

Quality

ASSESSMENT MALPRACTICE AND MALADMINISTRATION guidance note

Nodyn Cyngor Camymddygiad Asesu

Purpose and Scope

The guidance note on malpractice aims to:

- Define assessment malpractice for all qualifications offered by the College, including provision franchised or through partnership with third parties.
- Set out the rights and responsibilities, with regard to malpractice of the learner, the centre and the awarding bodies and refers to the Joint Council for Qualifications' document Suspected Malpractice in Examinations and Assessments 2015-2016.
[Malpractices in Examinations and Assessments](#)

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1 Introduction

- 1.1 Instances of malpractice and/or maladministration arise for a variety of reasons. Some are intentional and aim to give an unfair advantage in an examination or assessment. Others come about because of lack of understanding of the regulations or inaccuracy in applying the regulations. The individuals responsible for such breaches may be the candidates, tutors or other support staff responsible for the conduct or the administration of examinations and assessments. All breaches of examination and assessment regulations are “malpractice”, irrespective of the reason for the breach, the status of the individuals involved or the seriousness of the matter. The Centre will report all incidents of suspected malpractice to the appropriate Awarding Body as soon as possible.
- 1.2 The Head of Curriculum and Quality Assurance (HCQA) will supervise investigations resulting from allegations of malpractice and respond speedily and openly to all requests for an investigation into an incident from an Awarding Body. Procedures for investigating alleged malpractice are set out below.
- 1.3 Awarding Bodies will themselves oversee all investigations resulting from an allegation of a breach of security (e.g. the content of examination papers become known before the scheduled date of the exam). In addition to the requirement for the Centre to provide full details of suspected, alleged or confirmed breaches of security, Awarding Bodies may use their own teams to investigate breaches and will ensure that there is police involvement where serious breaches of security, amounting to crime, are suspected.

2 Legislative Framework

The Statutory Regulation of External Qualifications (2004)

2.1 [Detailed Guidance](#)

Definition

Assessment malpractice consists of any act, neglect, default or other practice acts which threatens or undermines the integrity and validity of assessment, the certification of qualifications and/or damages the authority of those responsible for conducting the assessment and certification. The definition of malpractice includes attempting or planning such an act, neglect or other practice whether or not the attempt or plan is successful.

Pembrokeshire College does not tolerate actions (or attempted actions) of malpractice by:

- Learners
- Staff (referred as “the centre”) including maladministration

3 Learner Malpractice

Learner malpractice is malpractice committed by a learner at any stage in the course of an examination, including assignment coursework and practical work. The following are examples of malpractice by learners but the list is not exhaustive and other instances of malpractice may be considered:

- 3.1 Plagiarism by copying and passing off, as the learner's own, the whole or part(s) of another person's work that might include words, artwork, images, computer generated work etc. with or without the originator's permission and without appropriately acknowledging the source
- 3.2 Collusion by working collaboratively with other learners to produce work that is submitted and passed off as individual work. (Learners should not be confused between collusion and working with others, as this is an essential key skill for many subjects, the use of minutes, allocating tasks, agreeing outcomes etc. are an essential part of team work which needs to be made clear to learners).
- 3.3 Collusion by working in association with a third party to produce work that is submitted and passed off as individual work. (Learners should be made aware that where suspicion is raised of collusion with individuals or agencies who might offer services to support learners collating or presenting evidence for assessment which is not the learners own work will result in the work being subject to investigation).
- 3.4 Impersonation by pretending to be someone else in order to produce the work for another or arranging to take another's place in an assessment or examination or test.
- 3.5 Fabricating results and or evidence.
- 3.6 Failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator, or conditions in relation to the rules, regulations and security of the awarding body.
- 3.7 Disruptive behaviour in the examination room.
- 3.8 The inclusion of inappropriate, offensive or obscene material in examination scripts or coursework.
- 3.9 Theft of another person's work or the deliberate destruction of another's work.
- 3.10 The alteration of any results document, including certificates.

4 Centre Malpractice

Centre staff malpractice is malpractice which relates to a breach of security or assisting candidates in the production of their examination responses or some form of maladministration. "Breach of security" means any malpractice which affects the confidentiality of examination question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or electronic equivalents. The following are examples of breaches of security by centres, the list is not exhaustive and other instances of malpractice may be considered:

- 4.1 Moving the time or date of a fixed examination (beyond the time permitted by the regulations) without notifying the relevant Awarding Body
- 4.2 Permitting, facilitating or obtaining unauthorised access to examination material prior to an examination.

4.3 Tampering with candidate scripts or coursework after collection and before dispatch to the Awarding Body

4.4 Failing to retain and secure examination papers after an examination in cases where the life of the paper extends beyond the particular session.

4.5 Giving assistance beyond the requirements of the specification to a candidate or group of candidates, which results in a potential or actual advantage in an examination or assessment. Examples are:

- Assisting candidates in the production of coursework, beyond that permitted by the regulations
- Allowing candidates unsupervised access to coursework exemplar material, whether this is the work of former students or that provided by the Awarding Body, as doing so gives candidates the opportunity to copy the work
- Assisting or prompting candidates with the production of answers
- Permitting candidates in an examination to access prohibited materials (eg dictionaries, calculators etc).

There is an obvious concern regarding what constitutes “giving assistance beyond the requirements” in the production of course work... or prompting candidates with the production of answers” when dealing with learners’ coursework in the form of assignments.

Many courses incorporate in-course assignments designed to formatively and summatively assess learner understanding and achievement. Some awarding bodies favour centre staff giving initial formative feedback to learners on their work so that the feedback can help learners revise their assignment answers and re-submit. However, there needs to be conformity amongst College staff as to the level and amount of feedback which is allowed and the number of times a learner is permitted to resubmit the same piece of work.

For BTEC programmes, the new rules applying to the internal assessment for BTEC Firsts and Nationals planned from September 2014 must be adhered to. Guidance to Internal Assessment for BTEC Firsts and Nationals can be found at www.btec.co.uk/keydocuments specific detail relating to Assessment Malpractice can be found under [Assessment Malpractice](#)

For Institute of Leadership and Management (ILM) programmes, note is taken of the requirement to notify the awarding body within 20 working days of a case of assessment malpractice being identified. Guidance can be found in the [ILM Plagiarism, Collusion and Cheating Policy](#)

Where learners are set deadlines to submit their work and it is marked and returned with a summative grade to the group then the assessor will not accept any further assignment scripts of the same piece of work after that date of return. This prevents learners who submit assignments later than the others in the group from gaining an unfair advantage by possibly viewing returned marked work and using this as a basis for their own submission.

5 Centre Mal-administration

Mal-administration means any other forms of malpractice by centre staff. Examples are:

- Failing to keep secure student computer files which contain coursework
- Failure to adhere to learner registration and certification procedures
- Failing to issue to candidates the appropriate notices for examinations/and warnings
- Not ensuring that the examination venue conforms to requirements
- The inappropriate retention of certificates

6 Dealing with Suspected Cases of Malpractice and Maladministration

When there is evidence to suggest acts or attempted acts of malpractice concerning in-course assignments that would influence the assessment outcomes then the matter will be referred to the Deputy Principal Learning, Teaching and Quality Environment who will review the case and determine whether the Awarding Body is notified. It is not normal practice to notify Awarding Bodies of coursework malpractice if it was discovered prior to any signing of declaration of authentication by the learner.

Where findings from a preliminary investigation lead to evidence strongly suggesting there has been an incident(s) or attempted acts of malpractice or maladministration concerning an examination or assessment the Head of Learner Resources and IT Services, must notify the Awarding Body immediately using Form [JCQ Form M2a](#) – Notification of suspected centre staff malpractice or maladministration.

Where Awarding Bodies are notified of alleged malpractice or maladministration, Pembrokeshire College and its staff will fully cooperate with any subsequent investigation conducted and led by the Awarding Body.

For a full and comprehensive account on procedures for investigating alleged malpractice covering learner or centre malpractice suspected by a centre; malpractice suspected by the Awarding Body, anonymous reports and access to evidence, please refer to the definitive document, Joint Council for Qualifications' document Suspected Malpractice in Examinations and Assessments 2015-2016 [Malpractices in Examinations and Assessments](#)

7 Investigation by a Centre into Alleged Malpractice or Maladministration

Learners and / or centre staff accused of malpractice or maladministration should be made aware at the earliest opportunity and in writing of the nature of the alleged offence and the possible consequences should allegations be proven.

Learners and staff accused of malpractice and / or maladministration will be given the opportunity to respond in writing to allegations made within 10 working days of notification. If the learner is under 19 years of age, the learner's parent/guardian must also be informed.

The Head of Curriculum and Quality Assurance or their nominee has the right to interview and question any staff, learners or members of the public as part of an initial investigation to determine whether there is sufficient evidence to suspect malpractice or maladministration.

A learner under the age of 19 is entitled to bring along his/her parent/guardian or a friend to an interview. A member of staff who is suspected of malpractice or maladministration may bring along a union representative or a friend to an interview.

The Head of Curriculum and Quality Assurance will make a decision on whether malpractice or maladministration has or has not occurred on the evidence gathered from the initial investigation.

The evidence will be summarised in the form of a written report of the investigation and will provide the following:

- A statement of the facts ascertained, a detailed account of the circumstances and details of the investigation undertaken;
- Written and signed statements from the accused, learners, centre staff, members of the public who are involved;
- Any mitigating factors, such as relevant medical reports;
- Copies of any work of the learner(s) and any associated material which is relevant to the investigation;
- Information about Pembrokeshire College's procedures for advising learners and centre staff of the Awarding Bodies' regulations for examinations;
- Seating Plans

Where there is sufficient evidence to strongly suspect malpractice or maladministration then the accused will be notified in writing within 3 working days of the decision. The accused has 5 working days to lodge an appeal in writing to the Principal against such a decision. If an appeal is lodged, then the matter is referred to a Governor who is a member of the Academic Board who will review all the evidence available and is entitled to interview the accused and any other involved parties.

The Awarding Body will be informed whether the accused has lodged an appeal and will be notified of the appeal outcome immediately.

Where an Awarding Body undertakes a formal investigation concerning alleged malpractice or maladministration within Pembrokeshire College, the JCQ policy and procedures, sections 2 and 3 above shall apply.

In the case of any suspected malpractice in the context of a Higher Education programme franchised from a partner university the guidance set out in the Academic Quality Handbook of the franchising university will be followed and all rules and regulations closely adhered to.

8 General

The College is committed to the promotion of Education for Sustainable Development and Global Citizenship (ESDGC), the Welsh language, Equality and Diversity, Essential Skills, Health, Safety, Safeguarding, Wellbeing and the Environment.

Mae'r Coleg wedi ymrwymo i hyrwyddo Addysg ar gyfer Datblygiad Cynaliadwy a Dinasyddiaeth Fyd-eang (ADCDF), yr iaith Gymraeg, Cydraddoldeb ac Amrywiaeth, Sgiliau Hanfodol, Iechyd, Diogelwch, Diogelu, Lles a'r Amgylchedd.

9 Document Control

Version	Description	Date	Creator	Reviewer	Authoriser	Document Custodian
2	Revision	Feb17	PMRobinson	PMRobinson	B Walters	B Pudner