

Assessment Malpractice Policy

Policy Statement

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.

EMD UK CIC does not tolerate actions (or attempted actions) of malpractice by learners or staff in connection with EMD UK CIC vocational programmes of learning or examinations.

EMD UK CIC may impose penalties and/or sanctions on learners or staff members where incidents (or attempted incidents) of malpractice have been proven. EMD UK CIC is required to report cases of malpractice to the programmes of learning or awarding organisation where relevant and whenever evidence is found that results or certificates may be invalid.

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.

Introduction

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.

The policy on malpractice aims to:

- define malpractice and maladministration in the context of teaching, learning and assessment for EMD UK CIC
- set out the rights and responsibilities, with regard to malpractice and maladministration, of the learner, staff member and EMD UK CIC.

In the interest of learners and EMD 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. Normally, the Quality Improvement Manager or a Project Manager are expected to supervise investigations resulting from allegations of malpractice and maladministration and are required to inform the relevant learners and centre staff of their responsibilities and rights.

EMD UK CIC reserves the right, in suspected cases of malpractice, to suspend learners from their programme or 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.

EMD UK CIC requires assessors and other staff members to ask learners to declare that their work is their own, for instance:

- for BTEC internally assessed units, assessors are responsible for checking the validity of the learner's work
- for NVQs and competence based programmes of learning or examinations, a centre and its learners must provide a written declaration that the evidence is authentic and that the assessment was conducted under the requirements of the assessment specification
- for programmes where externally set examinations are provided, an invigilator must verify the identity of a learner before they take an examination

Many staff members take positive steps to prevent or reduce the occurrence of learner malpractice. These steps often include:

- using the induction period and the student handbook to inform learners of EMD's policy on malpractice and the penalties for attempted and actual incidents of malpractice
- showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Learners 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 learner 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, use of generative AI technology, cheating, etc. These procedures may include: periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the learner, 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 learners, using oral questions with learners to ascertain their understanding of the concepts, application, etc within their work, assessors getting to know their learners' styles and abilities, etc.
- ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers and ensuring that learners do not take prohibited material into an examination room.

1. Learner malpractice

Attempting to, or actually carrying out any malpractice activity is not permitted by

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

- 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
- collusion by working collaboratively with other learners 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
- 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
- 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/test rules, regulations and security
- misuse of assessment/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/test related (or the attempt to) by means of talking or written papers/notes during supervised assessment/examination/test conditions
- behaving in such a way as to undermine the integrity of the assessment/examination/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 learners
- cheating to gain an unfair advantage

2. EMD staff malpractice

The following are examples of malpractice by EMD staff. The list is not exhaustive and other instances of malpractice may be considered by EMD UK CIC at its discretion:

- failing to keep mark schemes secure
- alteration of mark schemes
- alteration of assessment and grading criteria
- 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 centre staff producing work for the learner

- producing falsified witness statements, for example for evidence the learner has not generated
- 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
- facilitating and allowing impersonation
- 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
- falsifying records/certificates, for example by alteration, substitution, or by fraud
- fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment
- failing to keep assessment/examination/test papers secure prior to the assessment/examination/test
- failing to validate the identity of learners taking an examination/test
- obtaining unauthorised access to assessment/examination/test material prior to an assessment/examination/test.

3. Investigating alleged malpractice and/or maladministration

When dealing with alleged malpractice or maladministration EMD UK CIC will deal primarily with the Quality Improvement Manager or a nominated representative, which may be a Project Manager.

As part of the investigation EMD UK CIC retains the right to:

- involve the learner and others in the investigation process
- deal with the learner (if aged 18 or above) and/or the learner's representative.

This may occur, for example, when a learner's account of events is at variance with that of others'. Where learners aged 18 or under are involved they may wish to be assisted by parents or guardians.

During the investigation period, EMD UK CIC may:

- withhold the release of results
- 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

If malpractice or maladministration is discovered by an EMD UK CIC representative (eg. A teacher, administrator or invigilator) or has been reported directly to EMD UK CIC by a third party, EMD UK CIC 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 an EMD UK CIC representative (eg. Teacher, administrator or invigilator) EMD UK CIC will conduct an investigation appropriate to the nature of the allegation.

4. Malpractice or maladministration discovered by a learner

Any actual or attempted acts of malpractice or maladministration which have influenced assessment outcomes must be reported by learners to EMD UK CIC.

Any alleged incident of malpractice or maladministration brought to EMD UK CIC's attention after the issue of certificates will result in a full investigation by EMD UK CIC. 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.

5. Dealing with malpractice and maladministration

It is the responsibility of the Quality Improvement Manager or Project Managers to carry out an investigation into allegations of malpractice and maladministration. Investigations against the Quality Assurance Manager will normally be conducted by the Director or an appointed nominee. The alleged incident must be reported to EMD UK CIC at the earliest opportunity.

EMD UK CIC reserves the right to carry out an independent investigation in full under any circumstances relating to any individual and full cooperation from all individuals will be expected.

If a staff member, associate or learner discovers or suspects anyone of malpractice or maladministration, the Quality Improvement Manager must make the individual fully aware (preferably in writing) at the earliest opportunity of the nature of the allegation and of the possible consequences should the allegation be proven.

EMD UK CIC reserves the right to access any documents held by in relation to alleged malpractice, including documentation held by Associates and learners. Also, as required by Awarding Organisations, EMD UK CIC may report certain cases (e.g. where members of staff are found to have committed malpractice) and include details of the action taken by EMD UK CIC. It may be necessary during this process to notify funding authorities and for EMD UK CIC to share information with other training organisations or contractors. EMD UK CIC may also have to notify the police in some cases of malpractice.

6. Penalties and sanctions applied by EMD UK CIC

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

EMD UK CIC may take action to protect the integrity of assessments/examinations/tests in the future. This action may include for vocational programmes of learning or examinations:

- EMD UK CIC refusing to accept assessment entries from an assessor in cases where malpractice has been established
- EMD UK CIC reserving the right to withdraw employment from staff members where malpractice has been identified

7. Appeals

EMD UK CIC has established procedures for staff members that are considering appeals against penalties and sanctions arising from malpractice or maladministration.

Appeals against a decision made by EMD UK CIC will normally be accepted only the Quality Improvement Manager and from individual members of staff (in respect of a decision taken against them personally).