



# **Chartered Institute of Housing Awarding Organisation**

## **Malpractice and Misconduct Policy & Procedure**

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The Chartered Institute of Housing (CIH) is the Professional Body for People who work in Housing.  
The CIH is an accredited Awarding Organisation and a Registered Charity No. 244067/R

[www.cih.org](http://www.cih.org)

# CIH Awarding Organisation

## Malpractice & misconduct policy and procedure

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# CIH Awarding Organisation

## Malpractice & misconduct policy and procedure

### Introduction

The Chartered Institute of Housing is a professional body and Awarding Organisation, accredited and regulated by Ofqual.

The Regulatory arrangements for the Qualification and Credit Framework as published by Ofqual, DCELLS and CCEA require:-

*“the Awarding Organisations must conduct a full investigation of instances of alleged or suspected malpractice, and must take such action, with respect to the learners and centres concerned, as is necessary to maintain the integrity of the qualifications. The actions taken should be commensurate to the gravity of the malpractice”*

Regulation 5.29 requires that *“Awarding Organisations must publish procedures for centres on dealing with malpractice on the part of learners, centre staff and others involved in providing the qualification.”*

This policy and procedure ensures that the CIH Awarding Organisation is compliant with the regulatory requirements relating to malpractice. All centres and all CIH Awarding Organisation learners and external moderators should be familiar with the procedures and sanctions set out in this policy. The policy is provided to the centre on accreditation, moderators on appointment and held on the CIH website at <http://www.cih.org/education/awarding/>. Centres must make this policy available to learners.

### What is malpractice or misconduct?

Malpractice or misconduct by CIH accredited centres, CIH certificate learners or CIH external moderators, is any action which adversely affects the integrity of CIH Awarding Organisation or the integrity or validity of CIH qualifications.

### What sanctions may be applied?

If the CIH Awarding Organisation proves malpractice at an accredited centre, that centre risks suspension of learner registration, learner certification and the suspension or withdrawal of centre accreditation.

If the CIH Awarding Organisation or centre proves malpractice against a learner, that learner risks failure of the unit, the invalidation of the award and an investigation of professional misconduct by the Chartered Institute of Housing. In compliance with the Regulatory Arrangement for the Qualification and Credit Framework, Regulation 5.30, the learner may be prohibited from future assignments or registrations.

If the CIH Awarding Organisation proves malpractice against a CIH external moderator, that moderator risks suspension of their duties by the Awarding Organisation. Where that moderator is a Member of the Institute, there may be an investigation of professional misconduct by the Chartered Institute of Housing.

In compliance with the Regulatory Arrangement for the Qualification and Credit Framework, regulation 5.32, where there is evidence that results or qualifications may be invalid, the case will be reported to the qualifications regulator.

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### Investigating claims of malpractice or misconduct

#### The CIH Awarding Organisation is responsible for:-

- ✚ Overseeing or monitoring centre investigations into suspected cases of centre and /or learner malpractice as applicable and evaluating the centre's report of the investigation.
- ✚ Undertaking investigations into cases of suspected centre malpractice or CIH External Moderator malpractice.
- ✚ If appropriate, withholding the learner assessment results during a malpractice investigation or following the conclusion of a malpractice investigation.
- ✚ Deciding and applying sanctions commensurate with the gravity of the malpractice incident, to protect the integrity of CIH qualifications.
- ✚ Compliance with Regulatory criteria 5.32 which requires that "the Awarding Organisation must report cases of malpractice to the qualifications regulators whenever it finds evidence that results or certificates may be invalid."

#### The centre is responsible for:-

- ✚ Reporting suspected malpractice or misconduct to the CIH Awarding Organisation. The centre is required to immediately report any suspected cases of centre or learner malpractice to the CIH Awarding Organisation. It is expected that the Head of the Centre will be informed of the incident and in significant cases of centre malpractice, will be the point of contact while the matter is under investigation.
- ✚ Notifying the Head of Education at CIH of the suspected malpractice or misconduct. The centre should provide details of the allegation which has been made. CIH will provide guidance to the centre regarding any investigation that will need to be conducted.
- ✚ Assisting the CIH Awarding Organisation with the investigations. Depending on the nature of the allegation, the CIH Awarding Organisation may require the Head of the Centre to carry out an investigation into the suspected incident of malpractice.
- ✚ Ensuring that the Centre investigations are fair and free from bias. The Centre must concentrate on the collection of evidence which can be evaluated to determine whether malpractice has taken place. The investigation should aim to:-
  - Establish the facts relating to the allegation in order to determine whether the allegation of malpractice can be sustained.
  - Identify the cause of any irregularities and the extent of involvement of centre staff.
  - Establish the scale of any irregularities.
  - Identify any evidence which supports or disproves the allegation.

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- ✚ Submitting a written report. The Head of Centre should ensure that a written report of the investigation is provided to CIH, addressing the criteria listed above. All evidence gained through the investigation should accompany the report. CIH expects that the investigations be concluded and the report submitted within 28 days.

**In some cases, for example where there is a suspected breach of centre security, the CIH Awarding Organisation will carry out its own investigations.**

Centres are required to cooperate fully with any investigations into centre or learner malpractice, irrespective of whether the allegation was initiated by the centre itself. Centres must cooperate with the investigations and provide key documentation in a timely manner.

The failure to cooperate with an investigation can lead to sanctions such as prohibiting learner registrations, withholding results and certificates or withdrawing centre accreditation. The Centre malpractice policy at Section A, page 6 applies.

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### Section A: Centre Malpractice

#### 1. Introduction

This section of the policy is aimed at Heads of Centres, course tutors, course co-ordinators, centre quality assurance officers, examination officers and other centre staff involved in the delivery and assessment of CIH qualifications.

Centre malpractice is malpractice committed by a member of staff from an accredited centre or a contractor employed by the centre (for example an invigilator). CIH defines malpractice as any activity, neglect or other practices that:-

- + compromises, or may compromise the integrity of the CIH assessment process, and/or
- + compromises, or may compromise the validity of assessment results and/or CIH certificates, and/or
- + damages or may damage the authority, reputation or credibility of CIH.

Failure to investigate allegations of centre or learner malpractice may also constitute centre malpractice.

CIH will investigate centre malpractice, irrespective of whether it is deliberate or unintentional.

#### 2. Examples of centre malpractice

This is an indicative list only.

- + Persistent failure to implement the requirements of Awarding Organisation policies and procedures.
- + Persistent failure to implement an effective Internal Verification process.
- + Persistent failure to provide the academic moderator with sample assignments.
- + Persistent failure to provide samples of learner work for moderation purposes.
- + Refusal to facilitate or repeated cancellation of CIH Quality Review visits.
- + Failure to adhere to CIH Awarding Organisation requirements for learner registration including the payment of the student registration fee.
- + Fraudulent signing of course pass lists.
- + Fraudulent claims for certification.
- + Condoning, encouraging or enabling learner malpractice.
- + Other matters that bring the integrity of the centre into question.

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### 3. CIH Awarding Organisation investigations into Centre malpractice

All allegations of suspected centre malpractice on CIH Awarding Organisation qualification courses will be investigated by the CIH Awarding Organisation.

As part of the investigation, the Centre accused of the incident will be contacted and advised that an investigation is being undertaken. The Centre will be provided with the opportunity to provide an initial response within 10 working days.

CIH will determine the nature of the investigation and the appropriate course of action that may be necessary. The scope and activities undertaken as part of each malpractice investigation will depend on the nature of the suspected malpractice. In each case, investigations will involve the gathering of evidence relating to the allegation. This may include, but not be limited to:-

- ✚ contacting witnesses and collecting witness reports
- ✚ conducting interviews with witnesses
- ✚ reviews of learner work
- ✚ reviews of Internal Verification processes and records
- ✚ reviews of course administration records

CIH reserves the right to withhold a learner's assessment results until the investigation has been concluded and subject to the CIH Malpractice Committee's decision.

### 4. The Malpractice Committee

In order to determine the outcomes in cases of alleged malpractice, the CIH Awarding Organisation will appoint a panel or committee, which includes an external member, who is experienced in assessment processes.

The following applies to the activities of the Malpractice Committee:-

- the work of the Malpractice Committee is confidential
- members of the Malpractice Committee are required to identify any conflicts of interest. Where this applies that member may not take part in any discussion regarding the case or the decision.

### 5. Sanctions and Penalties

In the event that malpractice or misconduct is proven. The CIH Awarding Organisation will impose sanctions on a centre that are commensurate with the gravity of the malpractice.

The following information informs the level of sanction or penalty that may be imposed on a Centre where malpractice is proven.

This is not an exhaustive list and in some cases it may be appropriate to apply a combination of penalties.

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Issue	Sanction or penalty
1. Persistent breach of CIH procedures which could have threatened the integrity of a CIH qualification assessment if left unchecked	Centre action plan
2. Persistent poor management of an assessment which gave concern about the centre's management of assessments	Additional monitoring or a CIH Awarding Organisation inspection visit
3. <ul style="list-style-type: none"> <li>a. Centre no longer meets CIH quality assurance standards</li> <li>b. There is a threat to the interests of learners registering on a CIH qualification course</li> <li>c. Consistent failure to register learners as CIH student members and pay appropriate fees</li> </ul>	Suspension of registration of learners on CIH qualification courses
4. Loss of integrity regarding the centre assessment decisions	Suspension of certification of learners
5. Loss of integrity regarding the ability of the Centre to guarantee delivery of quality programmes of provision for CIH qualifications	Suspension of accreditation as a CIH Centre
6. <ul style="list-style-type: none"> <li>a. Loss of integrity regarding the ability of the Centre to deliver a course to the appropriate CIH Awarding Organisation quality standards</li> <li>b. Serious failure to maintain security of assessment materials</li> <li>c. Serious breakdown of quality assurance systems</li> <li>d. Non compliance with a Centre action plan leading to loss of integrity regarding the ability of the Centre to deliver a CIH qualification course</li> <li>e. Failure to comply with a CIH malpractice investigation</li> <li>f. Mishandling of fees or other financial irregularities</li> </ul>	Withdrawal of Centre accreditation to deliver CIH Awarding Organisation qualifications

### 6. Impact on the learner cohorts

The CIH Awarding Organisation will take action to protect CIH learners caught up in malpractice incidents through no fault of their own. However, in some cases, in order to protect the integrity of CIH qualifications it may be necessary to withhold the results or certificates of CIH learners who were not themselves responsible for the malpractice that took place.

### 7. Reporting cases of proven malpractice to the regulator

In compliance with the regulatory arrangements for the qualification and credit framework, Regulation 5.32, the CIH Awarding Organisation will report to the regulator (Ofqual) where, in cases of malpractice, it has found evidence that results or certificates may be invalid.

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The CIH Awarding Organisation will cooperate with any follow up investigations of malpractice required by the regulators and agree any remedial action where there is any evidence that results may be invalid.

### 8. Retention of materials

Where a malpractice or misconduct investigation results in sanctions being imposed on a member of staff at a centre or a centre, the CIH Awarding Organisation will retain all documentation and materials related to the investigation for a period of five years following the decision and confirmation of sanctions.

### 9. Centre Appeals

The Head of Centre is entitled to appeal a finding of malpractice or a sanction imposed. The Head of Centre must make a request within one month of receipt of correspondence from the CIH Awarding Organisation confirming the decision.

Requests for an appeal will be considered by the CIH Malpractice Appeals Committee at its next meeting which will normally be within 60 days.

Please refer to the appeals section on Page 18 of this document.

## Contacting the CIH Awarding Organisation

**For further guidance**, Centres may contact the Head of Education, CIH or a member of the CIH Education Team:-



**Head of Education  
CIH Awarding Organisation  
Education Service  
Octavia House  
Westwood Way  
Coventry  
CV4 8JP**

**Tel: 024 7685 1700**

**Email: [accreditation@cih.org](mailto:accreditation@cih.org)**

**[www.cih.org](http://www.cih.org)**

# CIH Awarding Organisation

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### Section B: Learner malpractice

#### 1. Introduction

The vast majority of CIH learners respect the rules and regulations governing the qualification assessments. They study hard to ensure that their performance in the assessments reflects their skills, knowledge and competences.

It is important that CIH has effective mechanisms in place to support the learners by identifying those who do not adhere to the regulations governing the assessment processes.

**The Centre must ensure that all learners are made aware of matters that may be considered as malpractice and the sanctions that may be imposed where malpractice is proven.**

#### 2. Examples of learner malpractice:-

This list is indicative and is not exhaustive. There may be other types of incidents which will be investigated:-

- ✚ Fraudulent claims for certificates.
- ✚ Plagiarism: reproducing work from a published source, including the internet, and presenting it as the learner's own work.
- ✚ Copying the work of another learner or allowing their own work to be copied by another learner.
- ✚ Cheating, such as using unauthorised materials or mobile telephones or pocket computers in tests or examinations.
- ✚ The falsification of practical assessment tasks (this does not refer to centre approved simulations).

#### 3. Allegations of learner malpractice

The Centre must notify the CIH Awarding Organisation of any allegations of learner malpractice. The only exception to this is malpractice discovered in coursework before the authentication forms have been signed by the learners. Centre can resolve the matter themselves prior to the signing of the declaration.

Allegations of learner malpractice may also be made by CIH learners, CIH external moderators, CIH officers and others involved in the delivery and assessment of CIH qualifications. CIH normally request that all allegations are made in writing. In some cases, an allegation of learner malpractice may be made anonymously.

Investigations will normally be carried out by the Head of the Centre, acting on behalf of the CIH Awarding Organisation. All allegations of learner malpractice will be evaluated to determine the validity of the allegation, the gravity of the malpractice and the risk to the integrity of CIH qualifications. The nature of the investigation and the appropriate course of action that may be necessary will be decided.

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### 4. Investigations into suspected learner malpractice

All allegations of suspected learner malpractice on CIH Awarding Organisation qualification courses will be investigated by the CIH Awarding Organisation. Investigations will normally be carried out by the Head of the Centre acting on behalf of the CIH Awarding Organisation.

As part of the investigation, the learner accused of the incident will be contacted by the Head of the Centre and advised that an investigation is being undertaken. The learner will be provided with the opportunity to provide a response within 10 working days.

The scope and activities undertaken as part of each malpractice investigation will depend on the nature of the suspected malpractice. In each case, investigations will involve the gathering of evidence relating to the allegation. This may include, but not be limited to:-

- + contacting witnesses and collecting witness reports
- + conducting interviews with witnesses
- + reviews of learner work
- + reviews of other work completed by the learner under investigation
- + reviews of the work produced by other learners on the course or at the centre

CIH reserves the right to withhold a learner's assessment results until the investigation has been concluded and the sanction has been determined.

### 5. Rights of learners accused of malpractice

Following the investigation into a case of learner malpractice, the learner will be sent written confirmation of the allegation which will include:-

- + details of the allegation
- + copies of the evidence gathered relating to the allegation. This will include any witness reports
- + a copy of the CIH malpractice policy and procedure

All learners accused of a malpractice incident will be invited to make a formal written response to the allegation and evidence provided. Learners will normally be given 10 working days from the date of receipt of the allegation and associated paperwork to provide a written response.

If no response is received within the timeframe specified, then the case will be considered on the basis of the evidence gathered only.

### 6. Learner penalties and sanctions

In the event that malpractice is proven, the Head of the Centre will determine the penalties, which will be ratified by the Head of Education, CIH Awarding Organisation. The penalties to be imposed will take account of the gravity of the malpractice. The following identifies the penalties that may be imposed. The issues are not exhaustive but provide a benchmark against which individual cases will be considered.



**Table of offences graded according to levels of seriousness and showing appropriate ranges of penalties for learners**

Type of offence	Warning	Loss of marks	Loss of certification
1. The alliteration or falsification of any results document, including certificate			Falsification / forgery
2. Collusion: working collaboratively with other learners beyond what is permitted	Collaborative work is apparent in a few areas, but possibly due to teacher advice. Learner unaware of rules / regulations	Collaborative work begins to affect the assessors ability to award a fair mark to individual learners	Work of learners reflects extensive similarities and identical passages. Possibly due to deliberate attempt to share work
3. Copying from another learner (including misuse of ICT)	Lending coursework, not knowing it would be copied	Permitting coursework to be copied / showing other learners the answers	Copying from another learner's coursework: borrowing coursework to copy.
4. The deliberate destruction of work		Defacing scripts; destruction of learner's own work.	Significant destruction of another learner's work.
5. making a false declaration of authenticity		Sections of work done by others, but most still the work of the learner	Most or all of the work is not that of the learner.
6. Plagiarism: unacknowledged copying from published sources ( including the internet): incomplete references	Minor amount of plagiarism from a source not listed in the bibliography. No more than 20%.	Plagiarism from a published work listed in the bibliography.	Plagiarism from a published source NOT listed in the bibliography. OR the majority of the text is from a source listed in the bibliography (more than 60%)

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Type of offence	Warning	Loss of marks	Loss of certification
7. Theft. ( where the learner has taken or removed work)			Taking someone else's work (project or coursework) to pass it off as their own work.
8. Behaving in such a way as to undermine the integrity of the assessment			For example. Attempting to obtain certificates fraudulently or attempted bribery.



### **7. Further assessment attempts**

Unless a penalty is accompanied by a bar on future entry, a learner penalised by loss of marks may retake the unit(s) affected at the next assessment opportunity.

### **8. Communicating decisions**

It is the responsibility of the head of the centre to communicate the decision to the individuals concerned, and to pass on warnings where this is indicated.

The majority of malpractice cases are a confidential between the individual centre and the Awarding Organisation. However in cases of serious malpractice, where the threat to the integrity of the assessment is such to outweigh a duty of confidentiality, it will normally be necessary for information to be exchanged amongst the regulators and the Awarding organisation.

### **9. Retention of materials**

Where a malpractice investigation which results in sanctions being imposed on a learner, the CIH Awarding Organisation will retain all documentation and materials related to the investigation for a period of five years following the decision and confirmation of sanctions.

### **10. Appeals**

The learner is entitled to appeal a finding of malpractice or a sanction imposed. The learner must make a request within one month of receipt of correspondence confirming the decision.

Requests for an appeal will be considered by the CIH Malpractice Appeals Committee at its next meeting which will normally be within 60 days. Please refer to the appeals section on Page 16 of this document.

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## **Contacting the CIH Awarding Organisation**

**For further guidance**, learners may contact the Head of Education, CIH or a member of the CIH Education Team:-



**Head of Education  
CIH Awarding Organisation  
Education Service  
Octavia House  
Westwood Way  
Coventry  
CV4 8JP**

**Tel: 024 7685 1700**  
**Email: [accreditation@cih.org](mailto:accreditation@cih.org)**  
**[www.cih.org](http://www.cih.org)**

# CIH Awarding Organisation

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### Section C: CIH Awarding Organisation External Moderators misconduct or malpractice

#### 1. Introduction

The work of the CIH external moderators is essential to ensure the quality and standards of the CIH Awarding Organisation qualifications. It is essential that in conducting their duties they undertake their activities in a professional manner.

Any action which brings the integrity of the qualifications or the reputation of the CIH Awarding Organisation into disrepute will be deemed to be malpractice and the moderator will be subject to the sanctions set out in this policy.

#### 2. Examples of external moderator malpractice or misconduct

This is an indicative list only. There may be other matters that are investigated:-

- ✚ disclosure of confidential information about a learner or an accredited centre
- ✚ persistent failure to carry out the moderation task as set out in the CIH Awarding Organisation moderation procedures
- ✚ actions whilst working as an external moderator which impact on the integrity of the CIH Awarding Organisation
- ✚ failure to make a declaration of conflict of interest in the conduct of the external moderation role
- ✚ fraudulent claims for expenses or fees

#### 3. CIH Awarding Organisation investigations into suspected external moderator malpractice or misconduct

All allegations of suspected external moderator malpractice or misconduct will be investigated by the CIH Awarding Organisation. In certain instances, the moderator may be suspended during the investigations.

As part of the investigation, the moderator accused of the incident will be contacted and advised that an investigation is being undertaken. The moderator will be provided with the opportunity to provide a response within a specified timeframe.

The scope and activities undertaken as part of each investigation will depend on the nature of the suspected malpractice or misconduct. In each case, investigations will involve the gathering of evidence relating to the allegation. This may include, but not be limited to:-

- ✚ contacting witnesses and collecting witness reports
- ✚ conducting interviews with witnesses
- ✚ reviews of moderator activities and reports reviews of claims for expenses or fees

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### 4. Rights of external moderators accused of malpractice

Following the investigation into a case of external moderator malpractice or misconduct, the moderator will be sent written confirmation of the allegation which will include:-

- ✚ details of the allegation
- ✚ copies of the evidence gathered relating to the allegation. This will include any witness reports
- ✚ a copy of the CIH malpractice policy and procedure

All external moderators accused of a malpractice incident are invited to make a formal written response to the allegation and evidence provided.

Moderators will normally be given 10 working days from the date of receipt of the allegation and associated paperwork to provide a written response. If no response is received within 15 working days, then the case will be submitted to the CIH Malpractice Committee on the basis of the evidence gathered only.

### 5. The Malpractice Committee

In order to determine the outcomes in cases of alleged malpractice, the CIH Awarding Organisation will appoint a panel or committee, which includes an external member, who is experienced in assessment processes, or named members of staff.

The following applies to the activities of the Malpractice Committee:-

- the work of the Malpractice Committee is confidential
- members of the Malpractice Committee are required to identify any conflicts of interest. Where this applies that member may not take part in any discussion regarding the case or the decision.

The following information informs the level of sanction or penalty that may be imposed on an external moderator where malpractice is proven. This is not an exhaustive list and in some cases it may be appropriate to apply a combination of penalties

	Issue	Sanction
1.	failure to make a declaration of conflict of interest in the conduct of the external moderation role	Written warning
2.	disclosure of confidential information about a learner or an accredited centre	Written warning + retraining on ethics
3.	persistent failure to carry out the moderation task as set out in the CIH Awarding Organisation moderation procedures	Written warning + Retraining + Action plan for improved performance
4.	failure to improve following retraining and/or action plan	Termination of contract and review of membership of CIH

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	<b>Issue</b>	<b>Sanction</b>
<b>5.</b>	actions whilst working as an external moderator which impact on the integrity of the CIH Awarding Organisation	Termination of contract and review of membership of CIH
<b>6.</b>	fraudulent claims for expenses or fees	Termination of contract and review of membership of CIH

### **6. Moderator malpractice or misconduct appeals**

The CIH external moderator is entitled to appeal a finding of malpractice, misconduct and/or a sanction imposed. The moderator must make a written request within one month of receipt of correspondence from the CIH Awarding Organisation confirming the decision.

Requests for an appeal will be considered by the CIH Malpractice Appeals Committee at its next meeting which will normally be within 60 days. Please refer to the appeals section on Page 16 of this document for further information.

## **Contacting the CIH Awarding Organisation**

**For further guidance**, external moderators may contact the Head of Education, CIH or a member of the CIH Education Team:-



**Head of Education  
CIH Awarding Organisation  
Education Service  
Octavia House  
Westwood Way  
Coventry  
CV4 8JP**

**Tel: 024 7685 1700**

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# CIH Awarding Organisation

## Malpractice & misconduct policy and procedure

### Section D: Appeals against a case of malpractice or misconduct

1. An appeal against a case of malpractice or misconduct and the imposed sanction may be made within 10 working days of the notification of the finding. The appeal should be made to the Head of Education, CIH . There is no fee for the appeal.
2. The appeal must be made in writing, clearly setting out the grounds for the appeal.
3. The appeal will be considered by a Malpractice Appeals Panel which will be set up by the Professional Development Board of the CIH. At least one member of the Panel will be independent.
4. The Malpractice Appeals Panel will be set up within 60 working days of a written appeal being lodged to the CIH. Evidence may be collected from the centre and/or the Certificate learner and/or CIH Awarding Organisation external moderator and/or any other individual involved in the case.
5. The duration of the malpractice investigation process is dependant on the nature and complexity of the investigation.
6. The person or centre against which an allegation of malpractice has been made will be notified in writing of the final decision of the CIH Malpractice Appeals Panel within ten working days of the final decision being made.

### Contacting the CIH Awarding Organisation



**Head of Education  
CIH Awarding Organisation  
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Octavia House  
Westwood Way  
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**Tel: 024 7685 1700**

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