



ICM

Malpractice and Maladministration Policy

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Statement of Intent

ICM is committed to openness and accountability. In line with this commitment we expect employees, Learners, Examiners or those contracted to provide services to ICM who have serious concerns about any aspect of our work to come forward and voice those concerns with the knowledge that, if made in good faith, their action will be viewed positively.

A handwritten signature in black ink that reads "Adair Ford". The signature is written in a cursive style with a large initial 'A'.

Adair Ford
Chairman & CEO

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1. Policy Statement

The purpose of this policy is to ensure that any potential and or actual malpractice and maladministration is identified, prevented, corrected and or mitigated. This policy relates to suspected or actual malpractice and maladministration on the part of candidates, Centre staff and any others involved in providing ICM's programmes and examinations. It will be used by ICM staff to ensure they deal with all malpractice and maladministration in a consistent manner. Malpractice includes those actions and practices, which threaten the integrity of ICM's examinations and certification, and/or damage the authority of those responsible for conducting them.

ICM as the Awarding Body will investigate all accusations of malpractice or misconduct against candidates or Centres or programme providers. Furthermore, ICM will determine validity of the accusation and impose sanctions or penalties on candidates or Centres or programme providers if the case is proven.

It is the responsibility of all Centres or programme providers, Examiners and Moderators to bring to the attention of ICM any suspected cases of malpractice. Withholding information or failing to inform ICM of any details, may result in sanctions and penalties being applied to the Centre or programme provider or suspension of their approved status.

Reference should also be made to the following documents, copies of which can be obtained directly from ICM:

- Equality of Opportunity Policy
- Policy and Procedures for making Reasonable Adjustments
- Sanctions Policy

2. Definitions and Examples

Malpractice: any activity or practice, which deliberately contravenes regulations and compromises the integrity of the assessment process. It covers any deliberate actions, neglect, default or other practice that compromises or could compromise the assessment process; integrity of an ICM qualification; the validity of a result; reputation or credibility of ICM.

Examples of Malpractice

These examples do not form an exhaustive list:

- Collusion or permitting collusion in an exam
- Copying from another candidate
- Deliberate contravention of exam arrangements
- Deliberate failure to adhere to Learner registration and certification procedures. Deliberate failure to continually adhere to our recognition and/or qualification approval requirements
- Fraudulent claim for certificates
- Deliberate failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments and Special Considerations Policy.
- Deliberate falsification of records to claim certificates
- Deliberate misuse of the ICM logo or misrepresentation of the Centre-ICM relationship
- Deliberate submission of false information to gain a qualification or unit

- Failure to carry out internal assessment, internal moderation or internal verification in accordance with ICM requirements
- Failure to maintain appropriate records or systems
- Inappropriate assistance to Learners
- Learners still working towards qualification after certification claims have been made
- Personating (assuming the identity of another candidate or having someone assume your identity during an assessment)
- Plagiarism by Learners/staff
- The unauthorised use of inappropriate materials/equipment in assessment settings
- Intentional withholding of information from us which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Unauthorised amendment, copying or distributing of assessment materials
- Loss, theft of, or a breach of confidentiality in, any assessment materials

Maladministration: any activity or practice that results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a Centre.

Examples of Maladministration

These examples do not form an exhaustive list:

- Associated actions assigned to the Centre, e.g., late Learner registrations (both infrequent and persistent)
- Documentation and/or any evidence of attempted forgery etc.
- Failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments and Special Considerations Policy
- Failure to maintain appropriate auditable records, e.g. assessment and certification
- Inaccurate claim for certificates appropriately
- Misuse of the ICM logo or misrepresentation of the Centre-ICM relationship
- Persistent failure to adhere to ICM Learner registration and certification procedures
- Persistent failure to adhere to ICM recognition and/or qualification requirements
- Unreasonable delays in responding to requests and/or communications from ICM
- Withholding of information, by deliberate act or omission, from us which is required to assure

3. Approved Centre Malpractice

The following examples of malpractice are not exhaustive and any instance of malpractice may be considered by ICM at the Awarding Body's discretion.

- Allowing candidates unsupervised access to exemplar material
- Assisting candidates in the production of assessment materials beyond that permitted in the regulations
- Assisting or prompting candidates with the production of answers
- Exceeding the level and type of assistance beyond the agreed reasonable adjustments
- Failing to keep examination papers secure prior to the examination

- Failure in maintaining records, for audit purposes, of any reasonable adjustment or special consideration
- Failure in reporting to ICM, when required, any adjustments made
- Giving credit for work submitted which is not that of the candidate
- Moving the time or date of a fixed examination without notifying ICM
- Obtaining unauthorised access to examination material prior to an examination

Approved Centre Maladministration

The following examples of maladministration are not exhaustive and any instance of maladministration may be considered by ICM:

- Failing to issue candidates the appropriate notices and warnings
- Failure to invigilate in accordance with ICM's requirements
- Failure to train exam invigilators adequately
- Not ensuring that the examination venue conforms to ICM's requirements
- Persistent late Learner registrations
- Under-qualified/non-qualified unauthorised members of staff assessing candidates for access to ICM courses
- Unreasonable delays in responding to requests from ICM

4. Sanctions and Penalties for Approved Centre Malpractice

In cases of evidence that Centres have engaged in malpractice, ICM may suspend or refuse to accept examination entries from the Centre, or may withdraw their approved status. ICM reserves the right to apply sanctions and penalties flexibly, if particular mitigating or aggravating circumstances are found to exist. Penalties applied will remain on record for a period of three years, or the period of the bar, if longer.

5. Candidate Malpractice and Academic Malpractice

Maintenance of the standards of academic honesty and the successful administration of this policy depend on the mutual cooperation of lecturers and Learners. Lecturers and Examiners can help promote academic integrity by making clear the standards for academic integrity in assignments, collaborative student efforts, examinations, and the like. Academic integrity requires that all academic work be wholly the product of an identified individual or individuals. Joint efforts are legitimate only when the assistance of others is explicitly acknowledged. Therefore, where Learners are suspected of malpractice the Head of Centres are required to inform ICM with all supporting investigating documentation (Suspected Candidate Malpractice Template see Appendix). Efforts should be made to detect and to prevent cheating and plagiarism in all assignments. If lecturers have evidence of academic malpractice, they are expected to report such evidence promptly. Learners must assume responsibility for maintaining honesty in all work submitted for credit and in any other work designated by a course instructor. Learners are also expected to report incidents of academic malpractice to the Centre Head. Any alleged incident of malpractice brought to ICM's attention after the issue of certificates will result in a full investigation by ICM. Depending on the outcome of the investigation, certificates may be recalled and declared invalid.

6. Categories of Academic Malpractice

Procedures and sanctions for the different levels of offences are laid out in this document. The various ways in which academic honesty can be violated are discussed below. The comments and examples within each section provide explanations and illustrative material, but do not necessarily exhaust the scope of these violations. ICM distinguishes between five types of academic malpractice:

- Cheating
- Fabrication
- Facilitating
- Academic malpractice
- Plagiarism

6.1 Cheating

Cheating is the use of inappropriate and unacknowledged materials, information, or study aids in any academic exercise. Assistance from other people is restricted or forbidden unless explicitly authorised by an instructor. Their use in these cases constitutes cheating. Similarly, Learners must not request others to conduct research or prepare any work for them or use work or research prepared by others.

6.2 Fabrication

Fabrication is the falsification or invention of any information or citation in an academic exercise. "Invented" information may not be used in any academic exercise without authorisation from the instructor. It is improper, for example, to analyse one sample in an experiment and covertly "invent" data based on that single experiment for several more required analyses. The student must also acknowledge reliance upon the actual source from which cited information was obtained. A writer should not, for example, reproduce a quotation from a book review and indicate that the quotation was obtained from the book itself.

6.3 Facilitating Academic Malpractice

Learners who knowingly or negligently allow their work to be used by other Learners or who otherwise aid others in academic malpractice are violating academic integrity. Such Learners are as guilty of intellectual malpractice as the student who receives the material even though they may not themselves benefit academically from that malpractice. Plagiarism can, in some cases, be a subtle issue as a result of a lack of confidence in academic writing. Any questions or doubts about what constitutes plagiarism should be discussed with a lecturer, a suitably informed member of staff at the Approved Centre.

6.4 Plagiarism¹

Plagiarism is the representation of the words or ideas of another person or source as one's own in any academic exercise such as:

- borrowing material another person or source
- copying exactly word-for-word directly from a text or other source
- copying from a candidate in an exam
- copying from a tutor or a fellow student

¹ Plagiarism here excludes auto plagiaris (the act or process of plagiarising one's own work)

- copying from your own notes that contain direct quotations
- copying or downloading without acknowledging your sources
- paraphrasing or translating the words from a text or other source too closely
- paying for assignments from other sources and submitting it as your own
- using text downloaded from the internet
- using text obtained from writing sites, organisations or private individuals

To avoid plagiarism, every direct quotation must be identified by quotation marks or by appropriate indentation and must be properly cited in the text or in a footnote.

Acknowledgment is also required when material from another source stored in print, electronic, or other medium is paraphrased or summarised in whole or in part in one's own words. There is a distinct difference between referencing, paraphrasing and quoting:

- **Referencing:** The purpose of a reference is to enable the reader to find the original source and/or publication from which you based your form of words. A reference includes an in text citation to the source and following this the full details at the end of a written assignment, e.g. Darwin, C. (1859) *On the origin of species by means of natural selection, or, the preservation of favoured races in the struggle for life*. London: J. Murray.
- **Paraphrasing:** This forms the most part assignment writing and will often consist of the work of other people and is therefore an important skill in academic writing. Paraphrasing an argument involves restating their findings in your own words and need to make clear that it is someone else's by mentioning the author's name, e.g. Darwin (1859) describes the theory of evolution by natural selection as the process by which organisms change over time as a result of changes in heritable physical or behavioural traits.
- **Quoting:** If you want to quote an author directly then speech marks must be used, e.g. Darwin (1978, p.62) states that "I have called this principle, by which each slight of variation, if useful, is preserved, by the term Natural Selection" and conclude with a reference.
- **Bibliography and reference lists:** A reference list refers to works that have been used in the said piece of writing whereas a bibliography usually contains all the works cited in a paper as well as other works that the author consulted, even if they are not mentioned in the text.

6.5 Sanctions for Candidate Academic Malpractice

Any violation of academic honesty is a serious offence and is therefore subject to an appropriate penalty. Violations are classified into four levels according to the nature of the infraction. For each level of violation a corresponding set of sanctions is recommended.

ICM is not bound by these illustrations, which are intended as general guidelines for the academic community. Examples are cited below for each level of violation. These examples, too, are illustrations and are not to be considered all-inclusive.

6.5.1 Level 1 Violations are those that occur because of inexperience or lack of knowledge of principles of academic integrity on the part of persons committing the violation.

These violations are likely to involve a small fraction of the total course work, are not extensive, and/or occur on a minor assignment. Such cases will be considered by the Approved Centre and may be referred to ICM for a decision. All Level 1 cases relating

to one of ICM's awards must be reported to ICM and be heard in accordance with ICM's Malpractice Policy and Procedures as contained in the is document.

The following are examples of some Level 1 violations:

- Working with another student on an assignment unless the instructor explicitly authorises such work
- Failure to footnote or give proper acknowledgment in an extremely limited section of an assignment

Sanctions for Level 1 violations:

- A replacement assignment to be completed and/or
- A recommendation that no credit be given for the original assignment

6.5.2 Level 2 Violations are those characterised by malpractice of a more serious nature or which affect a more significant aspect or portion of the course work. Such cases will be considered by the Approved Centre and may be referred to ICM for a decision. All Level 2 cases relating to one of ICM's awards must be reported to ICM and be heard in accordance with ICM's Malpractice Policy and Procedures as contained in the is document.

The following are some examples of Level 2 violations:

- Quoting directly or paraphrasing, to a moderate extent, without acknowledging the source
- Submitting the same work or major portions thereof to satisfy the requirements of more than one assessment without permission from the instructor
- Using data or interpretative material without acknowledging the sources or the collaborators. All contributors to preparation of data and/or to writing the report must be acknowledged
- Receiving assistance from others, such as research, statistical, computer programming, or field data collection help that constitutes an essential element in the undertaking, without acknowledging such assistance in an examination, or project.

Sanctions for Level 2 violations:

- In cases of academic malpractice involving assignments done outside of the classroom, a failing grade for the assignment involved may be recommended
- Notation of disciplinary action and possible probation should be placed on the student's record

6.5.3 Level 3 Violations include malpractice that affects a major or essential portion of work done to meet course requirements and/or involves premeditation, or is preceded by one or more violations at Levels 1 and 2. Such cases must be reported to ICM and will be dealt with in accordance with ICM's Malpractice Policy and Procedures as contained in the is document.

The following are some examples of Level 2 violations:

- Copying in examinations
- Acting to facilitate copying during an exam
- Using prohibited materials, e.g. books, notes, or calculators during an examination

- Collaborating before an exam to develop methods of exchanging information and implementation thereof
- Acquiring or distributing an examination from unauthorised sources prior to the examination
- Plagiarising major portions of a written assignment
- Presenting the work of another as one's own
- Using a purchased research paper, report or other materials
- Removing posted or reserved material, or preventing other Learners from having access to it
- Fabricating data or inventing or deliberately altering material (for example, citing sources that do not exist)

Sanctions for Level 3 violations:

- The normal sanction to be sought for all Level 3 violations or repeated violations of Level 1 and 2 offences is a minimum of a failing grade for the unit.

6.5.4 Level 4 Violations represent the most serious breaches of intellectual honesty. All Level 4 cases must be reported to ICM and be heard in accordance with ICM's Malpractice Policy and Procedures as contained in the is document.

The following are examples of some Level 4 violations:

- All academic integrity actions committed following a Level 3 violation
- Academic integrity resembling criminal activity (such as forging a grade form, stealing an examination from a lecturer or school office; buying an examination; or falsifying a transcript)
- Having a substitute take an examination or taking an examination for someone else
- Sabotaging another student's work through actions designed to prevent the student from successfully completing an assignment

Sanctions for Level 4 violations:

- The normal sanction for all Level 4 violations and a repeat infraction at Level 3 is de-registration from ICM's programme. A disciplinary note will be placed on a student's record and remain permanently.

6.6 Additional Candidate Sanctions and Penalties

In addition to the sanctions detailed above ICM retains the right to report the malpractice to relevant authorities, and to other awarding bodies and the police if deemed appropriate. ICM reserves the right to apply sanctions and penalties flexibly, outside of the above defined ranges, if particular mitigating or aggravating circumstances are found to exist. Penalties applied will remain on record for a period of three years, or the period of the bar, if longer. Learners committing acts of academic malpractice not only face censure from ICM but run a serious risk of harming their future educational and employment opportunities.

7. Procedures for Reporting Malpractice and Maladministration

Allegations of malpractice and maladministration should be reported in the first instance to the Centre's designated ICM Examinations Officer. When dealing with alleged malpractice and maladministration, ICM will, in the first instance refer to the Head of Centre or his/her nominated

representative. ICM will seek to establish the facts and circumstances of any alleged malpractice or maladministration and where appropriate, the candidate's conduct in other examinations.

8. Malpractice and Maladministration Discovered by a Programme Provider

If malpractice or maladministration is discovered by a Centre they should inform the designated ICM Examinations Officer in writing at the earliest possible opportunity and within 10 days of the alleged incident taking place. It is the responsibility of the Approved Centre to carry out an investigation and to submit a full report in writing along with supporting evidence where possible. See Suspected Candidate Malpractice Form in the Appendix.

The report should include:

- Centre Name and Number
- Qualification name
- Date of assessment
- Place of assessment
- Date and details of the alleged malpractice
- A statement of the facts and a detailed account of the circumstances and details of any investigations carried out by the Centre
- Written statement/s from the invigilators and/or other staff concerned
- Written statement/s from the candidate/s concerned
- Any mitigating factors such as medical reports
- Unauthorised material found in the examination room
- Any work of the candidate and any associated material such as text books or photocopied materials which may be relevant to the investigation

9. Malpractice Discovered by ICM

Candidates accused of malpractice should be made fully aware at the earliest possible opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven. Candidates accused of malpractice should be made aware of the appropriate appeals procedures including those of the Centre and ICM and given the opportunity to respond preferably in writing, to allegations made. If malpractice or maladministration is discovered by ICM by an ICM Examiner in the course of any assessment procedures or has been reported to ICM by a candidate or member of the public full details of the allegation will be reported to the Centre concerned. The Centre will be asked to conduct a full investigation into the allegations and to submit a written report in accordance with the section on malpractice or maladministration discovered by a programme provider.

It is at the discretion of the Centre as to the means by which evidence is presented to the individuals be they staff or candidates. ICM requires that individuals subject to an investigation have access to all evidence against them and are provided with all necessary facilities including advice and sufficient time, in order for such individuals to prepare full responses. Investigations into malpractice or maladministration against the Centre must be carried out in accordance with the organisation's own governing body rules and regulations and reported to ICM when completed. ICM will satisfy itself as the robustness of the investigation and whether any additional action is required.

10. Investigating Allegations of Malpractice or Maladministration

In the case of malpractice or maladministration ICM will abide by its rules and regulations in the first instance and will seek to resolve the matter with the Centre where possible. Each case of suspected malpractice or maladministration will be considered and judged on an individual basis in the light of all information available.

11. Order of Response:

- i. ICM requires all reports of malpractice or maladministration to be submitted in writing within 10 days of the alleged incident having taken place along with a detailed account of the suspected malpractice or maladministration as detailed under the heading "Malpractice or Maladministration Discovered by a Programme Provider".
- ii. ICM's designated Examinations Officer will respond within 5 days.
- iii. ICM's Chief Examiner will contact the Centre requesting evidence relevant to the allegation or incident within 10 days of receipt of the initial report.
- iv. Once additional details have been received and depending on the nature of the allegation, the ICM Chief Examiner will determine whether the nominated Centre should investigate the allegation further.
- v. Should the matter remain unresolved, ICM will refer the matter to the Qualifications Review Panel who will seek to resolve the matter. The Qualifications Review Panel may refer the matter to ICM Executive Council if deemed necessary.
- vi. Other awarding bodies may be informed where such special considerations are imposed.
- vii. ICM will inform Centres of decisions as soon as possible. It is the responsibility of the Centre to communicate the decision to the individuals concerned, and to pass on warnings where this is indicated.
- viii. If the Chief Examiner and/or Qualifications Review Panel decides there is no case for malpractice, all individuals concerned will be informed in writing within 10 days of the meeting. Where the case involved a candidate's assessment, full credit will be given for the candidates work.
- ix. If the Qualifications Review Panel decides that there is a case of malpractice, the committee will provide a full report containing its recommendations regarding penalties/sanctions, if any, and its reasons.
- x. Information by telephone must be followed by a written statement before it can be used in any investigation. ICM will keep informants updated as to the progression of an allegation but will not disclose details of ongoing investigations.

12. Confidentiality and Whistleblowing

At all stages of an investigation it is important that the confidentiality of information is respected in accordance with the terms of the Data Protection Act. Individuals and Centres who are subject to malpractice or maladministration investigations are entitled to access the information against them. To protect the identity of the informants, the evidence may be provided in summary format with a note explaining why the original documents cannot be provided.

Sometimes a person making an allegation may wish to remain anonymous. However, it is preferable for those individuals to reveal their identity and contact details to ICM and then to request ICM not to reveal their identity if they are concerned about possible adverse consequences. Whilst ICM is

prepared to investigate issues which are reported anonymously, every effort will be made to confirm an allegation by means of a separate investigation before taking up the matter with those to whom the allegation relates. Requests for anonymity will be respected by ICM except where this is not possible for legal reasons.

13. Appeals

ICM has established procedures for appeals as set out in the Appeals and Complaints Policy and Procedure document which is available from ICM. Appeals against a decision made by ICM will normally only be accepted from the Centre concerned on behalf of candidates and/or members of staff, from individual private candidates and from individual members of Centre staff in respect of decisions taken against them personally. Further information on appeals may be found in the JCQ document 'A Guide to the Awarding Bodies' Appeals Processes' (<http://www.jcq.org.uk/exams-office/appeals>).

14. Monitoring of ICM's Malpractice and Maladministration Policy and Procedures

ICM's Qualifications Review Panel will monitor this policy through comparative performance data and assessment sampling as required. The Qualifications Review Panel will monitor other awarding bodies' policies and standards and report to the ICM Executive Council on its recommendations.

References

JCQ General and Vocational Qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures (www.jcq.co.uk/exams-office/malpractice)

JCQ A Guide to Awarding Bodies' Appeals Processes (www.jcq.co.uk/exams-office/appeals)

JCQ Plagiarism in Examinations (though applicable to all assessments) (www.jcq.co.uk/exams-office/malpractice)

JCQ Public Interest Disclosure Act (Whistleblowing) (www.jcq.co.uk/exams-office/malpractice)

Appendix

Confidential: Suspected Candidate Malpractice

In order to prevent the issue of erroneous results and certificates, it is essential that ICM is notified immediately of instances of suspected candidate malpractice.

This form is to be used by Centres to report instances of suspected candidate malpractice.

Date of incident

Time (AM/PM session)

--	--

Centre number

Centre name and address

--	--	--	--	--

Head of Centre's email address

Centre telephone number

--	--

Preferred method of communication

- By post
- By email
- By telephone

Describe the nature of the suspected candidate malpractice including details as to how it was discovered, by whom and when.

Examinations

Was the *Warning to Candidates* displayed outside the examination room? (either by means of a projector or in hard copy paper format) YES
NO

Had the candidate(s) been informed as to examination conduct prior to the exam day? (either verbally, electronically or a paper version) YES
NO

Were candidates reminded of the ICM examination regulations at the beginning of this particular examination? YES
NO

Supporting evidence

Please indicate below the supporting evidence submitted with this report. All relevant information and materials **must** be submitted at this time. Evidence submitted subsequently may not be considered.

If submitting this form by email, please ensure that all supporting documents are scanned and attached (preferably as PDF documents) to the same email.

Evidence submitted with this form	
Statement(s) from invigilator(s)	<input type="checkbox"/>
Statement from teacher/tutor/head of subject/assessor/internal verifier	<input type="checkbox"/>
Statement from examinations officer	<input type="checkbox"/>
Statement(s) from candidate(s)	<input type="checkbox"/>
Statement from employer if relevant	<input type="checkbox"/>
Seating plan of examination room	<input type="checkbox"/>
Unauthorised material removed from the candidate(s)	<input type="checkbox"/>
Copies of sources of plagiarised material	<input type="checkbox"/>
Assessment and Internal Verification or Moderation records	<input type="checkbox"/>
Other (please give details)	<input type="checkbox"/>

Please indicate by putting a cross in the appropriate box for the following points:

		Yes	No
1.	The candidate(s) has/have been informed of their individual responsibilities and rights	<input type="checkbox"/>	<input type="checkbox"/>
2.	A candidate or candidates accused of malpractice:		
	• has/have been informed (preferably in writing) of the allegation made against him or her	<input type="checkbox"/>	<input type="checkbox"/>
	• has/have been advised that a copy of the ICM <i>Malpractice and Maladministration Policy</i>	<input type="checkbox"/>	<input type="checkbox"/>
	• know(s) what evidence there is to support the allegation	<input type="checkbox"/>	<input type="checkbox"/>
	• know(s) the possible consequences should malpractice be proven	<input type="checkbox"/>	<input type="checkbox"/>
	• has/have had the opportunity to consider their response to the allegations (if required)	<input type="checkbox"/>	<input type="checkbox"/>
	• has/have had an opportunity to submit a written statement	<input type="checkbox"/>	<input type="checkbox"/>
	• has/have had an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)	<input type="checkbox"/>	<input type="checkbox"/>
	• has/have been informed of the applicable appeals procedure should a decision be made against him or her	<input type="checkbox"/>	<input type="checkbox"/>
	• has/have been informed of the possibility that information relating to a serious case of malpractice may be shared with other Awarding Bodies, the regulators and other appropriate authorities	<input type="checkbox"/>	<input type="checkbox"/>

This form must be enclosed with the report of your investigation.