

Policies and Procedures

Malpractice Policy/Guidance

Suspected candidate or staff malpractice will be investigated and acted on in line with this policy/guidance

Definition:

Malpractice means any act, default or practice (whether deliberate or resulting from neglect or default) which is a breach of assessment requirements including any act, default or practice which:

Compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/ or

Damages the reputation or credibility of the awarding body or any officer, employee or agent.

Reporting suspected malpractice

Candidates should, in instance of student malpractice, report this to the first available centre tutor/assessor. In the instance of reporting staff malpractice, should report direct to the centre co-ordinator.

Internal staff reporting instances of student malpractice, should report direct to the centre co-ordinator. In the instance of reporting of internal staff malpractice, should report direct to the centre co-ordinator.

Investigation

Investigation of malpractice, centre or candidate, will be notified to the centre co-ordinator (Director of COMMTACS) who will conduct investigations which may include:

- Reviewing of evidence
- Checking assessment evidence and other records
- Interviewing candidate/s and/or members of staff
- Seeking second opinions from candidate/s and/or members of staff

Communication Outcomes

The outcome of investigation will be communicated to all concerned in the malpractice allegation and any other interested party who would benefit from the knowledge of the outcome. Communications would be delivered in a timely manner.

Actions and sanctions if malpractice is proven

Any actions or sanctions to be taken will be communicated to the candidate or staff member in question.

In instances of staff members, this may escalate to disciplinary procedures being instigated.

Candidates may not be resulted during or until the completion of the investigation.

Reporting incidents of malpractice to Signature

Any suspected centre malpractice will be reported to Signature with full details of allegation, investigation and any action taken.

Instances of candidate malpractice may be reported to Signature if felt appropriate. This may include:

- The concern came to the centre's attention after submission of internal assessment marks
- The concern relates to candidate malpractice for a qualification regulated by Signature Accreditation, Ofqual or Qualifications Wales
- Any candidate affected by a centre's candidate malpractice decision, who having exhausted their right of appeal within the centre, wishes to exercise their right of appeal to Signature; or
- There are other exceptional circumstances, eg the centre believes that the malpractice case involves a criminal act

The matter must also be reported to the police if the malpractice involves a criminal act.

Appeals against malpractice decisions

Candidates and staff members can appeal against decisions taken. Appeals must be submitted to the centre co-ordinator within 4 weeks of the decision being communicated. Candidates may not be resulted until this time limit has passed.

Centre's appeals procedure will take effect.

Retention

All records of malpractice will be retained in a lock fast place for a period of 6 (six) years. If there were criminal acts involved, retention will be for 6 (six) years after the completion of the criminal procedures have ended.

Candidate malpractice

Examples of candidate malpractice include:

- Breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment – including the early and unauthorised removal of a question paper or answer booklet from the examination room.
- Collusion with others when an assessment must be completed by individual candidates.
- Copying from another candidate (including using ICT to do so) and/or working collaboratively with other candidates on an individual task.
- Misconduct — inappropriate behaviour in an assessment room that is disruptive and/or disrespectful to others. This includes talking, shouting and/or aggressive behaviour or language, and having a prohibited electronic device that emits any kind of sound in the assessment room.
- Frivolous content — producing content that is unrelated to the assessment.
- Offensive content — content in assessment materials that includes vulgarity and swearing that is out with the context of the assessment, or any material that is discriminatory in nature (including discrimination in relation to the protected characteristics identified in the Equality Act 2010). This should not be read as inhibiting candidates' rights to freedom of expression.
- Personation — assuming the identity of another candidate or a candidate having someone assume their identity during an assessment.
- Plagiarism — failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own.
- Prohibited items — items that candidates must not have with them at their allocated seat in the exam room because they can give an unfair advantage, including: mobile phones; electronic devices such as an MP3 player, iPod, tablet, smartwatch or any other device that is web-enabled or stores information; books, notes, sketches or paper; pencil case; calculator case; calculator or dictionary (except in specified subjects) — unless any of these things have been approved by Signature as part of an assessment arrangement.

Centre Malpractice

Examples of centre malpractice:

- managers or others exerting undue pressure on staff to pass candidates who have not met the requirements for an award
- deliberate falsification of records in order to claim certificates
- excessive direction from assessors to candidates on how to meet national standards
- failure to assess internally assessed unit or course assessment work fairly, consistently and in line with national standards
- failure to apply specified Signature assessment conditions in assessments, such as limits on resources or time available to candidates to complete their assessments
- misuse of assessments, including repeated re-assessment contrary to requirements, or inappropriate adjustments to assessment decisions
- failure to apply appropriate processes to ensure fairness in the provision of assessment arrangements
- insecure storage, transmission or use of assessment instruments, materials and marking instructions, resulting in a breach of assessment security
- failure to comply with requirements for accurate and safe retention of candidate evidence, assessment and internal verification records
- failure to comply with Signature procedures for managing and transferring accurate candidate data
- failing to register candidates within a qualification's accreditation period
- making late registrations to the awarding body for qualifications in their lapsing period
- requesting late certification of learners after the certification end date
- for all Signature qualifications, failure by a centre to notify, investigate and report allegations of suspected centre malpractice to Signature
- deliberately withholding information about circumstances which may compromise the integrity of any Signature qualification and/or credibility of Signature
- failure to take action as required by Signature or to co-operate with an Signature investigation in relation to concerns of malpractice
- for qualifications subject to regulation by Signature Accreditation, Ofqual or Qualifications Wales, failure by a centre to notify, investigate and report to SQA allegations of suspected candidate malpractice

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