

Policy Against Malpractice

Acculearn Training Limited

T/A

Cranbrook College

ACCULEARN

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Policy Against Malpractice in Assessment

The Statutory Regulation of External Qualifications (QCA, CCEA and ACCAC 2004) requires awarding bodies to publish procedures to centres for dealing with malpractice on the part of candidates, centre staff and any others involved in providing the qualifications, and to take appropriate action to maintain the integrity of the qualifications. This document fulfils that requirement.

This document:

- identifies the Codes of Practice and regulations under which examinations and assessments operate;
- defines malpractice in the context of examinations and assessments;
- sets out the rights and responsibilities of awarding bodies, centre staff and candidates in relation to such matters;
- Describes the procedures to be followed in cases where there is reason to suspect that the regulations have been broken.

Instances of malpractice arise for a variety of reasons:

- some incidents are intentional and aim to give an unfair advantage in an examination or assessment;
- some incidents arise due to ignorance of the regulations, carelessness or forgetfulness in applying the regulations;
- Some occur as a direct result of the force of circumstances which are beyond the control of those involved (e.g. a fire alarm sounds and the exam is disrupted).

The individuals involved in malpractice are also varied. They may be:

- candidates;
- teachers, lecturers, tutors, trainers, assessors or others responsible for the conduct, the administration or the quality assurance of examinations and assessments;
- assessment personnel such as examiners, assessors, moderators or internal and external verifiers;
- Other third parties, e.g. parents/carers/guardians, siblings, friends of the candidate.

Irrespective of the underlying cause or the people involved, all allegations of malpractice in relation to examinations and assessment need to be investigated in order to protect the integrity of the qualification and to be fair to the centre and all candidates.

This document details procedures for investigating and determining allegations of malpractice which in their fairness, thoroughness, impartiality and objectivity meet or exceed the requirements of current law in relation to such matters.

Malpractice: Identifying its scope.

"Malpractice" 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.

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

Centre Staff Malpractice

"Centre Staff Malpractice" means malpractice committed by a member of staff or contractor (whether employed under a contract of employment or a contract for services) at a centre, or an individual appointed in another capacity by a centre such as an invigilator, an oral language modifier, a practical assistant, a prompter, a reader, a Sign Language Interpreter Or a scribe to a candidate.

Candidate Malpractice

"Candidate Malpractice" means malpractice by a candidate in the course of any examination or assessment, including the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of Assessment evidence and the writing of any examination paper.

Individual responsibilities

The Statutory Regulation of External Qualifications (QCA, 2004) states that awarding bodies "must conduct a full investigation of instances of alleged or suspected malpractice, and must take such action, with respect to the candidates and centre's concerned, as is necessary to maintain the integrity of the qualification."

In accordance with this requirement, awarding bodies will:

- oversee all investigations into suspected or alleged malpractice;
- withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants it;
- apply the sanctions, penalties and special conditions listed in this document in cases of proven malpractice;
- report the matter to the regulators if they find evidence that certificates may be invalid;
- Report the matter to the police if a proven malpractice involved the committing of a criminal act.

Investigations will be carried out by the Centre Manager of Acculearn Investigations into allegations of malpractice or irregularities against The Centre Manager of Acculearn will be carried out by the awarding body directly (acting individually or in conjunction with the regulators), or the academic committee of Acculearn, and reported to the awarding body when completed

Awarding bodies may use their own personnel to investigate cases involving a breach or suspected breach of security (e.g. the content of examination material becomes known before the scheduled date of the exam). This is in addition to and not a substitution for the requirement for centres to provide full details of suspected, alleged or confirmed breaches of security.

Examples of malpractice shall include:

- a) Claiming certification for non-active candidates;
- b) Claiming a certificate for candidates who have not undergone appropriate assessment;
- c) Claiming for incorrect units or qualifications; and
- d) Claiming for fictitious candidates.

Beyond the foregoing examples of malpractice by students, there is further list, though certainly not exhaustive, but include the following:

- A. Plagiarism by copying and passing off, as the learner'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
- B. Collusion by working collaboratively with other learners/students to produce work that is submitted as individual learner work. Learners 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 team work and this must be made clear to the learners
- C. 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
- D. Fabrication of results and/or evidence
- E. Failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator, or Awarding Body conditions in relation to the assessment/examination/test rules, regulations and security misuse of assessment/examination material
- F. Introduction and/or use of unauthorised material contrary to the requirements of supervised assessment/examination/test conditions, for example: notes, study guides, personal organizers, calculators, dictionaries

(when prohibited), personal stereos, mobile phones or other similar electronic devices

- G. Obtaining, receiving, exchanging or passing on information which could be assessment/examination/test related (or the attempt to) by means of talking or written papers/notes during supervised assessment/examination/test conditions
- H. Behaving in such a way as to undermine the integrity of the assessment/examination/test
- I. The alteration of any results document, including certificates cheating to gain an unfair advantage.

The malpractice by the Centre staff includes the following:

- i. Failing to keep assessment mark schemes secure
- ii. Alteration of assessment mark scheme
- iii. Alteration of an awarding bodies assessment and grading criteria
- iv. 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 staff producing work for the learner
- v. Producing falsified witness statements, for example for evidence the learner has not generated
- vi. 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
- vii. Misusing the conditions for special learner requirements, for example where learners 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 learner computer files secure
- viii. Falsifying records/certificates, for example by alteration, substitution, or by fraud learner completing all the requirements of assessment
- ix. Failing to keep assessment/examination/test papers secure prior to the assessment /examination/test
- x. Obtaining unauthorised access to assessment /examination/test material prior to an assessment/examination/test, and
- xi. Tampering with coursework/scripts after collection and before dispatch to awarding body/moderator

- xii. The Centre retains at its discretion to identify further areas of malpractice beyond the areas identified above.

The Centre Manager of Acculearn will:

- Report to the appropriate awarding body at the earliest opportunity all suspicions or actual incidents of malpractice. The only exception to this is malpractice discovered in coursework before the authentication forms have been signed by the candidate;
- supervise personally all investigations resulting from an allegation of malpractice;
- Ensure that if it is necessary to delegate an investigation to a member of staff, the member of staff chosen is independent, and not connected to the department involved in the suspected malpractice. This is to avoid conflicts of interest which can otherwise compromise the investigation;
- respond speedily and openly to all requests for an investigation into an allegation of malpractice, as this is in the best interests of centre staff, candidates and any others involved;
- co-operate and ensure their staff co-operate fully with an enquiry into an allegation of malpractice, whether the centre is directly involved in the case or not;
- inform staff members and candidates of their individual responsibilities and rights set out in these guidelines;
- Pass on to the individuals concerned any warnings or notifications of penalties, and ensure compliance with any requests made by the awarding body as a result of a malpractice case.
- Report the malpractice case to the Awarding Body as soon as possible.

The allegation

Suspected malpractice identified by examiners, moderators and verifiers

- Examiners, moderators and external verifiers who suspect malpractice in an examination or assessment must report this suspicion immediately to the relevant awarding body using the procedures and forms provided by the awarding body. A full account of the incident should be submitted together

with supporting evidence and an indication of which regulation or specification requirement has been broken. It is not necessary to inform the Centre Manager of Acculearn of this report as details of the allegation will be communicated from the awarding body.

- Malpractice in a coursework component or a controlled assessment component of a specification discovered prior to the candidate signing the declaration of authentication need not be reported to awarding bodies, but must be dealt with in accordance with the Acculearn internal procedures. Acculearn will not give credit for any work submitted which is not the candidate's own work, but if any assistance has been given, a note must be made of this on the cover sheet of the candidate's work or other appropriate place.
- In case of malpractice being suspected or reported the coursework will be reassessed by an independent assessor as identified by the Centre Manager.

In the case of reports of suspected malpractice received from examiners, moderators, external verifiers or members of the public, the awarding body will consider the report and decide to:

- take no further action; or
- where necessary, ask the head of centre to conduct a full investigation into the alleged malpractice and to submit a written report; or
- In the case of alleged fraud or a serious breach of security, investigate the matter directly.

The awarding body will notify the regulators as soon as it receives an allegation of fraud or a serious breach of security. The other awarding bodies which have approved that centre, and the police, may also be informed.

On receipt of a report of suspected malpractice submitted by the Centre Manager of Acculearn, the awarding body will consider the report and decide either:

- to take no further action; or
- to make a decision on the case in accordance with the procedures to ask the Centre Manager of Acculearn to carry out a further investigation or
- to investigate the matter further itself

The investigation

Investigations carried out by the head of centre

- It will normally be expected that investigations into allegations of malpractice will be carried out by the Centre Manager of Acculearn. The Centre Manager will seek to deal with the investigation in a timely manner.
- Those responsible for conducting an investigation will establish the full facts and circumstances of any alleged malpractice. It will not be assumed that because an allegation has been made, it is true.
- The Centre Manager will consider that both staff and candidates can be responsible for malpractice. Where a conflict of interest may be seen to arise, investigations into suspected malpractice should not be delegated to the manager of the section, team or department involved in the suspected malpractice.
- If Acculearn is reporting the suspected malpractice, the awarding bodies recommend that, as a minimum, Acculearn provides the accused individuals with a completed copy of the form or letter used to notify the awarding body of the malpractice.
- When the head of centre deems it necessary to interview a candidate or member of staff in connection with an alleged malpractice, the interviews will be conducted in accordance with Acculearn own policy for conducting disciplinary enquiries.
- The involvement of legal advisors is not necessary, at least where there is no allegation of criminal behaviour. However, if any party wishes to be accompanied by a solicitor, the other parties must be informed beforehand to give them the opportunity to be similarly supported.

The Centre Manager of Acculearn is required to make available an appropriate venue for such interviews. Interviews may also be conducted over the telephone. Individuals involved may be requested to provide a written statement.

Investigations carried out by the awarding body

For allegations of malpractice which involve fraud or a serious breach of examination security, it will normally be expected that an investigation into the allegation will be carried out by the relevant awarding body or bodies and/or the regulators, acting in conjunction with the Centre Manager of Acculearn and possibly the local police. The funding agencies will also usually conduct their own investigation if fraud is suspected.

- If investigations reveal that candidates had prior knowledge of the content of an examination or assessment, the awarding body must establish whether information could have been divulged to candidates at other centres or to other unauthorised persons.
- Sometimes it is necessary for the awarding body to interview a candidate during an investigation. If the candidate is a minor or a vulnerable adult, and if the interview is to be conducted face to face, the awarding bodies undertake to do this only in the presence of the Centre Manager, or student welfare officer, or the candidate's parents/guardian/carer or with the permission of the Acculearn Centre Manager or parent/guardian/carer.
- Interviews may also be conducted over the telephone.
- When it is necessary for a member of the awarding body staff to conduct an interview with a staff member, the member of staff being interviewed may be accompanied by a friend or advisor (who may be a representative of a teacher association or other association)
- If the individual being interviewed wishes to be accompanied by a legal advisor, the other parties must be informed before and to give them the opportunity to be similarly supported.
- The Centre Manager of Acculearn will be required to make available an appropriate venue for such interviews.
- The individual being interviewed may also be requested to provide a written statement.

Rights of the accused individuals

When an incident of suspected malpractice is reported to the awarding body, or on receipt of a report from the awarding body, an individual, whether a candidate or a member of staff, accused of malpractice must:

- be informed (preferably in writing) of the allegation made against him or her;
- know what evidence there is to support that allegation;
- know the possible consequences should malpractice be proven;
- have the opportunity to consider their response to the allegations (if required);
- have an opportunity to submit a written statement;
- have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required);
- be informed of the applicable appeals procedure, should a decision be made against him or her;
- Be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators, the police and/or professional bodies including the GTC or IFL as appropriate.

Responsibility for informing the accused individual rests with the Centre Manager of Acculearn:

- In certain circumstances it may be necessary for the Centre Manager to exercise discretion, in the light of all the circumstances of the case, as to the timing and the means by which an allegation of malpractice and the supporting evidence is presented to the individual(s) involved.
- Full details of the awarding body's appeals procedures will be sent to the Centre Manager or member of staff at Acculearn involved in the appeal
- The conduct of an accused candidate or member of staff in other examinations or assessments should not be taken into account unless there is an established, clearly evidenced, repeated pattern of behaviour.

The report

- After investigating any complaint or allegation of malpractice the Centre Manager of Acculearn will submit a full written report of the case to the relevant awarding body.

The report should be accompanied by the following documentation, as appropriate:

1. a statement of the facts, a detailed account of the circumstances of the alleged malpractice, and details of any investigations carried out by the centre;
2. written statement(s) from the invigilator(s), assessor, internal verifier(s) or other staff who are involved;
3. written statement(s) from the candidate(s);
4. any mitigating factors;
5. information about the centre's procedures for advising candidates of the awarding bodies' regulations;
6. seating plans;
7. unauthorised material found in the examination room;
8. Any work of the candidate and any associated material (e.g. source material for coursework) which is relevant to the investigation.

Making the decision – overview

- In making a decision on any report, the Malpractice Committee will establish that correct procedures have been followed in the investigation of the case, and that all individuals involved have been given the opportunity to make a written statement.
- The Malpractice Committee will also seek to determine: whether the examination and assessment regulations have been broken; where the culpability lies for the breach of regulations.
- The Malpractice Committee will then determine: appropriate measures to be taken to protect the integrity of the examination or assessment and to prevent future breaches; the nature of any sanction or penalty to be applied

Making the decision

- Each case of suspected malpractice will be considered and judged on an individual basis in the light of all information available.
- The Malpractice Committee will consider, as separate issues, whether or not there has been malpractice, and, if malpractice is established, whether a sanction should be applied.
- When making a decision in a case the Malpractice Committee will: identify the regulation or specification requirement which it is alleged has been broken; establish the facts of the case. Where there are conflicting statements the decision as to whether or not there has been malpractice is made by reference to the facts as disclosed by the papers, independent of any decision on sanctions;
- decide whether the facts as so established actually breach the regulations or specification requirements;
- if a breach of regulations has occurred, establish who is responsible for this;
- Determine an appropriate level of sanction or penalty.

The Malpractice Committee must be satisfied on the balance of probabilities that the allegation is substantiated. It is possible that the evidence in some cases may be inconclusive, but the awarding body may decline to accept the work of the candidates in order to protect the integrity of the qualification for the majority. All sanctions and penalties must be justifiable and reasonable in their scale and consistent in their application.

A permanent record will be kept of the effect of any sanctions or penalties on an individual's results. All other information relating to specific instances of malpractice or irregularities will be destroyed after five years.

Sanctions and penalties applied against Staff

Where a member of staff or contractor has been found guilty of malpractice, BCA may impose the following sanctions or penalties:

Written warning

Issue the member of staff with a written warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

Training

Require the member of staff, as a condition of future involvement in its examinations, to undertake specific training or mentoring, within a particular period of time, and a review process at the end of the training.

Special conditions

Impose special conditions on the future involvement in its examinations and/or assessments by the member of staff, whether this involves the internal assessment, the conduct, supervision or administration of its examinations and assessments.

Sanctions and penalties applied against candidates

Warning

The candidate is issued with a warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

Loss of achievement for a section

The candidate loses the achievement gained for a discrete section of the work. A section may be part of a component, or a single piece of coursework if this consists of several items.

Loss of all achievement for a unit

The candidate loses achievement gained for a unit. This penalty can only be applied to qualifications which are unitised. This penalty usually allows the candidate to aggregate or request certification in that series, albeit with a reduced mark or grade.

Disqualification from a unit

The candidate is disqualified from the unit. This penalty is only available if the qualification is unitised. The effect of this penalty is to prevent the candidate aggregating or requesting certification in that series, if the candidate has applied for it.

Disqualification from all units in one or more qualifications

If circumstances suggest, it may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous exam series are retained.)

Disqualification from a whole qualification

The candidate is disqualified from the whole qualification taken in that series or academic year. This penalty can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous series are retained, but the units taken in the present series and the aggregation opportunity are lost.

Disqualification from all qualifications taken in that series

This penalty can be applied to unitised qualifications only if the candidate has requested aggregation.

Candidate debarred

The candidate is barred from entering for one or more examinations for a set period of time. This penalty is applied in conjunction with any of the other penalties above, if the circumstances warrant it unless a penalty is accompanied by a bar on future entry, all candidates penalized by loss of marks or disqualification may retake the component(s), unit(s) or qualification(s) affected in the next examination series or assessment opportunity if the specification permits this.

Examples of Malpractice

Breach of security

Breaking the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents

Deception

Any act of dishonesty in relation to any examination or assessment, but not limited to:

- inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of the candidates' achievement to justify the marks being given;
- manufacturing evidence of competence against national standards; fabricating assessment and/or internal verification records or authentication statements;
- Entering fictitious candidates for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud).

Improper assistance to candidates

Giving assistance beyond that permitted by the specification to a candidate or group of candidates, which results in a potential or actual advantage in an examination or assessment

Maladministration

Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework and examinations or malpractice in the conduct of the examinations/assessments and/or the handling of examination papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc.

This list is by no means exhausted and merely gives examples

Teaching and Assessment

At Acculearn students will learn, study and be assessed in different ways. Although the balance depends on students' subject area, all students attend formal lectures, participate in seminar and tutorials (where a few students and member of staff discuss an issue together and benefit from direct and individual feedback), and study privately in the library. Practical classes, laboratory works and field work will also be included.

Depending on their chosen course of study, other forms of learning may include presentations, writing essays or dissertations, internal coursework, computer-aided learning and carrying out projects individually or as part of a group.

Assessment techniques vary, but most are a mixture of internal or external course work assessment and formal examinations sat internally or externally. Further information may be found in the introduction sections to each School.

Internal Assessment of Students

Acculearn is committed to ensuring that all students undertake internal Centre assessments and testing as part of their course in addition to any formal external assignments which may be a compulsory element of their chosen course.

Internal assessments may take the form of informal class tests, assignments and mock examinations to be completed within a reasonable time.

All internal assessment results will be recorded and will provide important information in providing student feedback on their course progress and results will be given by Acculearn to the UK Border Agency as and when required as proof of student progress.

Student Plagiarism Declaration

In order to ensure the effectiveness and deliberation of the malpractice policy, all students undertaking centre devised assessments will have to sign the Student Plagiarism declaration at the time of Induction.

Plagiarism Software

In all instances student course work or assignments will be thoroughly checked by the centre using state of art plagiarism software 'Plag Scan'.