in writing to the third party seeking permission to use their name, to communicate the details of the allegation with the CMI Centre, and to find out whether the Centre's internal procedures have been exhausted;
- If the 'whistleblower' does not grant permission to use their name, and the allegation still merits investigation, CMI will advise the 'whistleblower' that the scope of the investigation may be impaired and that CMI will strive to preserve their anonymity in bringing the matter to the attention of the CMI Training Provider.

Where suspected or alleged malpractice and/or maladministration are brought to the attention of CMI verbally (for example by telephone) then CMI will request that the allegation is presented in writing (for example by post addressed to Head of Awarding Organisation (or their nominated Deputy), Chartered Management Institute, Management House, Cottingham Road, Corby, Northants, NN17 1TT) or email (epa.absupport@managers.org.uk). In the event that CMI receives no follow-up confirmation of the allegation in writing, then CMI will keep an internal record of the allegation in line with its data protection policy and undertake any investigation as required.

Where suspected or alleged malpractice and/or maladministration is brought to the attention of CMI by a member of Training Provider staff or an Apprentice, CMI will consider, if relevant, how best to protect the informant during and after any investigative activity.

Procedure

CMI Review of Malpractice and/or Maladministration Cases

In a case of suspected malpractice/maladministration, the CMI's Apprenticeships Quality Manager will review the information and, if there are reasonable grounds, will decide on the most appropriate course of action. The action taken will depend on the nature and severity of the case, but could include:

- Whether the information provided is sufficient to make a judgment.
- Requiring the Lead Investigator, if appointed, to undertake a more in-depth investigation and to provide a written report within a set timescale. This will be in suspected cases of lesser immediate risk or severity
- Requiring the Centre and/or the Employer to undertake an in-depth investigation, and provide a report within a defined timescale
- Escalating the matter to the Head of Awarding Organisation (or their nominated Deputy).
- Implementing the CMI EPA Incident Management Procedure, for example, in the case of alleged fraud or in a case of a serious threat to the integrity of CMI Apprenticeship Assessment.
- Considering whether there is a risk of an Adverse Effect and the steps that should be taken to prevent this.
- Considering, in conjunction with the Head of Awarding Organisation (or their nominated Deputy), whether the Regulator should be notified of the matter
- Informing the originator of the case of progress and timescales.

The review will take place as soon as possible after receipt of the initial report and no later than 10 working days.

If the report confirms that malpractice or maladministration took place, CMI will first consider:

- How to minimise any risk to the integrity of the apprenticeship assessment process now and in the future
- How to ensure this same incident will not re-occur

Actions CMI may take could include:

- Specific actions within set timescales for the Centre to take to address the findings of this case
- Taking action against Apprentices – for example, if found guilty of plagiarism/collusion or fraud. This could include (but may not be limited to) withholding the assessment result
- Reviewing confidentiality and/or security arrangements
- Reviewing and amending CMI systems and procedures if required

- Expanding the original investigation to look at other CMI apprenticeships or Centres

Investigation Outcomes

Once the investigation (whether it has been carried out by the Centre or by CMI) has been concluded, the report will be considered by the Head of Awarding Organisation (or their nominated Deputy) and a decision made on any remedial or preventative actions to be taken and of any sanctions or penalties to be implemented.

If the report confirms that suspected or alleged malpractice and/or maladministration took place CMI will first consider:-

- What reasonable steps are required to prevent any Adverse Effect which may arise;
- How to minimise any risk to the integrity of the assessment process now and in the future;
- How to maintain public confidence in its provision of Apprenticeship Assessment;
- How to ensure this same incident will not re-occur.

Proportionate action will only be taken once the facts of the case have been established. CMI will therefore consider all relevant information when determining what action to take on a case-by-case basis. In all cases CMI will consider consequential effects, including the effect of the proposed action on the individual or Training Provider, when judging which action(s) are proportional. CMI will balance the consequences for the individual or Centre against the seriousness and effects of the malpractice and/or maladministration.

Notifying the Regulators

When CMI has cause to believe that an event has occurred, or is likely to occur, which could have an Adverse Effect it has an obligation to promptly notify the regulator(s). Where CMI has cause to believe that there has been an incident of malpractice or maladministration which could either invalidate its Apprenticeship Assessment provision or impact another assessment organisation (AO), CMI will undertake swift and informed action.

In all cases, CMI will not wait until it has the full picture before informing the regulator(s). Therefore, where CMI has cause to believe that malpractice or maladministration has, or is likely to, occur, and that this could have an Adverse Effect, it will not wait until it has completed any investigation before notifying the regulator(s).

Where there is a credible allegation of suspected malpractice or maladministration that could constitute criminal activity, CMI may wish to consider whether they should notify the police as well as notifying the

regulator(s). CMI and the Centrer are required to co-operate in full, providing information and taking any appropriate action.

Alerting Other Awarding Organisations

Regulations require that CMI notifies other Awarding Organisations of cases of malpractice/maladministration where these cases are likely to impact on the other AO's. In dealing with cases of malpractice/maladministration, CMI must pay due regard to this requirement and notify other AO's as appropriate. This will usually be appropriate where:

- The apprentice/centre/employer where the malpractice/maladministration has occurred (or is suspected) is also engaged with another AO (for the same or different Apprenticeship Standards), and the (suspected) malpractice could potentially impact on the activities undertaken by that other AO.
- The apprentice/training provider/employer where the malpractice/maladministration has occurred (or is suspected) is also engaged with another AO's for the same Apprenticeship Standards, and there is the potential for them to move their operations to the other AO in an attempt to continue sub-standard practices.

Appeals Against Malpractice/Maladministration Decisions

If the Training Provider or individuals found to be guilty of malpractice and/or maladministration do not agree with the outcome and/or the decision made, they can make an appeal against that decision.

The appeal will review the processes taken to ensure that they were applied consistently and fairly.

Please refer to the CMI Apprenticeship Assessment Enquiries and Appeals Policy for more information.

Maintaining Records

All material collected during this process, including the original information and any documents relating to the investigation, will be stored securely by CMI. Information will be retained for up to 5 years.

If the outcome leads to invalid certificates, criminal or civil prosecution, materials will be held until such time as the case is completed and time allowed for any appeals to take place.

Privacy Statement

It is necessary for CMI to collect and hold personal information in order to investigate concern(s). CMI will securely hold the information provided. For more information, please access the CMI privacy policy via CMI Partner Connect.

Monitoring and Review

This policy will be reviewed in line with CMI's Document Control Policy.