

# Malpractice & Maladministration Policy

## Purpose and Scope

This policy defines malpractice and maladministration in the context of teaching, candidate and staff member with regards to malpractice and maladministration.

i-to-i does not tolerate actions (or attempted actions) of malpractice by candidates or staff in connection with our programmes of learning or examinations.

We may impose penalties and/or sanctions on candidates or staff members where incidents (or attempted incidents) of malpractice have been proven. We are required to report cases of malpractice to the programmes of learning or Awarding Organisation, where relevant.

Staff members must be vigilant regarding assessment malpractice and maladministration and, where either occurs, it must be dealt with in an open and fair manner. Whenever evidence of malpractice is found, results or certificates may be invalid.

## Responsibility

The Customer & Operations Director has overarching responsibility for the Malpractice and Maladministration Policy. Authority for ensuring the procedures are fully implemented is delegated to the Academic Director.

## Definitions of Malpractice and Maladministration

**Malpractice** consists of those acts which undermine the integrity and validity of assessment, the certification of programmes of learning or examinations, and/or damage the authority of those responsible for conducting the assessment and certification.

**Maladministration** is a sub-category of malpractice which relates directly to the administration of assessment of a qualification, but which has not been a deliberate act to attempt to subvert the integrity or security of the assessment process.

An instance of potential maladministration may be escalated to malpractice if the individual concerned does not cooperate with any investigation or has repeated maladministration events logged which indicate an endemic issue in relation to administrative processes and quality assurance measures.

Examples of malpractice and maladministration are set out at Appendix 1.

## Approach to Malpractice

In the interest of candidates and staff, all staff members need to respond effectively and openly to all requests for an investigation into an incident or a suspected incident of malpractice or maladministration.

The Academic Director will normally supervise investigations resulting from allegations of malpractice and maladministration and is required to inform the relevant candidates and staff of their responsibilities and rights.

i-to-i reserves the right, in suspected cases of malpractice, to suspend candidates from their programme of learning or staff members from teaching / assessment / invigilation / administrative activities whilst an investigation is in progress. Depending on the outcome of the investigation, disciplinary action may be enforced.

i-to-i requires teachers and other staff members to ask candidates to declare that their work is their own and, for programmes where externally set examinations are provided, an invigilator must verify the identity of a candidate before they take an examination.

## **Prevention of Malpractice and Maladministration**

i-to-i is committed to ensuring that its policies and practices are designed so as to minimise the risk of malpractice or maladministration occurring, including by:

- Ensuring all qualifications and assessments are designed in such a way as to minimise the opportunity for any malpractice or maladministration, insofar as possible
- Requiring candidates to explicitly confirm that their work is their own prior to submission
- Storing assignments on the course page and preventing any editing by assessors.

## **Investigating Alleged Malpractice and/or Maladministration**

If malpractice or maladministration is discovered by one of our representatives (e.g. a teacher, administrator or invigilator) or has been reported directly to us by a third party, we will conduct an investigation in a form commensurate with the nature of the malpractice or maladministration allegation. Such an investigation will require the full support of all personnel linked to the allegation.

In suspected cases of malpractice or maladministration that involve one of our representatives (e.g. teacher, administrator or invigilator) we will conduct an investigation appropriate to the nature of the allegation.

As part of an investigation i-to-i retains the right to:

- Involve the candidate and other relevant people in the investigation process

- Deal with the candidate (if aged 18 or above) and/or the candidate's representative. This may occur, for example, when a candidate's account of events is at variance with that of others. Where candidates aged 18 or under are involved, they can be assisted by parents or guardians
- Withhold the release of results during the investigation period
- Withhold test/examination papers if the security of a test/examination is considered at risk pending the outcome of the investigation
- Contact Awarding Organisations to seek further advice and ensure compliance.

## **Investigation Procedure**

It is the responsibility of the Academic Director to carry out an investigation into allegations of malpractice and maladministration. If the investigation is against the Academic Director, it will normally be conducted by an appointed nominee. The alleged incident must be reported to i-to-i's Senior Management Team at the earliest opportunity.

If a staff member, associate or candidate discovers or suspects anyone of malpractice or maladministration, they must report their concerns to the Academic Director. The Academic Director must record the incident and ensure that the individual is made fully aware (in writing) at the earliest opportunity of the nature of the allegation and of the possible consequences should the allegation be proven.

If the concern regards a candidate's submitted work, in the first instance, an email will be sent to by the assessor to the candidate outlining the incident and issuing a formal warning. The candidate will be given one other attempt to resubmit their assignment.

As required by Awarding Organisations, we may report certain cases (e.g. where members of staff are found to have committed malpractice) and include details of the action taken by us.

It may be necessary during this process to notify funding authorities and for us to share information with other training organisations or contractors. We may also have to notify the police in some cases of malpractice.

We reserve the right to:

- Access any relevant documents in relation to alleged malpractice, including documentation held by Associates and candidates
- Carry out an independent investigation in full under any circumstances relating to any individual. Full cooperation from all individuals will be expected.

## **Reporting Cases of Malpractice and Maladministration**

Any actual or attempted acts of malpractice or maladministration which have

influenced assessment outcomes must be reported by the assessors to the Academic Director.

Any alleged incident of malpractice or maladministration brought to our attention after the issue of certificates will result in a full investigation. Depending on the outcome of the investigation and the decisions of the relevant Awarding Organisation, results already issued may be cancelled and disciplinary action brought forward.

## **Penalties and Sanctions**

Where malpractice or maladministration against a member of staff/associate is proven, i-to-i will consider whether the integrity of the assessments, examinations or tests might be jeopardised if the centre/member of staff/associate in question were to be involved in future assessments, examinations or tests.

We may take action to protect the integrity of assessments, examinations or tests in the future, which could include:

- Refusing to accept assessment entries from an assessor in cases where malpractice has been established
- Reserving the right to withdraw employment from staff members where malpractice has been identified.

## **Appeals Process**

We have established procedures for staff members that are considering appeals against penalties and sanctions arising from malpractice or maladministration. Appeals against a decision will normally be accepted by only the Academic Director and from individual members of staff (in respect of a decision taken against them personally).

The appeals process and procedure for candidates is set out in i-to-i's Appeals Policy and Procedure.

## **Monitoring, Evaluating, and Reporting**

This policy is monitored, evaluated and reported as follows:

- A record of all reported incidents of malpractice and maladministration, whether proven or not, is kept by i-to-i
- Stored data is regularly reviewed to identify emerging themes, assess risk and determine actions for mitigation
- Operation of the policy is reported to the Quality Committee

- Reports are made to i-to-i's Senior Management Team as part of the Self-Assessment procedure
- Guidance from the regulators is reviewed and the policy is updated to comply with best practice.

## **Review**

This policy will normally be reviewed on an annual basis. The next review is due in November 2021.

## **Appendix 1: Definitions and Examples**

## Definition of Candidate Malpractice

Candidate malpractice is defined as those acts which undermine the integrity and validity of assessment, the certification of programmes of learning or examinations, and/or damage the authority of those responsible for conducting the assessment and certification. Attempting to, or actually carrying out any malpractice activity is not permitted.

## Examples of Candidate Malpractice

The following are examples of malpractice by candidates. This list is not exhaustive and other instances of malpractice may be considered by i-to-i at its discretion:

- Plagiarism by copying and passing off, as the candidate's own, the whole or part(s) of another person's work, including artwork, images, words, computer generated work (including Internet sources), thoughts, inventions and/or discoveries whether published or not, with or without the originator's permission and without appropriately acknowledging the source
- Collusion by working collaboratively with other candidates to produce work that is submitted as an individual candidate's work. Candidates should not be discouraged from teamwork, as this is an essential key skill for many sectors and subject areas, but the use of minutes, allocating tasks, agreeing outcomes, etc are an essential part of teamwork and this must be made clear to the candidates
- 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 or test
- Fabrication of results and/or evidence
- Failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator or conditions in relation to the assessment, examination or test rules, regulations
- Misuse of assessment or examination material
- Introduction and/or use of unauthorised material contra to the requirements of supervised assessment/examination/test conditions, for example: notes, study guides, personal organisers, calculators, dictionaries (when prohibited), personal stereos, mobile phones or other similar electronic devices
- Obtaining, receiving, exchanging or passing on information which could be

assessment, examination or test related (or the attempt to) by means of talking or written papers/notes during supervised assessments, examinations or tests conditions

- Behaving in such a way as to undermine the integrity of the assessment, examination or test
- The alteration of any results document, including certificates
- Writing down questions during an examination/test and taking them out of the examination room to give to other candidates
- Cheating to gain an unfair advantage

### **Examples of Staff Malpractice**

The following are examples of malpractice by staff. The list is not exhaustive and other instances of malpractice may be considered by us at our discretion:

- Failing to keep mark schemes secure
- Alteration of mark schemes
- Alteration of assessment and grading criteria
- Assisting candidates 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 candidate
- Producing falsified witness statements, for example for evidence the candidate has not generated
- Allowing evidence, which is known by the staff member not to be the candidate's own, to be included in a candidate's assignment, task, portfolio or coursework
- Facilitating and allowing impersonation
- Misusing the conditions for special candidate requirements, for example where candidates are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment
- Failing to keep candidate computer files secure
- Falsifying records/certificates, for example by alteration, substitution, or by fraud
- Fraudulent certificate claims, that is claiming for a certificate prior to the candidate completing all the requirements of assessment

- Failing to keep assessment/examination/test papers secure prior to the assessment, examination or test
- Failing to validate the identity of candidates taking an assessment, examination or test
- Obtaining unauthorised access to an assessment, examination or test or test material prior to an assessment, examination or test.

### **Definition of Maladministration**

Maladministration is a sub-category of malpractice which relates directly to the administration of qualifications, but which has not been a deliberate act to attempt to subvert the integrity or security of the assessment process or the qualification as a whole.

An instance of potential Maladministration may be escalated to Malpractice if:

- The investigation into maladministration is obstructed
- An action plan laid down is not adhered to
- Repeatedly logged instances of Maladministration events indicate that it is an endemic issue.

### **Definition of an Adverse Effect**

An Adverse Effect is defined by the Regulator as an act, omission, event, incident or circumstance that:

(a) gives rise to prejudice to Learners or potential Learners, or

(b) adversely affects:

- (i) the ability of the Awarding Organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition
- (ii) the standards of qualifications which the awarding organisation makes available or proposes to make available, or
- (iii) public confidence in qualifications.

### **Examples an Adverse Effect**



The following are examples of an adverse effect:

- Allowing copies of assessment materials into the public domain, either accidentally or purposely (including providing details of the content of live items to Candidates during preparation for the assessment)
- Failing to make arrangements for a Reasonable Adjustment for a Candidate who has a verifiable need for one
- A staff member failing to comply with the requirements of security, impartiality, integrity and openness with the Awarding Organisation or the Regulator
- Attempting to tamper with the examination materials either prior to or following an examination and / or a Gatehouse Awards appointed member of staff (if present) failing to prevent an examination going ahead when evidence of said tampering had been noticed or otherwise allowing the tampering to occur.
- Failing to ensure that qualifications are only awarded to Candidates who have met the required standard, based on work that can be verified as having been produced by that Candidate.

## **Appendix 2: Steps to Reduce Malpractice**

Steps that staff can use to reduce malpractice include:

- Using the induction period and the student materials to inform candidates of our policy on malpractice and the penalties for attempted and actual incidents of malpractice
- Showing candidates the appropriate formats to record cited texts and other materials or information sources including websites. Candidates should not be discouraged from conducting research; indeed, evidence of relevant research often contributes to the achievement of higher grades. However, the submitted work must show evidence that the candidate has interpreted and synthesised appropriate information and has acknowledged any sources used
- Introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating, etc. These procedures may include: periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the candidate, altering assessment assignments/tasks/tools on a regular basis, the assessor assessing work for a single assignment/task in a single session for the complete cohort of candidates, using oral questions with candidates to ascertain their understanding of the concepts, application, etc. within their work, assessors getting to know their candidates' styles and abilities, etc.
- Ensuring access controls are installed to prevent candidates from accessing and using other people's work when using networked computers and ensuring that candidates do not take prohibited material into an examination room.