

Malpractice & Maladministration Policy

(in relation to examinations, assessment and qualifications)

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1 Introduction

1.1 This policy relates to suspected or actual malpractice and maladministration on the part of candidates and Itchen College staff involved in work related to examinations, assessed coursework and qualifications in general. It is also used to ensure that all malpractice and maladministration investigations are dealt with in a consistent manner. It sets out the steps the college, learners and staff must follow when reporting suspected or actual cases of malpractice or maladministration.

2 Definitions

2.1 Maladministration

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate learner records).

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2.2 Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process, and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

the assessment process

- the integrity of a regulated qualification
- the validity of a result or certificate
- the reputation and credibility of the awarding body □ the qualification or the wider qualifications community.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain, or groups of, learners.

3 Examples

3.1 Examples of maladministration

Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework and examinations or malpractice in the conduct of the examinations/assessments and/or the handling of examinations papers, candidate scripts, mark sheets, cumulative assessment records, results and certifications claim forms etc. For example:

- failing to ensure that candidates' coursework or work to be completed under controlled conditions is adequately monitored and supervised
- under-qualified or non-qualified or unauthorised members of staff assessing candidates for access arrangements
- failure to use current assignments for assessments
- failure to train invigilators adequately
- failing to issue to candidates the appropriate notices and warnings
- failing to post notices relating to the examination or assessment in all rooms where examinations and assessments are held
- not ensuring that the examination venue conforms to awarding body requirements the introduction of unauthorised material into the examination room, either during or prior to the examination
- failing to ensure that mobile phones are placed outside the examination room and failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting
- failure to invigilate in accordance with published Instructions for Invigilators failure to keep accurate records in relation to very late arrivals and overnight supervision arrangements

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- failure to keep accurate and up to date records in respect of access arrangements
- granting access arrangements to candidates which do not meet the requirements of the appropriate publication on Access Arrangements, Reasonable Adjustments and Special Consideration
- granting access arrangements to candidates where prior approval if required has not been obtained
- failure to supervise effectively the printing of computer based assignments when this is required;
- failing to retain candidates' controlled assessments or coursework in secure conditions
- failing to maintain the security of candidate scripts prior to despatch to awarding bodies or moderator
failing to despatch candidate scripts / controlled assessments / coursework to the awarding body or moderators in a timely way
- failing to report an instance of suspected malpractice in examinations or assessments to the appropriate awarding body as soon as possible after such an instance occurs or is discovered
- failure to maintain appropriate auditable records e.g. certification claims and / or forgery of evidence
- failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by the awarding body
- persistent failure to adhere to learner registration and certification procedures
- persistent failure to adhere to centre recognition and/or qualification requirements and/or associated actions assigned to the centre
- late learner registrations (both infrequent and persistent)
- unreasonable delays in responding to requests and/or communications from the awarding body
- inaccurate claim for certificates
- misuse of the awarding body's logo or misrepresentation of a centre's relationship with the awarding body
- withholding of information, by deliberate act or omission, which is required to assure the awarding body of the centre's ability to deliver qualifications appropriately.

3.2 Examples of malpractice by centres

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice.

- Denial of access to premises, records, information, learners and staff to any authorised representative of the awarding body and/or the regulatory authorities
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with the awarding body's requirements
- Deliberate failure to adhere to learner registration and certification procedures
- Deliberate failure to continually adhere to centre recognition and/or qualification approval requirements or actions assigned to the centre

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- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claim for certificates
- The unauthorised use of inappropriate materials / equipment in assessment settings (e.g. mobile phones)
- Intentional withholding of information which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Deliberate misuse of the awarding body's logo and trademarks or misrepresentation of a centre's relationship with the awarding body
- Permitting collusion in exams/assessments
- Learners still working towards qualification after certification claims have been made
- Persistent instances of maladministration within the centre
- Deliberate contravention by a centre and/or its learners of the assessment arrangements specified for the qualifications
- A loss, theft of, or a breach of confidentiality in, any assessment materials □
Plagiarism by learners/staff
Unauthorised amendment, copying or distributing of exam/assessment papers/materials
- Inappropriate assistance to learners by centre staff (e.g. unfairly helping them to pass a unit or qualification)
- Deliberate submission of false information to gain a qualification or unit
- Deliberate failure to adhere to, or to circumnavigate, the requirements of our Reasonable Adjustments and Special Considerations Policy
- False ID used at the registration stage
- Impersonation of a learner for an assessment
- Creation of false records
- Cash for certificates (e.g. the selling of certificates for cash)
- Selling papers/assessment details
- Extortion
- Fraud

3.3 Examples of malpractice by learners

- The alteration or falsification of any results document, including certificates
- A breach of the instructions or advice of an invigilator, examiner, or the awarding body in relation to the examination or assessment rules and regulations
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments
- Collusion: working collaboratively with other candidates, beyond what is permitted
- Copying from another candidate (including the use of ICT to aid the copying)
- Allowing work to be copied e.g. Posting written coursework on social networking sites prior to an examination/assessment
- The deliberate destruction of another candidate's work

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- Disruptive behaviour in the examination room or during an assessment session (including the use of offensive language)
- Exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication
- Making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework or the contents of a portfolio
- Allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework
- The misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. Exemplar materials)
- Being in possession of confidential material in advance of the assessment
- Bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations)
- The inclusion of inappropriate, offensive or obscene material in scripts, controlled assessments, coursework or portfolios
- Impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment
- Plagiarism: unacknowledged copying from published sources or incomplete referencing; the submission of another person's work as if it were the candidate's own
Bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators, dictionaries (when prohibited), instruments which can capture a digital image, electronic dictionaries, reading pens, translators, wordlists, glossaries, iPods, mobile phones, mp3 players, pagers or other similar electronic devices
- The unauthorised use of a memory stick where a candidate uses a word processor □
Behaving in a manner so as to undermine the integrity of the examination.

4 Procedure

4.1 Terminology

In all cases, in order to avoid prejudicial language, until an investigation has been complete, the college will use the term 'alleged malpractice or maladministration' in relation to the case in question.

4.2 Review arrangements

This section sets out the procedure for investigating alleged malpractice by staff or learners of Itchen College.



The college's responsibility

Staff involved in the management, assessment and quality assurance of qualifications should be fully aware of this and the college's own internal policy to prevent and investigate instances of malpractice and maladministration.

A failure to report suspected or actual malpractice/maladministration cases, or to have effective arrangements in place to prevent such cases, may lead to sanctions being imposed on the college.

Should an investigation be undertaken into the college, the Principal must:

- respond speedily and openly to all requests relating to the allegation and/or investigation
- cooperate and ensure their staff cooperate fully with any investigation and/or request for information

Reporting suspected malpractice or maladministration

Examiners, Moderators and External Quality Assurers, members of centre staff or learners who suspect malpractice must report this immediately to the awarding body, in writing, setting out a full account of the incident together with any supporting evidence. All allegations must include (where possible): ☐ centre's name, address and number

- learner's name and registration number
 - details (name, job role) of college staff if they are involved in the case
 - details of the course/qualification affected or nature of the service affected
 - nature of the suspected or actual malpractice and associated dates
- details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances.

If a centre has conducted an initial investigation prior to formally notifying the awarding body, the centre should ensure that staff involved in the initial investigation are competent and have no personal interest in the outcome of the investigation. Such investigations would normally involve the Principal (if there is an investigation into allegations of malpractice or irregularities against the Principal or the management of the centre then such investigations should be carried out by the Chair of the Governing Body of the college or his/her nominee). However, it is important to note that in all instances the college must immediately notify the awarding body if they suspect malpractice or maladministration has occurred to ensure that all investigations are carried out rigorously and effectively.

If a candidate is accused of malpractice:

- he/she should be made fully aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven. Sanctions and penalties applied against candidates range from, in the least serious case, a warning, through to loss of all marks gained for a piece of coursework and in the most serious case disqualification from all qualifications taken in

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that series. Awarding Bodies may also bar a candidate from entering for one or more examinations for a set period of time

- he/she must be given the opportunity to respond (preferably in writing) to allegations made. Refer to the Itchen College internal appeals procedure
- he/she should be made aware of the avenues for appealing against a judgement made by an Awarding Body should it reach that stage. Refer to Awarding Body's appeals procedures

Confidentiality and whistle blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. However it is preferable for those individuals to reveal their identity and contact details to the awarding body and then to request the awarding body not to divulge their identity if concerned about possible adverse consequences. A whistleblower should also recognise that they may be identifiable to others due to the nature or circumstances of the disclosure.

Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place the college will consider the action to take to:

- minimise the risk to the integrity of certification now and in the future
- maintain public confidence in the delivery and awarding of qualifications
- discourage others from carrying out similar instances of malpractice or maladministration
- ensure there has been no gain from compromising standards.

5 Equality impact and monitoring the policy and procedure

5.1 In monitoring the impact of this policy and procedure, the College will have due regard to its Equality and Diversity Policy and its single Equality Duty. It will consider any concerns raised or complaints received, based on student and staff data, feedback,

surveys and/or professional judgement. If you have a question or a suggestion to improve the policy, please contact the Assistant Principal (Transition and Engagement).

6 Related Policies and Guidelines

6.1 This policy is linked to the following policies and guidelines:

Staff Professional Code of Conduct

Conflict of Interest Policy (Exams)

Exams Contingency Plan

Exams Management of Controlled Assessments

Exams Access Arrangements

Exams Coursework Malpractice Guidelines

Exams Internal Appeals Policy

Exams Vocational Coursework Policy

Exams Policy for Appeals against Internal GCE/GCSE Non-exam assessment

Whistleblowing Policy

6.2 This policy has been updated to include the following guidance published by JCQ (2023)

- JCQ AI Use in Assessments; Protecting the Integrity of Qualifications (JCQ 2023)

<file:///file-staff/staffhomes/mjones/JCQ-AI-Use-in-Assessments-Protecting-the-Integrityof-Qualifications.pdf>