

Malpractice and Maladministration by College Staff & Subcontracted Staff Policy 2019

REVIEW CYCLE:	Triennial		
LATEST REVIEW (YEAR/MONTH):	2019-07	NEXT REVIEW DUE (YEAR/MONTH):	2022-07
POLICY OWNER (JOB TITLE AND INITIALS):	Quality and Compliance Manager (SI)		
IMPACT ASSESSED BY:	R Bellfield	IMPACT ASSESSMENT DATE:	2017-11

APPROVAL:

SMT APPROVAL DATE:	2019-07-30				
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Executive Summary

Craven College is committed to encourage staff and students to achieve and maintain high standards of performance and achievement. This policy provides clarity to staff, students, subcontracted staff and Awarding Organisations (AO), about the need to maintain the integrity, validity and reliability of assessment across the College and subcontracting training and to prevent acts that undermine assessment, certification of qualifications and the authority of those who are responsible for conducting assessment and certification.

The aims are:

1. To maintain integrity, validity and reliability of assessment for all students of the College.
2. To prevent both attempted acts and actual acts of malpractice and maladministration by staff.
3. To maintain our good standing and academic rigor with Awarding Organisations and partner Universities.
4. To ensure that our reputation and accreditation is not put at risk.
5. To work within the guidance and policies of all Awarding Organisations used by the college and its staff.
6. To ensure that staff report any suspected or acts of malpractice and maladministration to the quality team.

1. Scope

The Malpractice, Misconduct and Maladministration by College Staff & Subcontracted Staff, policy relates to all forms of assessment and certification of qualifications which apply to students of Craven College and its subcontracting provision. It applies to both acts of malpractice, misconduct and maladministration as well as to attempted acts of malpractice, misconduct and maladministration.

Links to other policies:

- Teaching, Learning and Assessment Policy
- Quality Assurance of Assessment Policy
- Staff Code of Conduct Policy
- Staff Appraisal Policy
- Management of Controlled Assessment Policy
- Exam Access Arrangement Policy
- Anti-bribery Policy
- Whistleblowing Policy

2. Context

Craven College is active in taking positive steps to prevent either malpractice or maladministration by assessors and other staff, any proven instances will be seen as a serious breach of professional conduct, any participant will be subject to the College Disciplinary and Dismissal Procedures.

Malpractice is defined as any activity or practice, which deliberately contravenes or undermines the regulations, or compromises the integrity of any internal or external assessment. It also covers any action or attempted action that can affect the validity of certification. It covers any deliberate actions, neglect, default or other practice that could or does compromise; the assessment process, the integrity of any qualification and accreditation with an Awarding Organisation (AO) as well as the reputation of the College as a centre.

Malpractice includes the failure to maintain adequate and appropriate records or systems, adequate tracking of work during assessment and Internal Quality Assurance (IQA), storage of work, to the deliberate falsification of work records in order to claim certification. This also includes misconduct and forms of unnecessary discrimination or bias towards groups of students or a student.

Maladministration is any practice or activity, which results in non-compliance with administrative, examination and quality regulations and requirements. This includes poor administration, inadequate record keeping and persistent mistakes within the College. Recurrent instances of maladministration may be considered serious enough to be treated as cases of malpractice.

All staff should be aware that malpractice and maladministration may be deliberate or by negligence on the part of staff, but all instances will be subject to the same investigation process.

If you are in doubt about any processes then please consult your AO handbook, your lead IQA, the Quality and Compliance Manager, or the Quality Team who will be able to provide advice and guidance.

Examples of Malpractice and Maladministration

This list is not exhaustive and is primarily for guidance, if you need clarification please contact the Quality and Compliance Manager.

- Denial of access to premises, records, information, learners and staff, to any representative of an Awarding Organisation representative or regulatory authority.
- Failure to carry out assessment or Internal Quality Assurance (IQA) in accordance with College policies and procedures, as well as those of any Awarding Organisation (AO).
- Deliberate failure to follow student registration processes including timelines for registration and carrying out of formal assessment prior to the registration of the candidate with the AO.
- Failure to follow claims procedures or certification procedures at the College, or to make claims that fail to follow the necessary procedures of the AO.
- Failure to meet the Centres approval criteria for all the AO that the College uses.
- Failure to keep AO mark schemes secure.
- Changing of marks by any staff or the forgery of mark schemes.
- Claims for any certification by staff other than the Lead IQA for that subject area.
- Failing to double check that summative IQA has been undertaken prior to making any claim.
- Making any unauthorised use of inappropriate personnel, materials and / or equipment for assessments.
- The intentional withholding of information that is critical to maintaining the quality of awards and the Colleges professional relationship with the AO.
- Assisting students' in the production of work for assessment, where the support has the potential to unfairly advantage the student or group of students. For example, where assistance involves College staff producing or adapting work for a student.
- Collusion or permitting collusion in any assessment including online assessments.
- Allowing candidates to work towards a qualification or submit extra work, after claims for certification have been made by the Lead IQA or Examination team.
- Production of evidence that is not wholly the students own work, this may be accidental, deliberate or by poor use of teaching in small group situations.
- Not providing adequate information to students about referencing, use of bibliographies and information on the seriousness of their own malpractice and plagiarism.
- Where work is of a collaborative nature, then all contributions are not clearly attributed. Evidence and feedback has not been individualised.
- Allowing the use of evidence, which is known by staff not to be the students own. This should not be used in any circumstance and the Quality Team should be informed if this is suspected or known by College staff.

- Misusing the conditions for student Special Considerations, for example where students are permitted to have support, such as an amanuensis, there must be no use of support that has the potential to impact or affect the work being wholly the students own.
- Where staff fail to assess work in a timely manner and fail to provide supportive and developmental and individualised feedback on summative work.
- Where staff fail to assess within the assessment guidelines of the AO.
- Where there is insufficient work undertaken by the IQA, depending on the RAG rating of the course and assessment team.
- Where assessors are not providing work for the IQA teams in a timely manner leading to insufficient sampling taking place prior to EQA visits.
- Where required documentation such as Programmes of Intent, Schemes of Work, IQA plans and IQA of practical classes are not available for EQA staff and the Quality Team.
- Facilitating and allowing impersonation of others in practical assessment and internal and external examinations. All students must be clearly identified by assessors and also by examination invigilators.
- Fraudulent assessment records, IQA evidence and any other information, including details of practical observations being used to claim certification of a qualification.
- Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the student's achievement to justify the marks given or assessment decisions made.
- Lack of standardisation activities amongst assessors and IQA staff that leads to persistent over or under grading.
- Inappropriate retention or withholding of claimed certificates, this includes the claiming of batches of certification where any candidate evidence is incomplete or the lead IQA has not made the certification claim.
- Changes, copying and any sharing of question papers prior to and following assessments of students. This includes sharing with students and unauthorised staff.
- The use of staff who have taught, assessed or IQAd work to invigilate any examination of the same student cohort.
- The allowance of plagiarised, copied, work produced by other students or others or work purchased through a third party, that is allowed by the assessor and IQA staff to be used by a student.
- Failure to ensure that students have signed declarations of own work in line with the AO.
- Failure to ensure that all signatures and dates have been completed by student, assessor and IQA.
- Failure to keep appropriate records of assessment and IQA decisions, in line with AO requirements (for example, learner records for direct claims up to the next SV/EQA/Centre visit)

This is not an exhaustive list and other instances of malpractice may be considered as they arise. All the most up to date documentation and handbooks can be found on the Staff Intranet under Curriculum and AO. These should be shared with the assessors and IQA staff at the beginning of each academic year.

3. Dealing with Malpractice or Maladministration

Anyone who identifies, is made aware of, or suspects an actual case or suspected case of staff malpractice or maladministration at any time of the year, must notify the Head of Quality (Angela Crabtree) or the Quality and Compliance Manager (Su Illingworth) immediately. In doing so, details should be provided via a written report along with any supporting evidence that the person may have.

Any serious allegation or suspicion of malpractice or maladministration by staff will be fully investigated according to the College Quality Policy, Staff Disciplinary and Dismissal Procedures, Student Disciplinary Policy and Teaching, Learning and Assessment Policy. This will be treated as serious misconduct and as such will be referred direct to the Head of Quality who will in turn report to the Vice Principal of Curriculum and Quality as well as the College Principal.

If evidence of malpractice or maladministration is found, then the organisational procedure for a Disciplinary Hearing will be followed and subsequent penalties and appeals will be carried out in line with the College Disciplinary and Dismissal Procedures.

In some cases, the Awarding Organisation will be informed, when and how this is done will be dependent on the seriousness of the malpractice or maladministration. The College will ensure that any investigation will always be carried out in line with the AO requirements and full reports will be made to the AO. In serious cases the AO will be informed immediately, and a full internal and external investigation will be undertaken. In cases of malpractice and maladministration the release of marks, outcomes, results and certification will be delayed and dependent on the outcome of any investigations, may be withheld by the AO until the investigation is completed and a conclusion is reached. The AO may at this point withhold or recall certification and sanctions may be applied that have far reaching consequences for the College.

Craven College reserve the right to involve any students, staff, invigilators or any person involved with the case, in the investigation. Where face to face interviews are undertaken students have the right to be accompanied by a responsible adult or friend.

4. Whistleblowing

The College Whistleblowing Policy applies, and all members of College staff, students and contractors are encouraged to report instances of malpractice or maladministration to the Quality Team.

5. Review of Policy and Procedures

There will be an annual review of this policy to reflect any changes in AO practice, this will be undertaken by the Quality and Compliance Manager.

There will be a full review of the Policy every three years which will be by the Vice Principal of Curriculum and Quality, the Head of Quality and the Quality and Compliance Manager. SMT will formerly authorise changes following this review.

Appendix 1: Malpractice or Maladministration Reporting Flowchart

