

Malpractice & Maladministration Policy



This Policy covers all the vocational qualifications delivered at Egerton Rothesay School including:

BTEC Centre Number: **17104**

NCFE Centre Number: **8467282**

AIM Qualifications Centre Number: **161237**

ASDAN Centre Number: **25494**

Introduction

This policy is aimed at our staff and learners who are delivering/ registered on awarding organisations' programmes or courses, approved qualifications or units and who are involved in alleged suspected or actual malpractice/maladministration. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner. It sets out the steps our centre, and learners or other personnel must follow when reporting alleged, suspected or actual cases of malpractice/maladministration, and our responsibilities in dealing with such cases. It also sets out the procedural steps we will follow when reviewing the cases.

Registration and Certification Procedure by the Exams Officer/ Centre QA

Direct and written communication with the Assessor is imperative to avoid mistakes. If there is any doubt, the Assessor is always consulted on the level and size of the qualification to be registered, and the unit titles and levels to be certificated.

The school Management Information System (MIS) is called 'Engage' (from Double First). This database holds the correct learner name spellings, dates of birth and ULNs to be accessed for the purpose of accurate learner registrations.

Unique Learner Numbers (ULNs) are generated by the Exams Officer/ Centre QA on the Government Learning Records Service portal by the time pupils are in Year 9. These numbers are copied and pasted into each pupil's record on 'Engage'.

The Centre's Responsibility

It is important that all staff involved in the management, assessment and quality assurance of qualifications, and learners, are fully aware of the contents of this policy, and the arrangements in place to prevent and investigate instances of malpractice and maladministration.

Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- the assessment process
- the integrity of a regulated qualification
- the validity of a result or certificate
- the reputation and credibility of the awarding organisation

Malpractice 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.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

Definition of Maladministration

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

Examples of Maladministration

This list is not exhaustive:

- The wrong spelling of learner/ candidate names submitted
- The wrong dates of birth submitted
- The wrong qualification level and size submitted
- The wrong unit titles/ codes submitted
- Persistent failure to adhere to learner registration and certification procedures.
- Persistent failure to adhere to centre recognition and/or qualification requirements and/or associated actions assigned to the centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from the awarding organisation
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding of information, by deliberate act or omission from the awarding organisation, which is required to assure of the Centre's ability to deliver qualifications appropriately

Examples of Malpractice

This list is not exhaustive:

- Failure of vocational teaching staff and internal moderators to attend official training sessions
- Failure to carry out internal assessment, internal moderation or internal verification in accordance with the awarding organisation's requirements
- Deliberate failure to adhere to learner registration and certification procedures
- Deliberate failure to continually adhere to the awarding organisation's centre recognition and/or qualification approval requirements or actions assigned to our centre
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claim(s) for certificates
- Failure to review the Moderation Feedback Report in a timely manner with staff
- Intentional withholding of information from the awarding organisation which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Collusion or permitting collusion in assessments
- Learners still working towards qualification after certification claims have been made
- Loss, theft of, or a breach of confidentiality in, any assessment or examination material.
- Copying from another learner (including using ICT to do so).

- **Plagiarism/ use of artificial intelligence tools (AI)**
Pupils are made aware of the importance of submitting their own independent work for assessment and ensuring that the final product is in their own words.
Pupils are made aware of the importance of referencing the sources they have used when producing work for an assessment including books, articles, magazines, websites etc.
If any sections of their work are reproduced directly from AI generated responses, those elements must be acknowledged and referenced by the pupil.
Pupils who misuse artificial intelligence (AI), such that the work they submit for assessment is not their own, will have committed malpractice.
Teachers and assessors will only accept work for assessment which they consider to be the pupil's own, and where there are doubts about the authenticity of pupils' work this will be investigated and appropriate action taken.
If work submitted to an awarding body is subsequently found to have been plagiarised, the awarding organisation will impose sanctions which may include non-certification of the qualification.

Process for Making an Allegation of Malpractice – Learners

If a member of staff suspects a learner of malpractice Colin Parker (Head of Centre) will be informed immediately.

A thorough investigation will be undertaken.

If as a result this needs to be taken further the learner will be informed and the allegation will be explained.

The learner will have the opportunity to give their side of the story before any final decision is made.

If the learner accepts that malpractice has occurred they will be given the opportunity to repeat the assignment as long as the candidate has not already signed the authentication form.

If found guilty of malpractice following an investigation, the member of staff may decide to remark previous assignments and these could also be rejected if similar concerns are identified.

Should the learner be found guilty of malpractice after having signed the authentication form then the matter is no longer subject to internal school discipline and must be reported to the relevant awarding organisation.

Appeals

In the event that a malpractice decision is made which the learner feels is unfair then the learner has the right to appeal in line with the Appeals Policy.

Process for Making an Allegation of Malpractice or Maladministration – Staff

Investigations into allegations will be coordinated by Colin Parker (Head of Centre), 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/maladministration.

It should 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
- informed what evidence there is to support the allegation
- informed of the possible consequences, should malpractice/maladministration be proven

- given the opportunity to consider their response to the allegations
- given the opportunity to submit a written statement
- given the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- informed of the applicable appeals procedure, should a decision be made against them
- informed of the possibility that information relating to a serious case of malpractice/maladministration will be shared with the relevant awarding body and may be shared with other awarding bodies, the regulators Ofqual, the police and/or professional bodies.

If work is submitted for moderation/verification or for marking which is not the candidate's own work, the awarding body may not be able to give that candidate a result.

Staff Malpractice/Maladministration Sanctions

Where a member of staff is found guilty of malpractice/maladministration, Egerton Rothesay School may impose the following sanctions:

- 1) **Written warning:** Issue the member of staff with a written warning stating that if the offence is repeated within a set period of time, further specified sanctions will be applied.
- 2) **Training:** Require the member of staff, as a condition of future involvement with awarding organisations and/or in both internal and external assessments to undertake specific training or mentoring, within a particular period of time, including a review process at the end of the training.
- 3) **Special conditions:** Impose special conditions on the future involvement with awarding organisations and/or in assessments by the member of staff.
- 4) **Suspension:** Bar the member of staff in all involvement with awarding organisations and/or in the administration of assessments for a set period of time.
- 5) **Dismissal:** Should the degree of malpractice/maladministration be deemed gross professional misconduct, the member of staff could face dismissal from their post.

Appeals

The member of staff may appeal against sanctions imposed on them. Appeals will be conducted in line with Egerton Rothesay's Appeals Policy.

Where applicable, Colin Parker (Head of Centre) will inform the appropriate awarding body if he believes there has been an incident of malpractice or maladministration which could invalidate the award of a qualification.

In the instance of loss, theft of, or a breach of confidentiality in, any assessment or examination material, Colin Parker (Head of Centre) will inform the appropriate awarding body immediately.

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