Green-State Innovation and Training Ltd

MALPRACTICE IN ASSESSMENT POLICY

1. Policy Statement

1.1 Green-State Innovation and Training Ltd is fully committed to ensuring that the issues of malpractice in internal and external examinations and assessments are addressed. For examinations and external assessments, this policy will supplement the guidance of awarding/accrediting bodies.

2. Scope

This policy applies to all teaching staff, assessors, Internal Quality Assurers and candidates at the Centre. It underpins the complementary guidelines, policies and procedures of the NOCN and the Centre. This policy and the associated documents to which it relates together outline:

- The specific regulations of the NOCN under which relevant examinations and assessments operate.
- Definitions of malpractice by candidates, learners and staff in examinations
- The rights and responsibilities of awarding bodies, Centre staff, candidates and learners The procedures to be followed in the event of breaches of policy, regulation or procedure.

3. Definition

3.1 "Malpractice" means any act, default or practice which is a breach of the Regulations 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 Centre or any officer, employee or agent of any awarding body or the Centre.

3.2 A failure by the Centre to investigate allegations of suspected malpractice in accordance with the requirements in this document also constitutes malpractice.

4. Centre Staff Malpractice

4.1 This refers to malpractice committed by a member of staff, or an individual appointed in another capacity by the Centre such as an invigilator, a reader, a Sign Language Interpreter or a scribe to a candidate. Examples of staff malpractice are set out in Appendix A. Other instances of malpractice may be identified and considered by the NOCN at their discretion.

4.2 Staff who are found to have engaged in activities deemed to be malpractice or maladministration will be subject to the Centre disciplinary procedures for teaching and support staff.

5. Candidate/Learner Malpractice

5.1 This refers to malpractice by a learner or candidate in the course of any examination or assessment, including the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper. Examples of candidate/learner malpractice are set out in Appendix B. Other instances of malpractice may be considered by the NOCN at their discretion.

5.2 Malpractice in a coursework component or a controlled assessment component of a specification discovered prior to the candidate signing the declaration of authentication need not be reported to the awarding body but must be dealt with in accordance with the Centre disciplinary procedures for learners.

5.3 Candidates who are found to have engaged in activities deemed to be malpractice after signing the declaration of authentication will be subject to the regulations and possible penalties as laid down by the specific awarding body. The Centre is obliged to report such instances and Curriculum Managers are responsible for providing this information for reporting via their Curriculum Directors. Learners who are found to have engaged in such activities will also be subject to the Centre disciplinary procedures for learners.

6. Investigation of Candidate/Learner Malpractice

6.1 The Centre Manager has delegated responsibility for the conduct of examinations and all concomitant activity to the Head of Centre.

6.2 The Head of Centre will instigate investigations and may delegate this to the appropriate staff member. This will ensure that investigation is independent of the Centre involved in the suspected malpractice. Appeals will be conducted as specified in the Assessment Appeals Procedure.

6.3 The Awarding body will withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants it.

7. Investigation of Alleged Malpractices by Staff

Investigations will be conducted as for 6 above, with the addition of:

- Allegations against the Centre Manager will be carried out by the Chair of the Governing Body
- Curriculum Directors or Curriculum Managers may be involved in investigations at the discretion of the Centre Manager and Head of Centre
- Correspondence will be through the Head of Centre except when the allegation is against the Centre Manager, and all such will be in writing and copied to the Centre Manager
- Respondents will be entitled to correspond in writing
- Centre procedures on discipline, grievance and appeals will also apply
- The NOCN have the right to be represented at interviews or hearings
- Staff members may be accompanied by a friend or union representative.

8. Rights of Accused Individuals

8.1 When an incident of suspected malpractice is reported to the awarding body, or on receipt of a report from the awarding body, an individual, whether a candidate or a member of staff, accused of malpractice must:

- be informed (preferably in writing) of the allegation made against him or her
- know what evidence there is to support that allegation
- know the possible consequences should malpractice be proven
- have the opportunity to consider their response to the allegations (if required)
- have an opportunity to submit a written statement
- have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- know when the final outcome would be imparted to candidate/staff
- be informed of the applicable appeals procedure, should a decision be made against him or her
- be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators, the police and/or professional bodies.

8.2 Responsibility for informing the accused individual rests with the Head of Centre. This may be delegated to the Quality Nominee.

9. Reporting

9.1 Reports of malpractice will be forwarded to the relevant authorities, internally and externally, which may include the Governing Body, Senior Leadership Team, regulatory authority and awarding body.

9.2 Reports should be accompanied with evidence using the JCQ/MI or JCQ/M2A form as specified in the JCQ Guidance 15-16, or other awarding body forms where appropriate.

9.3 Reports will be authorised by the Head of Centre before being forwarded to the relevant authorities.

10. Sanctions

10.1 The NOCN have the right to impose sanctions and penalties to individuals found guilty of malpractice. These will usually be the learners or the responsible members of staff. However, when the malpractice is judged to be the result of a serious management failure, the awarding body may apply sanctions against the whole curriculum area or Centre. In these cases the awarding body may make special arrangements to safeguard the interests of candidates who might otherwise be adversely affected.

10.2 The NOCN will determine the application of a sanction according to the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved. Not all possible sanctions are applicable to every type of qualification or

circumstance. Sanctions could include withdrawal of certification or loss of direct claim status for the curriculum area or disqualification from qualification for a candidate.

10.3 Actions required to lift sanctions as directed by The NOCN or regulatory bodies will be complied with fully by the Centre.

10.4 Sanctions applied by The NOCN following malpractice by an individual member of staff may also lead to the implementation of the Centre Disciplinary Procedures for Staff.

10.5 In cases of significant malpractice the police may also be informed.

11. Appeals

11.1 The NOCN must consider appeals against penalties arising from malpractice decisions. The following individuals have a right to appeal against decisions of the Malpractice Committee or officers acting on its behalf:

- The Centre Manager, who may appeal against sanctions imposed on the Centre or its staff, as well as on behalf of learners/candidates entered or registered by the Centre
- Members of staff, who may appeal against sanctions imposed on them personally
- Learners and candidates.

12. Access to the policy

12.1 The Policy will be published on the Centre website and a hard copy given to all persons on request.

Appendix A

Examples of Staff Malpractice

The following are examples of malpractice. This is not an exhaustive list and other instances of malpractice may be identified and considered by the NOCN at their discretion.

Breach of security

Breaking the confidentiality of question papers or materials and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents. This could involve:

- Failing to keep examination material secure prior to an examination
- Discussing or otherwise revealing secure information in public, e.g. internet forums
- Moving the time or date of a fixed examination (beyond the arrangements permitted by the regulations within the JCQ publication Instructions for conducting examinations); conducting an examination before the published date constitutes Centre staff malpractice and a clear breach of security
- Failing to adequately supervise candidates who have been affected by a timetable variation. (This would apply to candidates subject to overnight supervision by Centre personnel or where an examination is to be sat in an earlier or later session on the scheduled day)
- Permitting, facilitating or obtaining unauthorised access to examination material prior to an examination
- Failing to retain and secure examination papers after an exam in cases where the life of the paper extends beyond the particular session (such papers are always clearly marked). For example, where an examination is to be sat in a later session by one or more candidates due to a timetable variation
- Tampering with candidate scripts or controlled assessments or coursework after collection and before dispatch to the awarding body/examiner/moderator (this would additionally include reading candidates' scripts or photocopying candidates' scripts prior to dispatch to the awarding body/examiner. The only instance where photocopying a candidate's script is permissible is where he/she has been granted the use of a transcript)
- Failing to keep student computer files which contain controlled assessments or coursework secure.

Deception

Any act of dishonesty in relation to any examination or assessment, but not limited to:

- Inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of the candidates' achievement to justify the marks being given
- Manufacturing evidence of competence against national standards

- Fabricating assessment and/or internal verification records or authentication statements
- Entering fictitious candidates for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain(fraud).

Improper assistance to candidates

Giving assistance beyond that permitted by the specification to a candidate or group of candidates, which result in a potential or actual advantage in an examination or assessment. For example:

- Assisting candidates in the production of controlled assessments or coursework, or evidence of achievement, beyond that permitted by the regulations.
- Sharing or lending candidates'-controlled assessments or coursework with other candidates in a way which allows malpractice to take place
- Assisting or prompting candidates with the production of answers
- Permitting candidates in an examination to access prohibited materials 5 (dictionaries, calculators etc.)
- Prompting candidates in an examination/assessment by means of signs, or verbal or written prompts.
- Assisting candidates granted the use of an oral language modifier, a practical assistant, a prompter, a reader, a scribe or a Sign Language Interpreter beyond that permitted by the regulations.

Maladministration

Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework and examinations or malpractice in the conduct of the examinations/assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc. For example:

- Failing to ensure that candidates' coursework or work to be completed under controlled conditions is adequately monitored and supervised
- Inappropriate members of staff assessing candidates for access arrangements who do not meet the criteria as detailed by the JCQ regulations
- Failure to use current assignments for assessments
- Failure to train invigilators adequately, leading to non-compliance with JCQ regulations
- Failing to issue to candidates the appropriate notices and warnings
- Failure to inform the JCQ Centre Inspection Service of alternative sites for examinations
- Failing to post notices relating to the examination or assessment outside all rooms (including music and art rooms) where examinations and assessments are held
- Not ensuring that the examination venue conforms to awarding body requirements

- The introduction of unauthorised material into the examination room, either during or prior to the examination (N.B this precludes the use of the examination room to coach candidates or give subject-specific presentations, including power-point presentations, prior to the start of the examination)
- Failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting
- Failure to invigilate in accordance with the JCQ publication Instructions for conducting examinations
- Failure to keep accurate records in relation to very late arrivals and overnight supervision arrangements
- Failure to keep accurate and up to date records in respect of access arrangements which have been processed electronically using the Access arrangements online system
- Granting access arrangements to candidates which do not meet the requirements of the JCQ publication Access Arrangements, Reasonable Adjustments and Special Consideration
- Granting access arrangements to candidates where prior approval has not been obtained from the Access arrangements online system or, in the case of a more complex arrangement, from an awarding body
- Failure to supervise effectively the printing of computer based assignments when this is required
- Failing to retain candidates' controlled assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked
- Failing to maintain the security of candidate scripts prior to despatch to the awarding body or examiner
- Failing to dispatch candidate scripts/controlled assessments/coursework to the NOCN or examiners or moderators in a timely way
- Failing to notify the appropriate awarding body of an instance of suspected malpractice in examinations or assessments as soon as possible after such an instance occurs or is discovered
- Failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding body the inappropriate retention or destruction of certificates.

Appendix B

Examples of Learner Malpractice

The following are examples of malpractice. This is not an exhaustive list and other instances of malpractice may be identified and considered by the NOCN at their discretion. For example:

- The alteration or falsification of any results document, including certificates
- A breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination or assessment rules and regulations
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments
- Collusion: working collaboratively with other candidates, beyond what is permitted
- Copying from another candidate (including the use of ICT to aid the copying)
- Allowing work to be copied e.g. posting written coursework on social networking sites prior to an examination/assessment
- The deliberate destruction of another candidate's work
- Disruptive behaviour in the examination room or during an assessment session (including the use of offensive language)
- Exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication
- Making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework or the contents of a portfolio
- Allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework
- The misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. exemplar materials)
- Being in possession of confidential material in advance of the examination Bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations)
- The inclusion of inappropriate, offensive or obscene material in scripts, controlled assessments, coursework or portfolios
- Impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment
- Plagiarism: unacknowledged copying from published sources or incomplete referencing
- Theft of another candidate's work
- Bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), instruments which can capture a digital image, electronic dictionaries (when prohibited), reading pens,

translators, wordlists, glossaries, iPods, mobile phones watches, MP3/4 players, pagers or other similar electronic devices.

- The unauthorised use of a memory stick where a candidate uses a word processor.
- Behaving in a manner so as to undermine the integrity of the examination.

Appendix C

Green-State Innovation and Training Ltd will take the following actions to prevent the occurrence of malpractice and maladministration:

1) Ensure that this policy is made available to all staff candidate and they are made aware of their responsibilities in the prevention of malpractice and maladministration.

2) Ensure that this policy is made available to staff and candidates so that they are aware of their responsibilities in the prevention of malpractice and maladministration.

3) Clearly document all procedures to be followed by the Centre staff and candidates in the conduct of examinations and assessments, and to ensure that Centre and candidates are made aware of these procedures.

4) Clearly document all procedures to be followed by staff and candidates in the conduct of the design, development,

5) Maintain a rigorous process of Centre approval that considers the ability of the Centre to conduct assessments in an appropriate manner.

6) Maintain a rigorous process of external verification to ensure that assessment processes are conducted in accordance with the procedures.

7) Provide guidance (on request) on how to prevent, investigate and deal with malpractice and maladministration.

Review Frequency	Annually
Date policy approved and adopted	August 2024
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