



TyneCoastCollege

HE - ASSESSMENT MALPRACTICE AND MALADMINISTRATION POLICY

This policy is available on-line at: www.tynecoast.ac.uk

- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this. Please contact Student Services
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.
- All our policies are subject to equality impact assessments*. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact Student Services

*Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a negative impact on grounds of: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
CMT, Board	v.4.1	September 2021	Dec 2023	Principal, South Shields Marine School

Commented [SA1]: To bring into line with policies related to assessment. Will be 3 years from next review

Equal Opportunities: Impact Assessed

POLICY NUMBER 10

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CLASSIFICATION: 2 - Internal or Non-Confidential

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1. Policy Statement

Incidents of malpractice/maladministration can potentially lead to learners being disadvantaged, can require the conducting of costly and time-consuming investigations and may cause reputational damage to the College. It is, therefore, desirable to prevent malpractice or maladministration from occurring, whenever possible. Where it is not possible to prevent this, cases of suspected or actual malpractice/maladministration should be dealt with quickly, thoroughly and effectively.

2. Scope

This policy and procedure relate to malpractice/maladministration by college staff and students. It applies to all internal assessments, and all internal and external examinations. Where awarding bodies have their own published procedures, these will take precedence over the college policy and procedures.

3. Legislation

The Human Rights Act 1998 applies to the operation of this policy.

4. Responsibilities

All staff have a responsibility to give full and active support for the policy by ensuring:

- 4.1 The policy is known, understood and implemented.

5. Actions to Implement and Develop Policy

- 5.1 Curriculum Leaders should, at the appropriate time, introduce new members of staff to this policy.

- 5.2 Course teams use robust internal moderation/verification procedures as detailed in the Internal Verification Policy and Procedures

- 5.3 Course teams should use the student induction period, and other appropriate times, to introduce learners to this policy.

Commented [SA2]: Change from QMP4 which does not exist for HE and for FE only relates to IV for NVQ

6. Definitions and Examples

Malpractice means any act, default or practice (whether deliberate or resulting from neglect or default) that is a breach of TCC or Awarding Authority requirements, including any act, default or practice that:

- 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 TCC or any officer, employee or agent of any awarding authority

Malpractice can include both deliberate non-compliance with awarding authority requirements and maladministration in the assessment and delivery of any qualification.

Maladministration is any non-deliberate activity, neglect, default or other practice that results in the College or learner not complying with the specified requirements for delivery of the qualifications as set out in the relevant codes of practice, where applicable

Commented [SA3]: Amended to include a more detailed definition of Malpractice and maladministration

6.1 College staff malpractice:

Any deliberate action by a member of staff that has the potential to undermine the integrity of the assessment process.

The following are examples of malpractice by center staff; this list is not exhaustive and other examples of malpractice may be considered by the College at its discretion.

- 6.1.1 Improper assistance to candidates.
- 6.1.2 Inventing or changing marks for internally assessed work (course work or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made.
- 6.1.3 Fraudulent submissions that could lead to false claims for certificates.
- 6.1.4 Inappropriate retention of certificates.
- 6.1.5 Producing falsified witness statements, for example for evidence the learner has not generated.
- 6.1.6 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.
- 6.1.7 Facilitating and allowing impersonation.
- 6.1.8 Misusing the conditions for special learner requirements, for example

where learners are permitted support, such as amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment.

6.1.9 Failing to keep assessment/examination/test papers secure prior to the assessment/examination test.

6.1.10 Falsifying records/certificates. For example: by alteration, substitution, or by fraud.

6.2 Learner malpractice:

Any action by the learner that has the potential to undermine the integrity and validity of the assessment of the learner's work.

The following are examples of malpractice by learners; this list is not exhaustive and other instances of malpractice may be considered by the College at its discretion:

6.2.1 Plagiarism of any nature; in which case reference should be made to the College's Plagiarism Policy

6.2.2 Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work.

6.2.3 Copying (including the use of ICT to aid copying).

6.2.4 Deliberate destruction of another's work.

6.2.5 Fabrication of results or evidence.

6.2.6 False declaration of authenticity in relation to the contents of a portfolio or coursework

6.2.7 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.

7. Procedures used to deal with the above

7.1 Where the College discovers or suspects an individual, or individuals, of malpractice or maladministration it will conduct an investigation in a form commensurate with the nature of the allegation in accordance with awarding body requirements.

Commented [SA4]: Addition for clarity

7.2 Where the malpractice/maladministration includes the award of external certification, the awarding body shall be informed immediately by the nominated College centre coordinator.

Commented [SA5]: Requested by Awarding authorities

7.3 Where a member of staff is suspected of malpractice, the Executive

Director of HR must be informed immediately. Malpractice may be considered to be Gross Misconduct and the staff disciplinary policy must be invoked.

7.4 The Head of School, Assistant Principal or their nominated replacement, will conduct a preliminary investigation to determine the seriousness of the issue.

7.5 The College will make the individual(s) aware at the earliest opportunity of the nature of the alleged malpractice/maladministration and of possible consequences should it be proven.

7.5.1 The process for staff at this stage will then follow the College Staff Disciplinary Policy and Procedure and, in all cases, in conjunction with the Executive Director of HR.

7.5.2 The process for learners/students at this stage will follow the TCC Student Discipline, Positive Behaviour Policy and Procedure

Commented [SA6]: Specific requirements for staff or student malpractice

7.6 The investigation will proceed through the following stages:

7.6.1 **Preliminary investigation** - conducted by the appropriate Head of School to determine whether a full investigation is necessary. If the allegation appears to have substance, then all assessments by this member of staff should be halted until the investigation is complete and the member of staff may be suspended.

7.6.2 **Full Investigation** - Should it be determined that a full investigation is necessary it shall be conducted by an independent Investigation Officer appointed by the Principal in whose area the allegation occurred.

Commented [SA7]: Tidied up removed HR element as included in 7.5.1

7.7 For cases of student assessment malpractice, reference should be made by the Investigation Officer to other relevant policies in Section 9.

Commented [SA8]: Made reference to other relevant policies

7.8 Where the Investigating Officer report indicates that the student assessment is suspect or flawed, then the relevant policies in Section 9 should be consulted for appropriate penalties. Such penalties may include:

- written warning
- revision of marks
- cancellation of components or awards
- disqualification from future entries
- revocation of candidate certificates
- Suspension/exclusion

Commented [SA9]: Inclusion of possible sanctions – requested by awarding authorities

For staff, the procedure will follow the Staff Disciplinary Policy but sanctions may include:

- Counselling
- Written warning
- Suspension or Dismissal

Commented [AS10]: Added at request of SQA

8. Monitoring and Evaluation

8.1 Internal monitoring/verification of assessment activity within each School will include malpractice/maladministration checks.

8.2 Evidence of both assessment and internal verification/moderation must be available for auditing by other Schools and Quality representatives, under the responsibility of the relevant Principal.

Commented [SA11]: Amended, removed reference to quality unit

8.3 The records within this policy shall be kept for the duration stated in the College Archive Policy under “Appeals” and “Whistleblowing” which is nominally six years

9. Related Policies/Procedures

- Assessment Policy
- Conduct for internally set examinations Policy
- Late submission of course work Policy
- Plagiarism Policy
- Staff Disciplinary Procedure
- Student Discipline, Positive Behaviour Policy.
- Internal Assessment Appeals Policy.
- Internal Verification Policy.
- Archive Policy

Commented [SA12]: added