

## CQA 14: Assessment Malpractice and Maladministration Policy

All College policies and procedures adhere to the guidelines and ethos of Equality and Diversity

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Date of Origin	Last Updated	Proposed Review Date	EQIA Date	Responsibility For Review
July 2017	July 2017	July 2019	NA	Assistant Principal: Quality Enhancement

## 1. Purpose and Benefits

The purpose and benefits of this policy are:

- a) To define what is meant by malpractice, in relation to the assessment of qualifications:

**Malpractice, which includes maladministration and non-compliance (from this point forward when we refer to “Malpractice”, it includes Maladministration and non-compliance),** means any act, default or practice (whether deliberate or resulting from neglect or default) which is in breach of awarding body requirements and/or which:

- 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 any awarding body or the officers, employees or agents of those awarding bodies.
- b) To explicitly state that any form of academic malpractice, maladministration or dishonesty is not acceptable and may have serious consequences for any individual found to have intentionally participated in such activities for personal gain or that of other individuals.
- c) To provide guidance to students and staff on those behaviours which are deemed to be inappropriate in the context of academic assessment and conduct relating to all awarding bodies for which the College is accredited.
- d) To ensure compliance with the requirements of awarding bodies and regulatory bodies including SQA Accreditation and Ofqual, and the Joint Council for Qualifications.

## 2. Policy Statement

The College does not accept any form of assessment malpractice which is intentionally carried out by students or staff. All cases of suspected malpractice in internal assessment, either by students or College staff will be investigated and acted upon in line with awarding body requirements.

### 3. Responsibilities

- The College is responsible for ensuring that all staff and students are made aware of the Malpractice Policy and Procedure at induction, and should provide students and staff with examples of Malpractice.
- All students are responsible for ensuring that they adhere to the assessment conditions which apply to all academic assessments which they undertake. Individual students should ensure that they are clear and fully understand what is expected of them in preparing for and undertaking academic assessment.
- All teaching staff are responsible for ensuring that students are made aware of the assessment arrangements as defined by the awarding bodies.
- All teaching staff should ensure that they are fully aware of the assessment arrangements as defined by the awarding bodies and that they comply with every aspect of those arrangements.
- Heads of Faculty are responsible for notifying any cases of suspected student or staff malpractice to the Assistant Principal: Quality Enhancement using the CQA 14.1.1 Notification of Suspected Malpractice.
- The Assistant Principal: Quality Enhancement is responsible for ensuring that all cases of suspected student or staff malpractice are investigated in line with appropriate Learner Behaviour Procedure/Staff Disciplinary Policy and Procedure/Staff Appeals Policy and Procedure.
- The Assistant Principal: Quality Enhancement is responsible for ensuring that the outcomes of any investigations are communicated appropriately to the student or the member of staff under investigation; and/or other interested parties (e.g. assessor, Head of Faculty, Curriculum Leader, Data Management staff dealing with results).
- The Assistant Principal: Quality Enhancement is responsible for ensuring that all suspected cases of College malpractice must be reported to the awarding body.
- The Assistant Principal: Quality Enhancement is responsible for ensuring that any suspected cases or student malpractice in any qualifications which are subject to statutory regulation by SQA Accreditation or Ofqual, then those instances must be reported to the awarding body.
- The Assistant Principal: Quality Enhancement is responsible for ensuring that the awarding body is made aware of any candidate malpractice concerns for internal assessments if the concern comes to the College's attention after the submission of internal assessment marks.
- The Assistant Principal: Quality Enhancement is responsible for reporting any matters of malpractice to the police and the awarding body if it involves a criminal act.
- The Assistant Principal: Quality Enhancement must keep records and documentation of investigations of suspected malpractice and the outcomes of these. See the Malpractice Procedure for retention periods.
- The Assistant Principal: Quality Enhancement is responsible

## 4. Examples of Academic/Assessment Malpractice

Examples of academic/assessment malpractice are outlined below. These are examples, and do not limit the scope of the definitions set out in this document, since other forms may be identified from time to time, and the College reserves the right to consider as malpractice other actions not listed below.

### 4.1 Student Malpractice

Student malpractice means any type of malpractice by a student which threatens the integrity of an examination or assessment.

The following are examples of malpractice:

#### 4.1.1 Plagiarism

Plagiarism is a failure to acknowledge sources properly and/or the submission of another person's work as if it were the student's own.

Plagiarism may arise from a lack of understanding about the aims of an assessment and a misinterpretation of what is expected in terms of the assessment process and/or output.

Plagiarism occurs when an individual adopts or copies the work of another person, organisation, or author without acknowledging the origin of that piece of work.

Assessment tasks often require to show the results of reading by referring to and quoting from works on the subject, copying directly from such sources without acknowledgement is deemed to be plagiarism and will not be accepted by the College or the awarding body. This means that students must make it clear which words and ideas are their own and which have come from elsewhere, through the use of quotation marks as well as in-text citations.

Passing on assignments to others, with the knowledge that another student may plagiarise the assignment is also unacceptable and all parties concerned may be subject to disciplinary action.

Failure to acknowledge the sources properly and/or the submission of another person's work as if it were your own is plagiarism and is unacceptable. This might occur in an assessment/assignment when:

- using a choice phrase or sentence that you have come across;
- copying word-for-word directly from a text;
- paraphrasing/restating the words from a text very closely;
- using text directly downloaded from the internet;
- borrowing statistics or assembled facts from another person or source;
- copying or downloading figures, photographs, pictures or diagrams without acknowledging the sources;

- copying from the notes, essays or project work of a fellow student;
- copying from your own notes, on a text, tutorial, video or lecture, that contain direct quotations.

The College uses text comparison software which it applies to electronic assessments as well as scanned or retyped assignments. This will quickly identify the extent of any plagiarised material from on-line sources.

If a student is in doubt about plagiarism, advice/guidance should be sought from a member of teaching staff.

#### **4.1.2 Unauthorised Collusion**

Collusion (unauthorised) is where an individual working collaboratively with other students (normally on an individual task/assessment) copies work from another student and submits it as their own.

Note: this should not be confused with group-based coursework or assessment which involves co-operation and collaboration amongst/between students to produce the required output. This collaboration is authorised and is supported by clear instructions of what is required and by whom.

#### **4.1.3 Copying**

Copying from another student (including the use of ICT to do so).

#### **4.1.4 Personation**

This is where an individual undertakes a task whilst fraudulently pretending to be someone else especially with the intention to deceive or cheat to gain advantage on behalf of another individual.

#### **4.1.5 Offensive content**

This is where an individual includes inappropriate, offensive, or obscene material in assessment evidence, including vulgarity and swearing which is out with the context of the assessment, or any material of a discriminatory nature (including discrimination in relation to the protected characteristics identified in the Equality Act 2010). This should not be read as inhibiting students' rights to freedom of expression.

#### **4.1.6 Frivolous content**

This involves producing content that is unrelated to the assessment.

#### **4.1.7 Misrepresentation/Fabrication**

The falsification of data, information, or citations in any formal academic assessment. This is where the student deliberately provides inaccurate data, makes false quotations or presents false information and data as fact.

#### **4.1.8 Deception**

This is where an individual provides false information to staff concerning a formal academic exercise, for example, giving a false excuse for missing a deadline or

falsely claiming to have submitted work. Making a false declaration with the aim of receiving special consideration to obtain extensions to deadlines, exemptions from work or accreditation for prior learning.

#### **4.1.9 Cheating**

Any attempt to give or obtain assistance in a formal academic exercise (like an examination) without due acknowledgment.

This may also include:

- the use of unauthorised aids,
- physical possession of unauthorised materials (including mobile phones; smart watches, MP3 players, notes, etc) in the examination room, laboratory or workshop;
- obtaining a test or examination paper in advance of its authorised release;
- using or having at or near the test/examination desk any books, materials or other equipment which has not been explicitly permitted;
- communicating with another student or passing objects to another person without authorisation during a test or examination.
- Breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment.

#### **4.1.10 Bribery**

Paying for someone to undertake assessment work which is then presented as the student's own work or giving assignment answers or test answers to others for money.

#### **4.1.11 Misconduct**

This includes all behaviour in an examination room that causes disruption to others. For example, talking, shouting, abusive and/or aggressive behaviour/language, and having an unauthorised electronic device that causes a disturbance in the examination room.

#### **4.1.12 Sabotage**

This may include taking actions to prevent others from completing their work/examination or assignment. This could include deliberately damaging reference materials, cutting pages out of library books or wilfully disrupting the experiments, assessment evidence or artefacts produced by other individuals.

### **4.2 Staff Malpractice**

As previously stated, Malpractice, which includes maladministration and non-compliance, means any act, default or practice (whether deliberate or resulting from neglect or default) which is in breach of awarding body requirements and/or which:

- 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 any awarding body or the officers, employees or agents of those awarding bodies.  
Instances of malpractice arise for a variety of reasons:
- Some incidents are intentional and aim to give an unfair advantage in an examination or assessment (deliberate non-compliance)
- Some incidents arise due to ignorance of awarding body requirements, carelessness or neglect in applying the requirements (maladministration).

Failure by the College to notify, investigate and report to the awarding body, allegations of suspected malpractice constitutes malpractice.  
Also failure to take action as required by an awarding body or to co-operate with an awarding body investigation, constitutes malpractice.

Examples include:

- Misuse of assessments, including repeated re-assessment contrary to requirements, or inappropriate adjustments to assessment decisions.
- Deliberate negligence towards cheating or assistance in cheating. This activity is normally but not exclusively attributable to staff misconduct.
- Insecure storage of assessment instruments and marking guidance
- Failure to comply with requirements for accurate and safe retention of student evidence, assessment and internal verification records.
- Failure to comply with awarding body procedures for managing and transferring accurate student data.
- Excessive direction from assessors to students on how to meet national standards.
- Deliberate falsification of records in order to claim certificates.

#### 4.3 College Malpractice

- **Failure to provide the resources, staff or systems** – to support the assessment process (including assessment records), internal quality assurance, external quality assurance, audit, certification claims, complaints or appeals purposes.
- **Falsification** – deliberate submission of false information in order to gain approval for a qualification or to allow a student/s to achieve a course and/or unit.
- **Failure to assess** – if the College fails to carry out internal assessment, or undertake internal verification as required by awarding bodies.
- **Failure to prevent student malpractice** – allowing any form of student malpractice during an assessment.
- **Failure to provide awarding bodies** with access to the College, and its Assessment Centres, staff and records.
- **Failure to act upon any actions** as required by the awarding bodies.
- **Discrimination** – facilitating unfair discrimination in assessment (e.g., on grounds of age, disability, gender reassignment, marriage and civil

partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation).

- **Withholding information** – deliberately withholding information about circumstances which may compromise the integrity of any qualification and/or credibility of the awarding body.
- **Failure to notify, investigate and report to the awarding body** allegations of suspected centre malpractice.
- **For qualifications subject to regulation by SQA Accreditation or Ofqual,** failure to notify, investigate and report to the awarding body allegations of suspected candidate malpractice.

#### 4.4 Student/Staff/College

- **Forgery** – the forging of assessment records or certificates.
- **Threats or Bribery** – to any person involved in the assessment process, to include the outcome of an assessment.

### 5. Details of how and by whom malpractice will be investigated

#### 5.1 Student Malpractice

In cases of Serious Academic Misconduct, including any intentional malpractice as described in Section 4 above, informal action is inappropriate, and formal action is instigated immediately by following CQA7.1 Learner Behaviour Procedure.

This procedure provides details of how the malpractice is investigated, who investigates it, and the sanctions which may be applied.

#### 5.2 Staff Academic or Assessment Malpractice

Any alleged academic or assessment malpractice on the part of staff will be subject to the:

- Staff Disciplinary Policy and Procedure (legacy College policy and procedures to be used)
- Staff Appeals Policy and Procedure (legacy College policy and procedures to be used)

These procedures provide details of how the malpractice is investigated, who investigates it, and the sanctions which may be applied.

### 6. Awarding Body Malpractice Policy and Procedures

New College Lanarkshire delivers qualifications for many awarding bodies including:

Active IQ

Asdan

British Computer Society (BCS)

British Institute of Innkeeping Awarding Body (BIIAB)

Certiport

Chartered Institute of Housing (CIH)

Chartered Management Institute (CMI)

City and Guilds (C&G)

College Development Network (TiCT)

Computer Training Industry Association

Construction Skills Testing Services (CITB)

Engineering Construction Industry Training Board

Excellence Achievement and Learning Limited

Health and Safety Executive

Institute of Leadership and Management (ILM)

Institute of the Motor Industry (IMI)

Institute of Occupational Health and Safety (IOSH)

NCFE

National Exam Board in Occupational Safety and Health (NEBOSH)  
National Examining Board for Dental Nurses (NEBDN)  
Royal Environmental Health Institute (REHIS)  
Scottish Colleges Computing Consortium  
Scottish Electrical Charitable Training Trust  
Scottish Qualifications Authority (SQA)  
Sector Skills Council for Science Engineering Manufacturing Tech  
Skills for Security (formerly SITO)  
Napier University  
Northumbria University  
University of Strathclyde  
University of the West of Scotland (UWS)

Staff involved in the assessment process of qualifications, should ensure that they make themselves familiar with the individual requirements of the awarding bodies that they work with. Listed below are several of the awarding body procedures for reference:

#### **SQA**

Staff involved in the assessment process for SQA qualifications are required to make themselves aware of the information in the document **Malpractice: Information for Centres** available at the following link:

[http://www.sqa.org.uk/sqa/files\\_ccc/MalpracticeInformationForCentres.pdf](http://www.sqa.org.uk/sqa/files_ccc/MalpracticeInformationForCentres.pdf)

#### **City and Guilds**

Staff involved in the assessment process for City and Guilds qualifications are required to make themselves aware of the information in the document **Managing Cases of Suspected Malpractice in Examinations and Assessments.**

<http://www.cityandguilds.com/~media/Documents/delivering-quals/cdl/malpractice/2016%20-%2017%20Managing%20cases%20of%20suspected%20malpractice%20in%20examinations%20and%20as...%20pdf.ashx>

#### **ILM**

Staff involved in the assessment process for ILM qualifications are required to make themselves aware of the information in the document **ILM Malpractice and Maladministration Policy**

[https://www.i-l-m.com/~media/ILM%20Website/Sharepoint%20Documents/\\_Published%20Documents/ilm-policies-d12-malpractice-and-maladministration-policy.pdf.ashx](https://www.i-l-m.com/~media/ILM%20Website/Sharepoint%20Documents/_Published%20Documents/ilm-policies-d12-malpractice-and-maladministration-policy.pdf.ashx)

## **EAL**

Staff involved in the assessment process for EAL qualifications are required to make themselves aware of the information in the document **Malpractice &**

### **Maladministration Policy**

<http://eal.org.uk/centre-support/centre-support/policies-and-important-documents/34-malpractice-and-maladministration-policy-v4-november-2015>

## **NEBOSH**

Staff involved in the assessment process for NEBOSH qualifications are required to make themselves aware of the information in the document **Policy and procedures for suspected malpractice in examinations and assessments**

<http://www.nebosh.org.uk/fileupload/upload/ST005%20Malpractice%20Policy%20v10%20FINAL%2029091430920147142.pdf>