

 SHREWSBURY COLLEGES GROUP	POLICY		
	FE Malpractice & Maladministration		

DOCUMENT CONTROL			
SLT owner:	Chris Pemberton	Together With:	
Date created/updated:	December 2016 August 2017	Review Date:	August 2018
Approval Need by SLT:	Yes	Date Approved:	11-9-17
Approval Need by Governors:	No	Date Approved:	
Approval Need by Unions:	No	Date Approved:	
Impact Assessment Date*:	14-9-17	Job Title of Assessor:	GVP – Qual & Curric
Publication:	Staff SharePoint: Yes	Moodle: Yes	Website: Yes
<i>If approval is not required by SLT/Governors/Unions please give reason, ie name changes only.</i>			
<i>* If the contents of this policy have been copied from an existing policy with no changes please insert the date of the original Impact Assessment and Assessor in the table above.</i>			
Summary of Revisions: This has been changed to become a Group document.			
Dissemination: Does this policy/procedure requires training/briefing/update to Managers? Yes			
Date of Meeting (if yes): ALT - 19 September 2017			

Context

Malpractice refers to any deliberate act or practice which compromises or threatens to compromise the process and integrity of assessment, and as a result the validity of the result or certification awarded.

Assessment process and outcomes can also be put at risk through maladministration whilst malpractice is a deliberate act, maladministration may be accidental or a result of incompetence or a simple mistake.

This policy applies to internal and external summative assessments, assignments and examinations and their reporting.

It the responsibility of all Shrewsbury Colleges Group (from here on known as the Colleges Group) staff to be vigilant with regard to any events which may lead to malpractice / maladministration occurring, and report promptly to the Group Vice Principal for Quality and Curriculum where they suspect malpractice / maladministration has and /or may occur so that appropriate action can be taken to address this with immediate effect.

The Group Vice Principal Quality and Curriculum is responsible for notifying relevant awarding bodies of cases of suspected / actual malpractice and maladministration to ensure the appropriate action may be taken.

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Objectives of the policy:

- To identify and minimise the risk of malpractice by staff or learners;
- To identify and minimise the risk of maladministration by staff;
- To respond to any incident promptly and objectively;
- To standardise and record any investigation to ensure openness and fairness;
- To impose appropriate penalties and/or sanctions on learners or staff where incidents (or attempted incidents) are proven;
- To protect the integrity of the Colleges Group and awarding bodies.

In order to do this, the Colleges Group will:

- Seek to avoid potential malpractice by using the induction period and the student handbook to inform learners the policy on malpractice and the penalties for attempted and actual incidents of malpractice;
- Show learners the appropriate formats to record cited texts and other materials or information sources;
- Ask learners to declare that their work is their own;
- Ask learners to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used;
- Conduct any investigations in a form commensurate with the nature of any allegation;
- Ensure the handling of individual cases takes account of the needs of the student, including those arising from protected characteristics.

Malpractice

The term 'malpractice' covers any deliberate actions, neglect, default or other practice associated with the examples below; it 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.

- **Learner malpractice:** any action by the learner which has the potential to undermine the integrity and validity of the assessment of the learner's work. (plagiarism, collusion, cheating, etc.)
- **Assessor malpractice:** any deliberate action by an Assessor which has the potential to undermine the integrity of all qualifications
- **Plagiarism:** taking and using another's thoughts, writings, inventions, etc. as one's own
- **Minor acts of learner malpractice:** handled by the Assessor by, for example, refusal to accept work for marking and learner being made aware of

malpractice policy.

- **Major acts of learner malpractice:** extensive copying/plagiarism, 2nd or subsequent offence, inappropriate for the Assessor to deal with.

Examples of Malpractice by Learners

This list is not exhaustive and other instances of malpractice may be considered by the Colleges Group at its discretion:

- Plagiarism of any nature;
- Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work;
- Copying (including the use of ICT to aid copying);
- Deliberate destruction of another's work;
- Fabrication of results or evidence;
- False declaration of authenticity in relation to the contents of a portfolio or coursework;
- Impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one's place in an assessment/examination/test; Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language and having an unauthorised electronic device that causes a disturbance in the examination room;
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence. This includes vulgarity and swearing that is outside of the context of the assessment, or any material of a discriminatory nature;
- Frivolous content - producing content that is unrelated to the examination paper/question in scripts or coursework;
- Unauthorised aids - physical possession of unauthorised materials (including mobile phones, MP3 players, notes, etc) in the examination room.

Examples of Malpractice by Centre Staff

This list is not exhaustive and other instances of malpractice may be considered by this centre at its discretion:

- Improper assistance to candidates;
- Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made;
- Failure to keep candidate coursework/portfolios of evidence secure;
- Fraudulent claims for certificates;

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- Inappropriate retention of certificates;
- Assisting learners in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves centre staff producing work for the learner;
- Producing falsified witness statements, for example for evidence the learner has not generated;
- Allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework;
- Facilitating and allowing impersonation;
- Misusing the condition for special learner requirements eg support
- Falsifying records/certificates, for example by alteration, substitution, or by fraud;
- Fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment;
- Failure to comply with awarding body procedures for managing and transferring accurate learner data.

Maladministration

Maladministration is any non-deliberate activity, neglect, default or other practice that results in the Colleges Group or learner not complying with the specified requirements for delivery of the qualifications as set out in the relevant codes of practice, where applicable.

Actions and Responsibilities

The Colleges Group will communicate the Assessment Policy to learners through the following means:

- Group Tutorials during the induction period;
- Information for Students' area of Moodle;
- Curriculum/Programme Leaders and Course Co-ordinators have responsibility for ensuring that learners are made aware of this policy before undertaking any assessed work which has the potential to contribute to the awarding of a qualification.

Implementing Assessment Practices

Curriculum/Programme Leaders and Course Co-ordinators have responsibility for implementing assessment practices that reduce the opportunity for malpractice, including for example:

- Supervised sessions during which evidence for assessments is produced by the learner;
- Altering assessment assignments/tasks/tools on a regular basis;
- Using oral questions with learners for a single assignment/task in a single session for the complete cohort of learners;

- Ensuring access controls which prevent learners from accessing and using other people's work when using networked computers;
- Requiring learners to sign to declare that their work is their own when submitting assessments.

Procedure for dealing with allegations of malpractice

1. Reporting suspected malpractice - within the Colleges Group

All Colleges Group staff have a responsibility for reporting any suspected incidences of staff or learner malpractice through the appropriate channels. Learners will be made aware of the procedure for reporting any allegations of suspected malpractice via the Learner Assessment Policy.

In addition, allegations of suspected malpractice may be made by external moderators, verifiers, examiners and reported to the Colleges Group via the awarding organisation.

Allegations made by college staff:

Allegations of suspected staff / learner malpractice to be made to the Group Vice Principal Quality and Curriculum.

Allegations made by learners:

All Colleges Group staff have a responsibility to ensure that any allegations made to them in their professional capacity are taken seriously and reported through the correct channels.

The Colleges Group will consider allegations that are made verbally but will request in all cases that allegations are put in writing with any supporting evidence that is available. Curriculum/Programme Leaders will inform the Group Vice Principal Quality and Curriculum of any allegations that are made.

2. Reporting suspected malpractice - to Awarding Organisations

The Colleges Group accepts the responsibility to report any suspicion of learner or staff assessment malpractice to the appropriate awarding organisation. The only exception to this relates to assessment malpractice in coursework or controlled assessment which is discovered prior to the learner signing the declaration of authentication. In these cases the incident need not be reported to awarding bodies, but will be dealt with in accordance with the Colleges Group disciplinary/student management procedures. Any work which is not the learner's own will not be given credit; in addition a note will be added to the cover sheet to detail any assistance that has been given.

In all other instances of suspected malpractice the Group Vice Principal Quality and Curriculum will submit the fullest details of the case at the earliest opportunity to the relevant awarding body as per Joint Council of Qualification regulations.

Investigation of suspected malpractice

If assessment malpractice is suspected by **Colleges Group staff** there will be a process of investigation, usually commissioned by the Group Vice Principal Quality and Curriculum to establish the full facts and circumstances of any allegations or evidence. Such an investigation will usually be under the terms of the Colleges Group Staff Disciplinary Policy and Procedure given the potential seriousness of the matter.

The Group Vice Principal Quality and Curriculum or another senior member of Academic Leadership Team will act as investigating officer. In order to avoid conflicts of interest investigations into suspected malpractice should not be delegated to the manager of the section, team or department involved in the suspected malpractice. Any disciplinary investigation will proceed as described in the Staff Disciplinary Policy and Procedure and include provision for:

- The member of staff to be informed about the concerns and possible consequences;
- Possible suspension depending on the circumstances of the case;
- The member of staff to be accompanied at any subsequent investigation meeting;
- Collection of evidence related to the alleged malpractice;
- The review of evidence and production of a report;
- A decision to be made on whether or not to proceed to a formal disciplinary hearing;
- If necessary a formal hearing with a right of representation.

Possible Actions Taken by the Colleges Group

In cases where it is believed, following an investigation and hearing, that there is clear evidence of malpractice:

- The appropriate awarding body will be informed by the Colleges Group of the allegation of malpractice and they will be given the supporting evidence;
- The Colleges Group will take disciplinary action commensurate with the seriousness of the malpractice. There will be a right of appeal against any formal disciplinary warning or dismissal.

In any instances where suspected malpractice will be reported to awarding bodies the Colleges Group will provide the individual/s with a completed copy of the form or letter used to notify the awarding body of the malpractice.

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Incidences of **learner assessment malpractice** will be investigated in a similar manner by the Group Vice Principal Quality and Curriculum. As with staff malpractice potential conflicts of interest will be avoided by nomination of an investigating officer who is external to the management of the learner and/or particular curriculum/subject area.

Investigations will proceed through the following stages:

- The learner will be informed about the issues, possible consequences and right of appeal;
- Collection of evidence related to the alleged malpractice;
- The review of evidence and production of a report;
- A formal meeting between the Curriculum/Programme Leader and the learner against whom an allegation has been made.

Possible Actions Taken by the Colleges Group

In cases where it is believed that there is clear evidence of malpractice:

- The appropriate awarding body will be informed by the college of the allegation of malpractice and they will be given the supporting evidence;
- The Colleges Group will take internal disciplinary action in line with Colleges Group student management policy and procedures. This action will be commensurate with the seriousness of the malpractice.

In any instances where suspected malpractice will be reported to awarding bodies the Colleges Group will provide the individual/s with a completed copy of the form or letter used to notify the awarding body of the malpractice.

Internal Verifiers/Moderators are expected to:

- Make malpractice checks when internally verifying work.

Curriculum/Programme Leaders are expected to:

- Supervise the investigation and resolution of moderate and serious cases of academic misconduct;
- Report on cheating and plagiarism issues as part of the self-assessment process;
- Keep senior managers informed of case developments and progress.

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All students are expected to:

- Submit work for assessment that is their own original work;
- Attend all study skills sessions that are relevant to developing their note-taking, paraphrasing, synthesising and referencing skills;
- See advice on assessment, practice and procedures from course tutors prior to submitting work;
- Avoid sharing electronic versions or hard copies of their work with other students.

Investigations

It is understood that in certain cases, awarding bodies may wish to allocate their own staff to join or lead an investigation.

Investigations will adhere to the following principles:

- **Confidentiality** – by their very nature investigations usually necessitate access to information that is confidential to a centre or individuals. All material collected as part of an investigation must be kept secure and not normally disclosed to any third parties (other than the regulators or the police, where appropriate).
- **Impartiality:** investigations will be undertaken by a senior manager and assessed against the specific facts/evidence of the case in arriving at a decision about intention and culpability.
- **Rights of individuals** – where an individual is suspected of malpractice they should be informed of the allegation made against them (preferably in writing) and the evidence that supports the allegation. They should be provided with the opportunity to consider their response to the allegation and submit a written statement or seek advice, if they wish to. They should also be informed of what the possible consequences could be if the malpractice is proven and of the possibility that other parties may be informed e.g. the regulators, the police, the funding agency and professional bodies. The appeals process should also be communicated to them.
- **Staff Interviews** - these interviews should be carried out in line with Colleges Group policy and procedures. Colleges Group staff may request that they are accompanied by a friend or colleague and these requests should be processed in line with Colleges Group and/or awarding body policy.
- **Candidate Interview** - where a candidate is to be interviewed and they are a minor or vulnerable adult, the Colleges Group will consider the need to have a parent or representative present or to have the permission of a parent prior to the interview taking place.

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- **Retention and storage of evidence and records** – all relevant documents and evidence should be retained in line with awarding body and Colleges Group stated policy and procedures.
- **Decisions and action plans** – all conclusions should be based on evidence. A course of proposed action should be identified, agreed between the Colleges Group and awarding body.
- **Proportionality** – any decision on the outcome must reflect the weight of evidence and the minor nature of the case – the student does not have to admit malpractice.
- **Sanctions** – any sanctions applied to Centres should be proportionate with the level of non-compliance identified (and evidenced) during the investigation.

Related Documents

Student Behaviour Policy (Disciplinary)

Staff Disciplinary Policy and Procedure

Assessment Policy

Allegations Policy