

Malpractice Policy

Capital Sky takes malpractice and maladministration seriously and commits to taking all reasonable steps to prevent occurrences. This policy applies to all individuals involved in the delivery, administration, assessment, internal quality assurance, management, governance, or support of Capital Sky Ltd training and assessment services, including learners, trainers, assessors, Internal Quality Assurers (IQAs), administrative and support staff, subcontractors, agency staff, consultants, Senior Management and Directors, and any person acting on behalf of Capital Sky Ltd or representing the organisation in training, assessment, certification, or quality assurance activities. The purpose of this policy is to outline the steps we will take if we suspect malpractice or maladministration and to clarify our responsibilities in dealing with such cases. It is also intended to ensure lessons learned are used to strengthen internal controls and improve the effectiveness of the organisation's Integrated Management System (IMS). We will act on any reports of suspected or actual malpractice or maladministration that may affect the integrity of our training courses, qualifications, assessments, certification, or quality assurance systems. This policy applies to all accredited and non-accredited training, assessment, internal quality assurance activities, and any services delivered on behalf of awarding organisations, regulators, or clients. For the purposes of this policy, maladministration refers to unintentional errors, omissions, negligence, or poor administration that result in non-compliance with required procedures, contractual obligations, or regulatory requirements.

Definition of Malpractice

Malpractice is any activity or practice that deliberately contravenes regulations, undermines assessment integrity, or compromises the validity, reliability, or fairness of qualifications or training outcomes. For the purposes of this policy, malpractice also includes professional misconduct by any individual acting on behalf of the organisation.

Examples of malpractice may include:

- Forgery or falsification of evidence
- Plagiarism of any nature by learners or staff
- Submission of false or misleading information to gain a qualification or benefit
- Discriminatory, bullying, or harassing behaviour
- Unprofessional conduct that impacts integrity or fairness
- Behaviour likely to endanger the health and safety of learners, staff, or the public
- Breach of confidentiality relating to learners, staff, or organisational processes
- Failure to meet awarding organisation or regulatory requirements
- Falsifying assessment, IQA, or quality assurance records
- Any act that may constitute fraud under the [Fraud Act 2006](#)
- Any breach of data protection requirements under the [Data Protection Act 2018](#)
- Any conduct that contravenes the [Equality Act 2010](#) or the [Health and Safety at Work etc. Act 1974](#)
- Collusion between learners, staff, or third parties to gain unfair advantage

- Impersonation or falsification of identity
- Unauthorised assistance during assessment activities
- Tampering with assessment materials, results, or secure documentation
- Failure to securely store assessment materials or learner records
- Failure to follow awarding organisation instructions, assessment criteria, or invigilation requirements
- Deliberate misuse of certificates, logos, qualifications, or awarding organisation branding
- Failure to declare conflicts of interest that may compromise assessment integrity
- Malicious disclosure of confidential assessment, learner, or organisational information
- Artificial intelligence (AI) generated content submitted as original work where prohibited by assessment requirements or not declared where required
- Any action by learners, staff, subcontractors, or management that compromises assessment integrity, fairness, or regulatory compliance

Reporting Procedure

Any individual identifying suspected or actual malpractice or maladministration should report it to the Capital Sky Board of Directors or Senior Management, or via the designated Quality/Compliance reporting route. Reports may also be submitted via a confidential independent reporting route (e.g. designated Compliance Officer or confidential whistleblowing email) to ensure impartial escalation where reporting to management may not be appropriate. Reports will be acknowledged within 3 working days, and a preliminary review will be undertaken to determine whether a formal investigation is required. If an allegation involves a member of Senior Management, the concern will be escalated to an independent Director to avoid any conflict of interest. No individual raising a concern in good faith will suffer any detriment, in line with whistleblowing protections. All allegations will be recorded and assessed to determine the level of risk, potential impact on learners, awarding organisations, clients, and the integrity of qualifications, training, or certification outcomes. Reports may be made verbally or in writing and will be handled confidentially as far as reasonably practicable. Anonymous allegations may be investigated where sufficient information is provided to indicate a credible concern. Investigations will normally be completed within 20 working days unless complexity requires an extension, which will be documented and communicated.

The Investigation Process

The investigation may involve:

- Requesting further information and evidence
- Interviewing individuals involved
- Conducting site visits where required
- Securing and preserving relevant evidence
- Informing the relevant awarding organisation or regulatory body where appropriate
- Maintaining confidentiality throughout the process where reasonably practicable
- Providing individuals subject to investigation with the opportunity to respond to allegations before decisions are made

- Ensuring investigations are conducted fairly, impartially, and in line with principles of natural justice

Decisions will be based on a balanced assessment of all available evidence and will be proportionate, consistent, and in line with principles of natural justice.

Where required, Capital Sky Ltd will notify relevant awarding organisations, regulators, clients, or enforcement authorities in accordance with contractual, legal, or regulatory obligations.

All investigation records will be retained for a minimum of 6 years in accordance with awarding organisation requirements and good practice. Individuals involved in investigations are expected to cooperate fully and provide access to relevant information, records, and evidence where required.

Obstruction of an investigation may itself be treated as potential misconduct. Information may be shared where required by law, safeguarding obligations, or awarding organisation/regulatory requirements.

Learner Malpractice Sanctions

Where an investigation confirms learner malpractice, one or more of the following sanctions may be imposed. This list is not exhaustive:

- Disallowing all or part of the learner's assessment evidence
- Disallowing all or part of external assessment marks
- Not issuing the learner's certificate
- Withholding certification pending investigation outcome
- Not accepting further registrations from the learner
- Disqualification from the training course

Sanctions imposed will be proportionate to the nature, severity, and impact of the malpractice identified.

Where malpractice affects the validity of qualifications or certification already issued, Capital Sky Ltd reserves the right to notify awarding organisations and support the withdrawal, amendment, or re-issue of certificates where required.

Staff and Contractor Malpractice

Where malpractice is confirmed involving staff, subcontractors, or any individual acting on behalf of Capital Sky Ltd, appropriate action will be taken in accordance with HR or contractual procedures.

This may include:

- Retraining or additional supervision
- Written warnings
- Suspension from assessment, IQA, or delivery duties
- Removal from contracted roles or services
- Formal disciplinary action
- Termination of contract or employment where appropriate

All actions will be proportionate and consistent with employment law and contractual obligations.

Appeals

Any individual subject to a malpractice decision has the right to appeal in accordance with Capital Sky Ltd's complaints and appeals procedures.

Appeals must be submitted in writing within the timescales specified by the organisation or awarding body where applicable and must clearly state the grounds for appeal.

Appeals will be reviewed impartially, and where possible, by a person not involved in the original decision.

Review

This policy will be reviewed by the senior management on an ongoing basis as part of our continual quality improvement procedures and updated in accordance with changes in legislation, awarding organisation requirements, regulatory guidance, and outcomes of malpractice or maladministration cases.

Any identified trends, recurring issues, or lessons learned arising from investigations will be used to strengthen internal controls and improve the organisation's Integrated Management System (IMS) and risk management processes.

Name: Martin Maloney

Position: Chief Executive Officer

Dated: 15/05/2026

Signature:



Latest Review Date: 15/05/2027