

## **MALPRACTICE POLICY**

### **Introduction**

Learn Hillingdon – Adult Community Education is part of the London Borough of Hillingdon [and, Education and Skills Funding Agency and Greater London Authority](#). With regard to qualifications, it is our clear intention to uphold the highest possible standards, to the satisfaction of all examination boards and to ensure high quality outcomes for all learners.

### **Malpractice definition**

Referring to JCQ regulations, 'malpractice', which includes maladministration, means any act, default or practice which is a breach of the Regulations or 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 authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

### **Staff malpractice**

This part of the policy sets out to define the procedures to be followed in the event of any dispute or allegation regarding staff malpractice in the assessment of internally marked qualifications and also regarding examinations invigilated by staff in Learn Hillingdon and marked externally.

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by staff with regards to portfolio-based qualifications. This list is not exhaustive:

- Tampering with candidates work prior to external moderation/verification
- Assisting candidates with the production of work outside of the awarding body guidance
- Fabricating assessment and/or internal verification records or authentication statements

The following are examples of malpractice by staff with regard to examinations:

- Assisting candidates with exam questions outside of the awarding body guidance
- Allowing candidates to talk, use a mobile phone or go to the toilet unsupervised
- Tampering with scripts prior to external marking taking place.

## **Actions on Staff Malpractice**

Investigations into allegations will be coordinated by the appropriate Quality Manager who will ensure the initial investigation is carried out within ten working days. The person responsible for coordinating the investigation will depend on the qualification being investigated. The investigation will involve establishing the full facts and circumstances of any alleged malpractice. It will not be assumed that because an allegation has been made, it is true. Where appropriate, the staff member concerned and any potential witnesses will be interviewed and their version of events recorded on paper.

The member of staff will be:

- informed in writing of the allegation made against him or her and what evidence there is to support the allegation.
- informed of the possible consequences, should malpractice be proven, and given the opportunity to consider their response to the allegations.
- given the opportunity to submit a written statement and the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required).

Where a member of staff is found guilty of malpractice, Learn Hillingdon will apply disciplinary procedure ([https://horizon.hillingdon.gov.uk/media/42817/Disciplinary-policy/pdf/Disciplinary\\_Policy\\_and\\_code\\_1.pdf](https://horizon.hillingdon.gov.uk/media/42817/Disciplinary-policy/pdf/Disciplinary_Policy_and_code_1.pdf)). The normal appeals process would apply in such a case.

The Awarding Body will be notified of any suspected cases of staff malpractice in accordance with their regulations.

## **Candidate Malpractice**

This part of the policy defines the procedures to be followed in the event of any dispute or allegation regarding candidate malpractice in the assessment of internally marked qualifications and also regarding examinations marked externally.

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by candidates with regards to portfolio-based qualifications. This list is not exhaustive:

- Plagiarism: the copying and passing of as the candidate's own work, the whole or part of another person's work
- Collusion: working collaboratively with other learners to produce work that is submitted as the candidate's only
- Failing to abide by the instructions of an assessor – this may refer to the use of resources which the candidate has been specifically told not to use
- The alteration of any results document

The following are examples of malpractice by candidates with regards to examinations. This list is not exhaustive:

- Talking during an examination
- Taking a mobile phone into an examination
- Taking any item other than those accepted by the Awarding Body into the examination, such as a book or notes
- Leaving the examination room without permission
- Passing notes or papers or accepting notes to, or accepting notes or papers from another candidate

### **Actions on Candidate Malpractice**

If a candidate is suspected of malpractice, an Learn Hillingdon manager will be assigned to investigate and will refer to awarding body regulations. The candidate will be informed and the allegations will be explained. The candidate will have the opportunity to give their explanation before any final decision is made. If the candidate accepts that malpractice has occurred, he/she will be given the opportunity to repeat the assignment. If found guilty of malpractice following an investigation, the Quality Manager may request for previous assignments to be remarked and these could also be rejected if similar concerns are identified.

In the event that a malpractice decision is made, which the candidate feels is unfair, the candidate has the right to appeal and this should be directed to the Head of Adult & Community Learning.

The Awarding Body will be notified of any suspected cases of candidate malpractice in accordance with their regulations.

**Failure by a centre to investigate allegations of suspected malpractice in accordance with the requirements in this document also constitutes malpractice.**