

POLAP 9: Assessment Malpractice and Maladministration Policy

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

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August 2018	August 2023	August 2025	August 2018		Assistant Principal: Education and Student Success

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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 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.

Malpractice can arise for a variety of reasons:

- Some incidents are intentional and aim to give an unfair advantage or disadvantage in an examination or assessment (deliberate non-compliance).
- Some incidents arise due to ignorance of awarding body requirements, or carelessness or neglect in applying the requirements (maladministration).

Malpractice can include both deliberate non-compliance with awarding body requirements and maladministration in the assessment and delivery of awarding body qualifications. It is necessary to investigate any suspected instances of malpractice, whether they are intentional or not, to protect the integrity of the qualification and to identify any wider lessons to be learned.

- 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 student 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, for example SQA Accreditation 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

College

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.

Assistant Principal: Education and Student Success

The Assistant Principal: Education and Student Success 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.
- 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 Department, Academic Leader, Data Management staff dealing with results).
- ensuring that all suspected concerns of college or staff malpractice are brought to the attention of the awarding body as soon as the college has carried out an initial screening exercise to establish the nature of the concern. When the initial screening has been undertaken, it is necessary to inform the awarding body of this, even when the college had judged that no further action is necessary. All names of staff involved in any cases of suspected or proven malpractice will be redacted for any college report being provided to the Awarding Body. The Awarding Body will then decide on the most appropriate next step.
- for NEBOSH qualifications, the Assistant Principal: Education and Student Success is responsible for reporting all suspected or actual incidents of malpractice to NEBOSH using the Report of Suspected Malpractice Form available from the NEBOSH website.
- for City & Guilds qualifications, the Assistant Principal: Education and Student Success is responsible for notifying City & Guilds at investigationandcompliance@cityandguilds.com within 10 days of identifying any suspected/alleged malpractice and/or maladministration, and prior to the College conducting our own investigation.

- reporting any suspected cases of student malpractice in any qualifications which are subject to regulation by SQA Accreditation to the awarding body.
- ensuring that the awarding body is made aware of any student malpractice concerns for internal assessments if the concern comes to the College's attention after the submission of internal assessment marks.
- reporting any suspected cases of student malpractice to SQA where the external assessment materials have already been submitted to SQA, as soon as an initial screening exercise has been undertaken to establish the nature of the concerns.
- ensuring that the results of any students involved in an investigation of malpractice (whether student/staff/college malpractice) are not processed for the assessments in question until the investigation is completed, the outcome decided and any appeal concluded.
- ensuring compliance with Awarding Body procedures for amending results data and returning certificates.
- reporting any matters of malpractice to the police and the awarding body if it involves a criminal act.
- keeping records and documentation of investigations of suspected malpractice and the outcomes of these. See the Malpractice Procedure for retention periods.
- Promptly bring to the attention of awarding bodies any findings of centre malpractice or maladministration communicated to us by our other awarding bodies/industry bodies.

Heads of Department

Heads of Department are responsible for notifying any cases of suspected student or staff malpractice to the Assistant Principal: Education and Student Success using the FORAP 9.1.1 Notification of Suspected Malpractice.

Where, after investigation, an allegation is unfounded, Heads of Department should provide appropriate support for the staff member/student concerned.

Teaching Staff

- 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.

Students

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.

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 however collusion can also occur when students work collaboratively with other students beyond what is permitted.

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 outwith 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 – including the early and unauthorised removal of a question paper or answer booklet from the examination room
- breaching the defined conditions of an assessment (eg completing work outside of controlled conditions).

4.1.10 Bribery

Paying for someone to undertake assessment work which is then presented as the students 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 or disadvantage 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).

Examples include:

- Managers or others exerting undue pressure on staff to pass students who have not met the requirements for an award.
- 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.
- Failing to register students within a qualification's accreditation period
- Making late registrations to the awarding body for qualifications in their lapsing period
- Requesting late certification of students after the certification end date
- Excessive direction from assessors to students on how to meet national standards.
- Failure to assess internally assessed unit or course assessment work fairly, consistently and in line with national standards.
- Failure to apply specified awarding body assessment conditions in assessments, such as limits on resources or time available to students to

complete their assessments including any amendments to permitted conditions.

- Deliberate falsification of records in order to claim certificates.
- Failure to comply with SQA requirements in the preparation, quality assurance and submission of estimated grade information

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 comply with awarding body procedures** for managing and transferring accurate student data.
- **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 comply** with SQA requirements in relation to appeals processes.
- **Failure to notify, investigate and report to the awarding body** allegations of suspected staff or college malpractice.
- **Failure to recognise and apply** appropriate measures to manage potential conflict of interest or quality assurance.
- **Failure to apply** appropriate processes to ensure fairness in the provision of assessment arrangements.
- **For qualifications subject to regulation by SQA Accreditation**, failure to notify, investigate and report to the awarding body allegations of suspected student malpractice.

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.

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 Anonymous Allegations

New College Lanarkshire encourages all persons alleging malpractice to provide their details. However, in the interests of addressing all concerns raised, anonymous allegations will be accepted under this policy.

Anyone who makes a malpractice allegation anonymously should be aware that:

- Investigation may be more difficult or impossible, as further detail and information cannot be obtained from the complainant;
- It may be more difficult to establish the credibility of the allegations;

6 Details of how and by whom malpractice will be investigated

6.1 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 PROAP 5.1 Learner Behaviour Procedure. This procedure provides details of how the malpractice is investigated, who investigates it, and the sanctions which may be applied.

6.2 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)

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

7 Records

All records relating to matters raised under this policy will be held and processed in accordance with the College's Data Protection and Data Security Policy, the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR).

Information relating to the College's Data Protection arrangements (including Privacy Notices) is available on the College website [here](#).

8 Monitoring and Review

This policy and the supporting procedure will be reviewed every three years or following material change in awarding body requirements, legislation, relevant codes of practice or any other factor that alters the application of the policy.

9 Awarding Body Malpractice Policy and Procedures

New College Lanarkshire delivers qualifications for many awarding bodies including:

Active IQ
Asdan
British Association for Counselling and Psychotherapy (BACP)
British Computer Society (BCS)
British Institute of Innkeeping Awarding Body (BIIAB)
Certiport
Chartered Institute of Housing (CiH)
Chartered Institute of Personnel Development
Chartered Management Institute (CMI)
CISCO
City & Guilds (C&G)
New College Lanarkshire: SCQF Credit Rating Body
Computer Training Industry Association
Construction Industry Training Board
CSCS - Construction Skills Certification Scheme
Engineering Construction Industry Training Board
Excellence Achievement and Learning Limited
Health and Safety Executive
Institute of Customer Service
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)
Queen Margaret University
ReMIT
Royal Environmental Health Institute (REHIS)
Scottish Electrical Charitable Training Trust
Scottish Qualifications Authority (SQA)
Sector Skills Council for Science Engineering Manufacturing Tech
Skills for Security (formerly SITO)
VTCT

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 [here](#).

City & Guilds/ILM

Staff involved in the assessment process for City & Guilds and ILM qualifications are required to make themselves aware of the requirements for dealing with suspected malpractice. **Managing cases of suspected malpractice in examinations and assessments** document can be found [here](#).

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** can be found [here](#).

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** can be found [here](#).

History of Changes

Date	Page Number/Paragraph/Section/Form	Description of Change	Rationale for Change
1 August 2021	Front Page	Update College logo	Internal review - updated branding
1 August 2021	Front Page	Update job title at "Responsibility for Review"	Internal review – updated staffing structure
1 August 2021	All pages	Learner(s) changed to Student(s)	Internal review – consistency of terminology
1 August 2021	All pages	Updated job titles/departments	Internal review – updated staffing structure
1 August 2021	Page 6 – 2 Purpose and Benefits	New third bullet point added indicating that any suspected instances of malpractice must be investigated whether intentional or not, to protect integrity of qualification and also to identify any wider lessons to be learned.	New awarding body requirements
1 August 2021	Page 7 – third bullet point.	New last sentence added to this bullet point indicating that once initial screening has been undertaken, the awarding body must be notified, even when college has judged no further action is necessary. In addition, all names of staff involved in any cases of suspected or proven malpractice will be redacted from any college report being provided to the Awarding Body. The Awarding Body will then decide on the most appropriate next step.	New awarding body requirements/lesson learned from previous alleged Malpractice instance.
1 August 2021	Page 8 - at "Heads of Department"	Additional para added so that Heads of Department provide appropriate support for the staff member/student concerned where, after investigation the allegation is unfounded.	Internal Review to enhance support for anyone who has an unfounded allegation made against them.
1 August 2021	Page 10 – 4.1.2	Last sentence of this section expanded to indicate that collusion can also occur when students work collaboratively with other students beyond what is permitted.	Awarding body requirements
1 August 2021	Page 11 – 4.1.9	Second last bullet point expanded to indicate that cheating also includes the early and unauthorised removal of a question paper or answer booklet from the examination room.	Awarding body requirements

1 August 2021	Page 11 – 4.1.9	Additional bullet point added detailing additional definition of cheating - breaching the defined conditions of an assessment (eg completing work outside of controlled conditions"),	Awarding body requirements
1 August 2021	Page 11 – 4.2 Staff Malpractice	At “Instances of malpractice arise for a variety of reasons” – 1 st bullet point – sentence expanded – “Some instances are intentional and aim to give an unfair advantage <u>or disadvantage</u> ”	New awarding body requirements
1 August 2021	Page 12 – Examples of Staff Malpractice	3 new bullet points added: (1) Failing to register students etc (2) Making late registrations etc (3) Requesting late certification etc	Awarding body requirements
1 August 2021	Page 12 – Examples of Staff Malpractice	Second last bullet point expanded: “Failure to apply specified awarding body..... to complete their assessments <u>including any amendments to permitted conditions</u> ”	New awarding body requirements
1 August 2021	Page 12 – Examples of Staff Malpractice	Additional bullet point added: “Failure to comply with SQA requirements estimated grade information.”	New awarding body requirements
1 August 2021	Page 13 – 4.3 College Malpractice	Three new bullet points added: (1) Failure to comply with SQA requirements in relation to appeals processes (2) Failure to recognise potential conflict of interest or quality assurance (3) Failure to apply assessment arrangements.	New awarding body requirements
1 August 2021	Page 14 – New section 5	5. Anonymous Allegations - how the college will deal with anonymous allegations (previous section 5 renumbered “6” which is “Details of how and by whom malpractice will be investigated”)	Internal review to enhance the procedure
1 August 2021	Pages 14 and 15 – New sections 7 and 8	7. Records 8. Monitoring and Review (remaining section being renumbered Section “9” which is “Awarding Body Malpractice Policy and Procedures”)	Internal review to enhance the procedure
1 August 2021	Page 16	SQA Malpractice Link updated	New link from SQA
1 August 2021	Page 16	ILM and C&G info updated/merged – previously separate links	New link from awarding body
1 August 2021	Page 16	EAL link updated	New link from EAL
1 April 2022	All pages	Curriculum and Quality Leader (CQL) changed to Academic Leader	Internal review

1 April 2022	Front page	Depute Principal: Student and the Curriculum to Assistant Principal: Education and Student Success	Responsibility for Review
1 August 2022	All pages	CQA14 changed to POLAP 9	Internal review
26 June 2023	Full document	All references to OFQUAL/Qualifications Wales are removed throughout the document, as SQA have now created a bespoke policy for qualifications regulated by these two regulatory bodies.	Internal review/awarding body guidance
26 June 2023	Section 1	Additional text inserted after first paragraph and first two bullet points (which describes that Malpractice can arise for a variety of reasons).	SQA requirement
26 June 2023	Section 3	Under the responsibilities of the Assistant Principal: Education and Student Success (Section 3), the sixth bullet point has been updated removing the word “statutory” (previously read “statutory regulation”).	To align with SQA guidance
26 June 2023	Section 3	Under the responsibilities of the Assistant Principal: Education and Student Success, new bullet point (at the end), to reflect requirement to notify our awarding bodies if there are any findings of centre malpractice or maladministration communicated to us by our other awarding bodies/industry bodies.	To ensure we are meeting requirements of all of our awarding bodies.
26 June 2023	Section 9	1) Awarding bodies list updated to reflect current awarding bodies. 2) SQA link to “Malpractice: Information for Centres” updated.	Internal review. Updated SQA guidance document.