

Malpractice policy

The assessment malpractice procedures of Medeshamstede Academy target both learners and staff and are based on the best practice advised by JCQ. All heads of department are responsible for ensuring that they are known and understood by learners and staff.

In brief, assessment malpractice is not tolerated at Medeshamstede Academy, which supports the maintenance of national standards and the integrity of the qualifications delivered at the centre.

Medeshamstede Academy has adopted a zero tolerance approach to the malpractice issues of plagiarism, collusion, fabrication of results, falsifying grades, fraudulent certification claims and promotes referencing skills at all levels. It has transparent assessment and internal verification procedures and an appeal process that allows formal challenges to assessment grades, all of which are promoted at induction and throughout the programmes delivered.

The production of coursework tasks is supervised to ensure it is the learner's own work, additional evidence of skills and knowledge is generated through regular questioning and assignment briefs are changed regularly to minimise malpractice opportunities. The recording of achievement and certification claims is also thoroughly scrutinised.

Where allegations of malpractice cannot be resolved by the assessor and/or relevant head of department, the matter will be referred to SLT for further investigation. All investigations and outcomes will be appropriately recorded and periodically reviewed. Serious malpractice will be reported to the awarding body by the quality nominee and/or examinations officer.

JCQ Guidance on Malpractice

Instances of malpractice arise for a variety of reasons, some incidents are intentional and aim to give an unfair advantage in an assessment; some incidents come about because of ignorance of the regulations, carelessness or forgetfulness in applying the regulations; and some occur because of the force of circumstances that are beyond the control of those involved.

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

- candidates
- teachers, mentors, assessors or others responsible for the conduct, the administration or the quality assurance of examinations and assessments
- Assessment personnel such as assessors, moderators or internal and external verifiers.
- Other third parties, e.g. parents, siblings, friends of the candidate.

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

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

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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 the Centre, or an individual appointed as a practical assistant to a candidate.

Sanctions for Centre Staff Malpractice – individuals

In cases of Centre Staff Malpractice, the role of the Awarding Body is confined to considering whether the integrity of assessments has been placed in jeopardy, and whether that integrity might be jeopardised if an individual found to have indulged in malpractice were to be involved in the future conduct, supervision or administration of the Awarding Body's assessments.

It is not the role of the Awarding Body to be involved in any matter affecting the member of staff's contractual relationships with his/her employer. The Awarding Body recognises that the employer may take a different view of an allegation to that determined by the Awarding Body or its Malpractice Committee.

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

1. 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.

2. Special conditions

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

3. Training

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

4. Suspension

Bar the member of staff from all involvement in the delivery of its assessments for a set period of time. Other Awarding Bodies and the Regulatory Authorities will be informed when a suspension is imposed.

These sanctions will be notified to the Head of Centre who will be required to ensure that they are carried out.

If a member of staff moves to another centre while being subject to one of the above sanctions, the Head of Centre should notify the Awarding Body of the move. The Awarding Body reserves the right to inform the Head of the Centre to which the staff member is moving of the nature of and the reason for the sanction.

Sanctions for Centre Staff Malpractice – centres

The Awarding Body may, at their discretion, impose the following penalties and special conditions against centres. These penalties and special conditions may be applied individually or in combination. The Awarding Body will determine the appropriateness of a sanction depending on the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved.

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1. Written warning

A written letter to the Head of Centre advising of the breach (including the report) and advising of the further action that may be taken (including the application of penalties and special conditions) should there be a recurrence of this breach or there subsequently be other breaches at the centre.

2. Review and Report (Action Plans)

The Head of Centre will be required to review the centre's procedures for the conduct or administration of a particular assessment, or all assessments in general, and to report back to the Awarding Body on improvements instituted by a set date. Alternatively, an action plan will be agreed between the Awarding Body and the centre, and will need to be implemented as a condition of continuing to accept entries from the centre.

3. Approval of specific assessment tasks

The approval by the Awarding Body of specific assessment tasks in situations where these are normally left to the discretion of the centre.

4. Additional monitoring or inspection

The Awarding Body may increase, at the centre's expense the normal level of monitoring that takes place in relation to the qualification. Alternatively, the JCQ inspection service may be notified of the breach of regulations and may randomly, without prior warning, inspect the centre over and above the normal schedule for inspections. (The JCQ inspection service currently operates only in relation to General Qualifications.)

5. Removal of Direct Claims Status

Direct claims status may be removed from the centre in which case all claims for certification must be authorised by the centre's external verifier. (This sanction applies only to NVQs and similarly assessed and verified qualifications.)

6. Restrictions on Examination and Assessment Materials

For a specified period of time a centre will be provided with examination papers and assessment materials shortly before such papers and materials are scheduled to be used.

These papers will be opened and distributed under the supervision of the awarding body officer (or appointed agent) responsible for the delivery.

The centre might also be required to hand over to an awarding body officer (or appointed agent) the completed scripts and any relevant accompanying documentation, as opposed to using the normal script collection or posting procedures.

These measures may be applied for selected subjects or all subjects.

7. Independent Invigilators

The appointment for a specified period of time, at the centre's expense, of independent invigilators to ensure the conduct of examinations and/or assessments is in accordance with the regulations.

8. Suspension of candidate registrations or entries

An awarding body may, for a period of time, or until a specific matter has been rectified, refuse to accept candidate entries or registrations from a centre.

This may be applied for selected subjects/occupational areas or all subjects/occupational areas.

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9. Suspension of certification

An awarding body may, for a period of time, or until a specific matter has been rectified, refuse to issue certificates to candidates from a centre. (This applies to NVQs and similar types of qualifications only.)

10. Withdrawal of approval for a specific qualification(s)

An awarding body may withdraw the approval of a centre to offer one or more qualifications issued by that awarding body.

11. Withdrawal of centre recognition

The awarding body may withdraw recognition or approval for the centre.

This means as a result that the centre will not be able to deliver or offer the students the respective awarding body's qualifications.

The regulators and other awarding bodies will be informed of this action.

At the time of withdrawal of centre recognition, a centre will be informed of the earliest date at which it can reapply for registration and any measures it will need to take prior to this application.

Centres which have had centre recognition withdrawn should not assume that re-approval will be treated as a formality.

Candidate Malpractice

"Candidate malpractice" means malpractice by a candidate in the course of any assessment, including the preparation and authentication of any course work, the presentation of any practical work and the compilation of portfolios of assessment evidence.

Rights of the accused individuals

The Awarding Body require that an individual, whether a candidate or a member of staff, accused of malpractice should:

- 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 and adequate time to prepare a response
- have an opportunity to seek independent help
- be informed of the applicable appeals procedure, should a decision be made against him or her.

The conduct of an accused candidate or member of staff in other assessments should not be taken into account unless there is an established, clearly evidenced, repeated pattern of behaviour.

Procedures for dealing with allegations of malpractice

The handling of malpractice complaints and allegations involves the following phases:

1. the Allegation
2. the Awarding Body's response
3. the Investigation

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4. the Report
5. the Decision
6. the Appeal

Communications

The Awarding Body will normally communicate with the Head of Centre when reporting allegations of malpractice, except when the Head of Centre is under investigation.

Communications relating to the decisions taken by the Awarding Body in cases of malpractice will always be addressed to the Head of Centre, except when the Head of Centre is under investigation.

The Awarding Body may communicate directly with members of centre staff who have been accused of malpractice, if the circumstances warrant this, e.g. the staff member is no longer in the employ of or engaged by the centre.

The Awarding Body will only communicate directly with a candidate or the candidate's representative when either:

- the candidate is a private candidate or
- The Awarding Body has chosen to communicate directly with the candidates because of the circumstances of the case (e.g. there is a contradiction in the evidence provided by the candidate and the centre, or the centre is suspected of non-compliance with the regulations).

The centre intends to co-operate fully with any Awarding Organisation or regulator investigation. Supplying timely, accurate and full information.

In such cases the awarding body will advise the Head of Centre in writing that it proposes to deal directly with the candidates. The Head of Centre should not ordinarily communicate further with the candidates once advised by the Awarding Body that it has chosen to deal direct.