



## Learner Malpractice/ Maladministration Policy

### 1. Introduction

This policy sets out to define the procedures to be followed in the event of any dispute or allegation regarding learner malpractice in an internally marked/assessed piece(s) of evidence and also regarding examinations marked externally.

All allegations of malpractice in relation to examinations and assessment will be investigated by Skills 365 (hereinafter the Company) in order to protect the integrity of the qualifications and to be fair to the centre and all learners.

**'Malpractice'**, which includes maladministration, means any act, default or practice which comprises, or attempts to 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 centre or any officer, employee or agent of any awarding body or centre.

### 2. Examples of Malpractice

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by candidates with regards to portfolio-based qualifications. This list is not exhaustive:

- Plagiarism: the copying and pasting of the whole or part of another person's work, including from sources such as the internet or the course content, as the candidate's own work,
- Collusion: working collaboratively with other candidates to produce work that is submitted as the candidate's only
- Failing to abide by the instructions of an assessor/invigilator – This may refer to the use of resources which the candidate has been specifically told not to use
- The alteration of any results document

If a tutor suspects a candidate of malpractice during a live assessment, the relevant awarding body will be notified immediately. The candidate will also be informed and the allegations will be explained.

The candidate will have the opportunity to give their side of the story before any final decision is made. If the candidate accepts that malpractice has occurred, he/she will be given the opportunity

to repeat the assignment. If found guilty of malpractice following an investigation, the tutor may decide to re-mark previous assignments and these could also be rejected if similar concerns are identified.

The following are examples of malpractice by candidates with regards to examinations. This list is not exhaustive:

- Onsite and remote invigilation:
  - Taking an examination for another person
  - Talking during an examination
  - Taking a mobile phone into an examination without it being switched off and put out of reach
  - Taking any items other than those accepted by the Awarding Body into the examination, such as a books or notes
  - Leaving the examination room without permission/being out of sight of the webcam
- Onsite invigilation only:
  - Passing notes or papers or accepting notes or papers from another candidate
- Remote invigilation only:
  - Muting their microphone
  - Switching off their video
  - Another person present in the examination room
  - Using an internet-enable device
  - A pop-up appearing on the screen

If a tutor (staff) suspects a learner of malpractice during an examination, the learner will be informed and the allegations will be explained. The learner will have the opportunity to give their side of the story before any final decision is made. If the learner is found guilty of malpractice, the Awarding Body will be informed and the learner's examination paper will be withdrawn. It is unlikely that the candidate will have the opportunity to repeat the examination.

### 3. Reporting to Awarding Bodies

Any malpractice or attempted acts of malpractice, which have influenced the assessment outcomes, must be reported to the appropriate awarding body. Full details of the case must be submitted at the earliest opportunity to the awarding body.

Form **JCQ/M1** (suspected candidate malpractice) or Form **JCQ/M2a** (suspected malpractice / maladministration involving centre staff) must be used to notify the awarding body of an incident of malpractice. Each form is available from the JCQ website - <http://www.jcq.org.uk/exams-office/malpractice>.

***Notification must be made immediately of all alleged, suspected or actual incidents of malpractice. The only exception to this is candidate malpractice discovered in controlled assessments, coursework or non-examination assessment before the authentication forms have been signed by the candidate.***

### 4. Appeals

In the event that a malpractice decision is made, which the learner feels is unfair, the learner has the right to appeal in line with the Company's **Learner Appeals Policy**.

### 5. Review of the policy

A Senior Manager will review this policy annually or more frequently where there are significant changes in circumstances.

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