



Introduction

This policy has been developed to ensure Middlesbrough College ensures that all appropriate Awarding Body organisations and procedures relating to malpractice or maladministration are adhered to. Middlesbrough College aims to ensure that it is vigilant in identifying any malpractice or maladministration as well as having robust procedures in place to minimise any occurrences relating to malpractice or maladministration as well as ensuring all reported instances are fairly investigated.

Scope

The scope of this policy includes all Middlesbrough College learners and all types of assessments which take place at all Middlesbrough College premises or the premises of subcontractors.

Roles and Responsibilities

The Vice Principal, Quality and Performance is overall responsible for ensuring that this policy and procedure is being adhered to and staff are suitably trained and aware of their requirements and responsibilities. As well as they are also responsible for ensuring all allegations or complaints relating to malpractice or maladministration are investigated in a timely manner.

The Exams Manager is responsible for ensuring that there are robust internal procedures in place to ensure that assessments are managed in line with awarding body organisation requirements. They must also make the Vice Principal, Quality and Performance aware of any potential malpractice or maladministration instances.

Exams staff are responsible for ensuring that they comply with all awarding body requirements in regards to assessments.

All Centre staff (including invigilators) are responsible for reporting any malpractice or maladministration instances to the Exams Manager or the Vice Principal, Quality and Performance in a timely manner.

Definitions

For the purpose of this policy, the definitions are as follows:

- *Assessments* refers to all those activities undertaken by Teaching staff, Assessors or by learners assessing themselves, which provides information to be used as feedback to modify the teaching and learning activities in which they are engaged in.
- *Assessment Malpractice* consists of those acts which undermine the integrity and validity of assessments, the certification and or damage the authority of those responsible for conducting the assessment and certification.
- *Maladministration* is essentially any activity or practice which results in non-compliance with administrative regulations and requirements which includes the application of persistent mistakes or poor administration within a centre.
- The *Learner* is Middlesbrough College students whether they are part time, full time, 14 – 16, 16 – 18 or 19+. The term *Learner* also includes all Apprentices as well as classroom based.
- *Centre staff* are Middlesbrough College staff who are invigilators, Exams staff or any Teaching or Assessor staff that are involved in assessments or examinations.
- *Awarding Body organisations* are organisations that allow qualifications to be recognised as part of frameworks. These frameworks must be accredited through one of the United Kingdom Awarding Bodies.
- All occurrences of malpractice relating to College HE awards validated by The Open University, are managed under the principles and processes outlined in the Higher Education Academic Misconduct Procedure (AMP). The AMP, has been approved by The Open University.

What is Learner Malpractice?

Attempting to, or actually carrying out any malpractice activity is not permitted by Middlesbrough College or by Awarding Body organisations. For information, examples of malpractice from a learner can include:

- Plagiarism by copying, or reproduction 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, third party sources (including the internet and use of AI tools, thoughts, interventions and/or discoveries whether published or not, with or without the originator's permission and without appropriately acknowledging and referencing the source. Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work.

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- 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 or test.
- Fabrication of results and / or evidence.
- Failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator or Awarding Organisation.
- Misuse of assessment or examination material.
- Introduction and/or use of unauthorised material contra to the requirements of supervised assessment/examination / test conditions.
- Obtaining, receiving, exchanging or passing on information that could be assessment, examination or test related (or the attempt to) by means of talking or written papers, notes during supervised assessment, examination or test conditions.
- Behaving in such a way as to undermine the integrity of the assessment, examination or test.
- The alteration of any results document, including certificates.
- Cheating to gain an unfair advantage.

Middlesbrough College Learner Malpractice Prevention Procedures

The types of positive steps which Middlesbrough College will take to prevent or reduce the occurrence of learner malpractice are as follows:

- Using induction periods, learner handbooks or course handbooks to inform learners of the policy and the penalties for attempted and actual incidents of malpractice.
- Explaining to learners the appropriate formats to record cited texts and other materials or information sources including websites.
- Introducing procedures for assessing work in a way that reduces and identifies malpractice, e.g. plagiarism, collusion, cheating etc.
- Periods of supervised sessions during which the learner produces evidence for assignments / coursework.
- Altering assessment / assignment tasks on a regular basis.
- Assessment if possible for a single assignment task, taking place in a single session for a complete cohort of learners.
- Use of oral questioning to ascertain understanding of concepts, applications etc.
- Knowledge of learner's styles and abilities.
- Ensuring access controls are installed to prevent learners for accessing and using other people's work when using networked computers.

What is Centre Staff Malpractice and Maladministration?

Malpractice and maladministration can also relate to centre staff.

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate learner records).

The following are examples of potential malpractice/maladministration by centre staff

- Failing to keep Awarding Organisation mark schemes secure.
- Alteration of Awarding Organisation mark schemes.
- Alteration of Awarding Organisation 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 the learner to submit evidence, assignments, coursework or complete tasks which Centre staff know is not their own.
- Issuing the conditions for access arrangements, for example permitting support for candidates who do not meet the requirements for access arrangement and reasonable adjustments.
- Failing to keep learner computer files secure.
- Falsifying records and/or certificates, for example by alteration, substitution, or by fraud.
- Fraudulent certificate claims, which is claiming for a certificate prior to the learner completing all the requirements of the assessment.
- Failing to keep assessment, examination, test papers secure prior to the assessment, examination or test.
- Obtaining unauthorised access to assessment, examination or test material prior to an assessment, examination or test.
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence.
- The unauthorised use of inappropriate materials / equipment in assessment settings (e.g. mobile phones)
- Collusion or permitting collusion in exams/assessments
- Learners still working towards qualification after certification claims have been made
- Contravention by our centres and learners of the assessment arrangements Awarding Organisations specify for qualifications.
- A loss, theft of, or a breach of confidentiality in, any assessment materials.
- Unauthorised amendment, copying or distributing of exam/assessment papers/materials.

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- Inappropriate assistance to learners by centre staff (e.g. unfairly helping them to pass a unit or qualification)
- Submission of false information to gain a qualification or unit.
- Deliberate failure to adhere to, or to circumvent, the requirements of our Reasonable Adjustments and Special Considerations Policy.

Middlesbrough College Staff Malpractice and Maladministration Prevention Procedures

Middlesbrough College will ensure the following procedures are adhered to which will minimise the possibility of malpractice:

- Assessors for internally assessed units are responsible for checking the validity of the learners' work.
- Staff, where required by the Awarding Organisation, should hold appropriate Assessor and Verifier qualifications.
- Staff not holding appropriate assessor and verifier qualifications must have learner coursework countersigned by a qualified Assessor and Verifier as required by Awarding Organisation.
- For externally assessed units or coursework, learners must sign the Awarding Organisation Statement of Authenticity.
- For NVQ's the College and learners provide a written declaration that the evidence is authentic and that the assessment was conducted under the requirements of the assessment specification.
- Examinations are conducted in line with Awarding Organisation regulations.

Reporting Learner or Centre Staff Malpractice and Maladministration

If at any point during or following an assessment a member of staff discovers or suspects that assessment malpractice or maladministration has occurred then they are obliged to notify the Vice Principal, Quality and Performance or Examinations Manager immediately. A full investigation will then be instigated and responded to within ten working days. The investigation will follow stated Centre procedure to investigate the discovery and to act in accordance with Centre and Awarding Organisation requirements. In most instances, this means reporting any suspected malpractice or maladministration within ten working days prior to the commencement of any internal investigations. It is the responsibility of the Vice Principal, Quality and Performance to report this to the appropriate Awarding Body.

Appeals against penalties and sanctions will be in accordance with Awarding Organisation regulations.

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Following initial investigation of the incident, the College will comply with Awarding Organisation regulations and, but for the most exceptional reasons, apply the appropriate learner or staff disciplinary procedures.

All incidents of malpractice proven or not proven to be reported to the Awarding body (e.g. AAT, City & Guilds etc.) within 48 hours.

Policies and Procedures relating to Assessment Malpractice and Maladministration Policy and Procedures

The following should be reviewed in conjunction with the Assessment Malpractice and Maladministration Policy and Procedures:

- Complaints procedure
- Learner disciplinary procedure
- Disciplinary, suspension and dismissal procedure for staff
- Higher Education Academic Misconduct Procedure