



**The Hurlingham Academy**

The best in everyone™

Part of United Learning

## **MALPRACTICE AND MALADMINISTRATION POLICY**

**2017 – 2018**

**CENTRE NUMBER 10134**

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## **Malpractice or Maladministration Procedure**

### **1. Introduction**

The Hurlingham Academy (THA) takes all incidences of malpractice seriously. The following procedure applies to all learners registered on all GCSE and Vocational qualifications and all associated units.

THA will provide on request guidance as to how best prevent, investigate and deal with malpractice and maladministration.

### **2. Procedure**

Centres must have in place a procedure regarding the prevention and investigation of malpractice and maladministration. This will include the development, delivery, assessment or award of qualification.

THA must inform the relevant examination boards as soon as any malpractice or maladministration has been suspected or the security of examination papers or other confidential material has been put at risk.

For allegations 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 Examination Board.

THA will co-operate fully with any investigations made regarding malpractice by learners, the centre or our staff. Failure to do so may lead to certificates not being issued and future registrations not being accepted.

For examples of malpractice please refer to Appendix 1.

### **As a Centre**

THA must initially inform the examination Boards of all instances of suspected malpractice or maladministration by completing a Form M1, M2a or M2b. For more details, see below.

Where THA is requested to carry out the investigation, it will fully investigate the alleged malpractice or maladministration. Those responsible for conducting an investigation will establish the full facts and circumstances of any alleged malpractice or maladministration. THA will ensure that such investigations are carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in the outcome.

All available evidence will be collected including brief written statements from the person(s) making the allegation and, where appropriate, the learner's work should be retained. For examples of evidence please refer to Appendix 1.

Examination Boards reserve the right to withhold certificates or the issuing of results while any centre investigation is ongoing. Once the investigation is complete, results may be released, amended or permanently withheld. If certificates have already been claimed and issued, Examination Boards may recall certificates following the investigation and will inform the regulatory authorities where it finds evidence that the certificates may be invalid.

If during the investigation, the issue is of poor academic practice rather than malpractice, then the learner should receive appropriate advice and the work marked accordingly.

THA, having investigated the allegation thoroughly, will review the evidence collected and decide if there is a case to answer. THA will retain a record or copy of all evidence or correspondence collected.

The individual will be given the opportunity to respond in writing to the allegation made within 10 working days from the date of the letter. They will also be informed of their right to appeal should the judgement be made against them.

Examination Boards will normally only communicate with the centre with regards to this procedure. However, Examination boards may decide to communicate directly with the individual because of the circumstances of the case. In such cases Examination Boards will advise the centre in writing.

Centres and learners who wish to appeal against Examination Boards decisions regarding malpractice or maladministration may do so using the Examination Boards Appeals Procedure.

### **Suspected Malpractice or Maladministration discovered by External Staff**

Where suspected malpractice or maladministration is discovered by an external member or assessor and has been reported to the awarding organisation by a learner or other member.

Examination Boards will acknowledge within 5 working days the receipt of the allegation and will within a further 3 working days decide if there is a case to answer and whether they will be undertaking an investigation or not.

If Examination Boards decide that there is a case to answer and will not be investigating it themselves, they will within 2 working days, inform THA and ask them to investigate. Please see above.

If Examination Boards decide that there is NOT a case to answer they will, within 2 working days of the decision, inform THA of the allegation and its decision not to pursue it further.

THA and learners who wish to appeal against Examination Boards decisions regarding malpractice or maladministration may do so by using the Examination Boards Appeals Procedure.

### **Sanctions and Penalties**

Examination Boards impose sanctions and penalties on individuals and on centres found guilty of malpractice or maladministration in order to:

- Minimise the risk to the integrity of examinations and assessments, both in the present and in the future

- Maintain the confidence of the public in the delivery and awarding of qualifications

- Ensure as a minimum that there is nothing to gain from breaking the regulations

- Deter others from doing likewise

In addition, Examination Boards will update their database to reflect decisions made. For more details regarding sanctions and penalties please refer to Appendix 1.

**Informing other awarding organisations**

All Examination Boards have the right to inform another awarding organisation if it believes that an occurrence of malpractice or maladministration may affect them.

**The Examination Boards**

THA will report all cases of malpractice to the Examination Boards where it finds evidence that results or certificates may be invalid. THA will co-operate with any investigations required by the Examination Boards and will agree on remedial action to be taken where there is evidence that results or qualifications may be invalid.

## **Appendix 1**

### **Guidance**

#### **Malpractice**

Malpractice is essentially any activity or practice which deliberately contravenes the regulations and compromises the integrity of the assessment process and/or the development, delivery or award of the qualification. The categories listed below are examples of centre and learners malpractice. Please note that these examples are not exhaustive and are for guidance.

#### **Centre**

Breach of security – breaking the confidentiality of question papers or materials and the confidentiality of learners' scripts. It could involve:

- Insecure storage of external assessment papers

- Unauthorised amendment, copying or distributing of external assessment papers

- Failing to supervise adequately learners during an assessment.

#### **Deception**

Any act of dishonesty in relation to any examination or assessment. It could involve:

- Inventing or changing marks for internally assessed components where there is no actual evidence of the learner achievement

- Manufacturing evidence of competence against standards

- Fabricating assessment and/or internal verification records or authentication statements.

#### **Improper assistance to learners**

Giving assistance beyond that permitted by the specification to a learner or group of learners, which results in an advantage in an examination or assessment. It could involve:

- Assisting learners in the production of controlled assessments or coursework

- Sharing or lending learners' controlled assessments or coursework with other learners

- Assisting or prompting learners with the production of answers

- Permitting learners in an examination or assessment to access prohibited materials.

#### **Maladministration**

Essentially any activity or practice which results in non-compliance with Examination Boards regulations or procedures. It could involve:

- Contravention of centre and qualification approval conditions

- Failure to carry out actions identified by our external verifiers in the required timescales

- Failure to adhere to Examination Boards learners registration and certification procedures

- Fraudulent claim for certificates

Deliberate misuse of Examination Boards logo's

Submission of false information to gain a proxy or a qualification

Failure to adhere to any Centre Agreement

### **Learner**

It could involve:

The alteration or falsification of any results document, including certificates

Plagiarism of any nature by learner

Disruptive behaviour by learner in the examination room or during an assessment session (including the use of offensive language)

Copying from or allowing another learner to copy their work

Making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework or the contents of a portfolio

Bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators, dictionaries (when prohibited), electronic dictionaries, iPods, mobile phones, MP3 players, pagers or other similar electronic devices

Impersonation - pretending to be someone else, arranging for another person to take one's place in an examination or an assessment.

### **Evidence**

The documents listed below are examples of evidence to accompany the report Form. Please note that these examples are not exhaustive and are for guidance.

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

Written statements from the individual(s) making the allegation

Written statement(s) from the invigilator(s), witnesses, assessor, internal verifier(s) or other staff who are involved

Written statement(s) from the alleged (member of staff or learner)

Any mitigating factors

Unauthorised material found in the examination or assessment room

Any work of the learner

Any associated materials or documents which is relevant to the investigation.

### **Reports**

Centres should send the report and any accompanying evidence to the relevant Examination Board. Where the centre conducts its own investigation before submitting the report, they should:

Ensure that staff leading the investigation are independent of the staff or learners or function being investigated

Inform those who are suspected of malpractice that they are entitled to know the necessary details of the case and possible outcomes

Submit the findings of their investigation to the Examination Board with their report.

The report must include:

Centre's name, address and number

Learner's name and Candidate number

Centre staff details (name, job role) if they are involved in the case

Title and code of the qualification or unit affected

Date(s) suspected or actual malpractice occurred full nature of the suspected or actual malpractice

Contents and outcome of any investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances

Together with the appropriate evidence as mentioned above.

### **Sanctions and Penalties**

Examination Boards will determine the application of a sanction or penalty according to the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved. Not all the sanctions and penalties are applicable to every type of qualification or circumstance.

Examination Boards may, at their discretion, impose sanctions or penalties against a centre, member of staff or learner. These sanctions and penalties may be applied individually or in combination. The following are examples of sanctions and penalties. Please note that these examples are not exhaustive and are for guidance:

Written warning (all)

Review and report - action plans (centre)

Additional monitoring or inspection (centre)

Suspension of learner registration and/or certification (centre)

Withdrawal of approval for a specific qualification (centre)

Withdrawal of centre recognition (centre)

Special conditions regarding the future involvement in qualification (member of staff)

Suspension from all involvement in qualification (member of staff)

Loss of marks for unit (learner)

Disqualification from unit and/or qualification (learner)

Barring of learner from CCNQ qualifications (learner.

For full details regarding specific Examination Board policies, please click on the link below for the appropriate Examination Board.

[AQA](#)

[Pearson/Edexcel](#)

[OCR](#)

[WJEC](#)

[BCS](#)

Alternatively, please visit the [JCQ website](#) for more information