



Malpractice in Internally Assessed Qualifications: Policy and Procedures

Suspected candidate or staff malpractice must be investigated and acted on, in line with awarding body requirements.

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The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives.

Glasgow Kelvin College procedure on investigating Candidate and Centre Malpractice in Internally Assessed Qualifications



Definition of candidate/centre malpractice



Potential actions/sanctions by the Awarding Body if malpractice is proven



Reporting suspected malpractice



Investigating suspected malpractice



Communicating outcome of investigation



Actions and sanctions by the College if malpractice is proven



Appeals against malpractice decisions to the College,
Awarding Body or Regulator

Introduction

It is imperative that Glasgow Kelvin College, the Awarding Bodies and other key partners work together to protect the credibility of the qualifications system. To do this, the College will ensure that its processes and qualifications are designed to minimise any potential for malpractice in the planning of assessments, assessing and authenticating candidate evidence.

Glasgow Kelvin College will take all reasonable steps to prevent any malpractice or maladministration. This includes the development, implementation and monitoring of policies and procedures to minimise any opportunity for malpractice including in relation to:

- design of assessments
- security of assessment materials
- assessment delivery and completion of assessments
- authentication of candidate evidence; and
- management of candidate assessment data

This document sets out the College procedures for dealing with suspected cases of malpractice in internally assessed qualifications. These procedures are necessary for maintaining the integrity of the Awarding Body qualifications. The document also explains the systems and procedures that should be implemented and followed to prevent malpractice and handle allegations of malpractice appropriately.

This document:

- defines candidate and centre malpractice in the context of internally assessed qualifications
- sets out the responsibilities of the College and the Awarding Body in relation to malpractice
- describes how to proceed in cases where there is reason to suspect malpractice

These procedures apply to all Awarding Body qualifications, including those that are subject to statutory regulation or Ofqual. Glasgow Kelvin College is committed to safeguarding its reputation for the quality and credibility of its qualifications. All allegations of malpractice will be investigated consistently, fairly and impartially.

The College will be a data controller in respect of much of the information it holds in the course of an investigation and will ensure that any sharing of personal data in the course of an investigation complies with the Data Protection Act 1998, the Information Commissioner's Data Sharing Code of Practice, and Glasgow Kelvin College Data Protection Policy. The college is also a Scottish public authority listed in Schedule 1 of the Freedom of Information (Scotland) Act 2002. The College is required to consider information requests it receives under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 (subject to any exemptions that might apply).

Candidates and staff are made aware of their rights and responsibilities and what constitutes malpractice or maladministration in internally assessed qualifications: at induction; in the staff and learner handbook; in various College policies and procedures; appropriate staff training; Student Advice; Administration Office; and the signed enrolment form/contract that confirms their understanding and acceptance of this. Candidates are made aware that they have the right to appeal to the College and ultimately to the Awarding Body to review a malpractice decision.

Definition

The term “malpractice” covers any deliberate actions, neglect, default or other practice that compromises the assessment process or the integrity of an Awarding Body qualification, the validity of an Awarding Body certificate, or the reputation and credibility of the Awarding Body. Some instances may occur because of ignorance of the College’s criteria and procedures, or because of carelessness or forgetfulness in applying them. As this may in itself constitute malpractice, this document covers both misconduct and maladministration.

Candidate malpractice

The Awarding Body “*Guide to Assessment*” will assist staff in designing assessments, assessing and authenticating candidate evidence to minimise the risk of candidate malpractice. Further information is included in subject-specific documentation, such as Unit Assessment Support Packs and HN exemplars.

Malpractice by a candidate in internal assessment can occur, for example, in:

- the preparation and authentication of assessment materials
- the preparation or presentation of practical work
- the compilation of portfolios of internal assessment evidence
- conduct during an internal assessment

The following are **examples of candidate malpractice**, but staff should be vigilant to other instances of suspected malpractice that may undermine the integrity of qualifications.

Examples could include:

- Plagiarism — failure to acknowledge sources properly and/or the submission of another person’s work as if it were the candidate’s own.
- Collusion with others when an assessment must be completed by individual candidates.
- Copying from another candidate (including using ICT to do so) and/or working collaboratively with other candidates on an individual task.
- Personation — pretending to be someone else.
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence.
- Frivolous content — producing content that is unrelated to the assessment.
- Unauthorised aids — physical possession of unauthorised materials (including mobile phones, electronic “sharing” devices, notes etc) during a controlled assessment.
- Misconduct — inappropriate behaviour during an assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language, and having a prohibited electronic device that emits any kind of sound in the assessment room.
- Breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment.

The **range of sanctions for candidate malpractice** could include (but is not limited to):

- a written warning
- revision of marks
- cancellation of award(s)
- disqualification from future entries

Centre malpractice

Malpractice, **which includes maladministration and non-compliance**, means any act, default or practice which is a breach of the Awarding Body requirements and/ or which:

- Compromises, attempts to compromise or may compromise the process of assessment, the integrity of the Awarding Body qualification or the validity of a result or certificate; and/ or
- Damages the authority, reputation or credibility of the Awarding Body or any officer, employee or agent of the Awarding Body.

Instances of malpractice arise for a variety of reasons:

- Some incidents are intentional and aim to give an unfair advantage in an examination or assessment (non-compliance).
- Some incidents arise due to ignorance of the Awarding Body requirements, carelessness or forgetfulness in applying the requirements (maladministration).

The following are **examples of centre malpractice**, but the Awarding Body reserves the right to consider other instances of suspected centre malpractice which may undermine the integrity of their qualifications.

Examples of centre malpractice include:

- Misuse of assessments, including repeated re-assessment contrary to requirements, or inappropriate adjustments to assessment decisions.
- Excessive direction from assessors to candidates on how to meet national standards.
- Failure to assess internally assessed unit or course assessment work fairly, consistently and in line with national standards.
- Managers or others exerting undue pressure on staff to pass candidates who have not met the requirements for an award.
- Failure to apply specified Awarding Body assessment conditions in assessments, such as limits on resources or time available to candidates to complete their assessments.
- Insecure storage of assessment instruments, materials and marking instructions.
- Failure to comply with requirements for accurate and safe retention of candidate evidence, assessment and internal verification records
- Failure to comply with the Awarding Body procedures for managing and transferring accurate candidate data.
- Deliberate falsification of records in order to claim certificates.
- Failure by the College to notify, investigate and report to the Awarding Body allegations of suspected centre malpractice.
- Failure to take action as required by the Awarding Body or to co-operate with an investigation in relation to concerns of malpractice.
- For qualifications subject to regulation by the Awarding Body Accreditation or Ofqual, failure by the College to notify, investigate and report to the Awarding Body allegations of suspected candidate malpractice.
- Deliberately withholding information about circumstances that may compromise the integrity of any Awarding Body qualification and/or credibility of the Awarding Body.

The **range of sanctions** by Awarding Bodies for **centre malpractice** could include (but is not limited to):

- a written warning
- application of requirement actions to enable certification to proceed
- withdrawal of approval to offer specific qualifications
- withdrawal of centre approval status

Reporting suspected malpractice

Staff can report suspected malpractice by:

- Candidates to the: internal verifier, curriculum manager, SCM Quality, Head of Faculty, Quality Enhancement Manager or the Director of Curriculum.
- Other members of staff to the: Head of Faculty, Quality Enhancement Manager, Director of Curriculum, Vice Principal Learning and Teaching or College Principal.

Candidates can report suspected malpractice by:

- other candidates to the: class tutor, curriculum manager, SCM Quality, Head of Faculty, Quality Enhancement Manager or the Director of Curriculum.
- members of staff to the: curriculum manager, SCM Quality, Head of Faculty, Quality Enhancement Manager, Director of Curriculum, Vice Principal Learning and Teaching or College Principal.

Investigating suspected malpractice

Glasgow Kelvin College will investigate all cases of suspected malpractice. Depending on the severity of the malpractice allegation the internal verifier, curriculum manager, SCM Quality, Head of Faculty, Quality Enhancement Manager, Director of Curriculum, Vice Principal Learning & Teaching or the College Principal will be involved in the investigation. Investigations will be conducted by: reviewing assessment evidence and records; seeking a second opinion from an internal verifier; interviewing other candidates or members of staff.

Communicating outcomes of investigations

Investigations into suspected malpractice will be communicated by letter and email to:

- the candidate or member of staff under investigation within 5 working days
- other interested parties (e.g. assessor, tutor, head of department, data management staff dealing with results, line manager of member of staff) within 5 working days

Actions and sanctions by the College if malpractice is proven

- Written feedback on the outcome of the investigation will state the actions to be taken as a result of malpractice being proven through investigation.
- Candidate or staff disciplinary procedures will be implemented at this stage. Potential sanctions, which may vary in the level of severity depending on the circumstances and seriousness of the malpractice could range from re-sitting one or all assessments to dismissal from a course/employment.

- Candidates involved in an investigation of malpractice (whether candidate or centre malpractice) will not be resulted for the assessments in question until the investigation is completed, the outcome decided and any appeal concluded.

Appeals to the College against malpractice decisions

Candidates and staff have the right to appeal any malpractice decision against them. Appeals should be submitted within 2 weeks of the malpractice decision to the Quality Enhancement Manager Quality@glasgowkelvin.ac.uk The Appeals Panel, consisting of the appropriate senior staff members, will review the original evidence supporting the appeal within 10 working days. A letter will be sent to the candidate /staff member stating the outcome and reason for the Appeals Panel decision.

Reporting malpractice to the Awarding Body

- Any suspected cases of centre malpractice will be reported to the Awarding Body within 5 working days if the internal college investigation is upheld.
- Any suspected case of candidate malpractice subject to statutory regulation by the Awarding Body Accreditation or Ofqual, will be reported to the Awarding Body Accreditation within 5 working days if the internal college investigation is upheld.
- Malpractice involving a criminal act will be reported to the police within 5 working days if the internal college investigation is upheld.

Appeals to the Awarding Body against malpractice decisions

Glasgow Kelvin College has the right to appeal a decision where a case of reported malpractice by the College has been confirmed through investigation by the Awarding Body. The College also has the right to appeal a decision in the case of suspected malpractice by a candidate reported by the College to the Awarding Body.

Candidates have the right to appeal to the Awarding Body where:

- The College has conducted an investigation, the candidate disagrees with the outcome and has exhausted the College appeals process.
- The Awarding Body has conducted an investigation and the candidate disagrees with the decision.

For regulated qualifications only:

Candidates and the College have the right to request a review by the appropriate regulator (e.g. SQA Accreditation or Ofqual) of the Awarding Body's process in reaching a decision in an appeal of a malpractice decision for qualifications subject to regulation.

Record retention

In conducting an investigation, the College will retain the following records and documentation for three years (the Awarding Body may ask to see these records):

- a report containing a statement of the facts, a detailed account of the circumstances of alleged malpractice, and details of any investigations carried out by the College into the suspected case of centre malpractice;
- written statements from staff and candidates involved, signed by the interviewee(s) and dated;
- any work of the candidate(s) and internal assessment or verification records relevant to the investigation; and
- details of any remedial action the College identified as necessary to ensure the integrity of certification now and in the future.

In an investigation involving a potential criminal prosecution or civil claim, records and documentation will be retained for six years after the case and any appeal has been heard. If the College is any doubt about whether criminal or civil proceedings will take place, it will keep records for the full six-year period. In the case of an appeal to the Awarding Body against the outcome of a malpractice investigation, assessment records will also be retained for six years.



Appendix 1: Investigation Report Form

Qualification title:	Unit code(s)/name:
Date of issue:	Level:
Candidate(s) involved (if appropriate):	Staff involved (if appropriate):

Area of concern:

To be completed by the Head of Centre or designated contact.

I confirm that all individuals involved have been notified about the above issue and have been given opportunity to comment.

Where appropriate, a signed statement from each individual is available.

Our findings, based on these investigations, are as follows (attach additional documentation if required).

The individuals involved have been notified of these findings and have been given further opportunity to comment. All parties are aware that this information will inform the decision made by the Awarding Body regarding any application of sanction.

Signature:

Date:

Position:

Return this form and supporting documentation/evidence as soon as possible after the date of issue to the Awarding Body Verification Planning Manager.



Appendix 2: Who to contact to appeal against malpractice decisions added the information below for all awarding bodies

A Centre's first contact with the relevant Awarding Body manager will be to agree a time to discuss their disagreement with Awarding Body decision.

Awarding Body Contact Details:

<p>SQA Qualifications:</p> <p>Cases of malpractice in HN/Vocational Qualifications</p> <p>Head of Operations for HN/Vocational Qualifications Operations Directorate Tel: 0345 213 5994</p> <p>Cases of malpractice in National Qualifications Head of NQ Delivery: Assessment and Data Services Operations Directorate Tel: 0345 213 6853</p>	<p>GCE & GCSE Qualifications:</p> <p>Pearson 190 High Holborn London WC1V 7BH</p> <p>www.qualifications.pearson.com</p> <hr/> <p>City & Guilds 1 Giltspur Street London EC1A 9DD</p> <p>www.cityandguilds.com</p>
<p>Regulators (SVQ and Regulated Qualifications)</p> <p>SQA Accreditation The Optima Building 58 Robertson Street Glasgow G2 8DQ</p> <p>Ofqual Complaints 21 Spring Place Herald Avenue Coventry CV5 6UB</p> <p>public.enquiries@ofqual.gov.uk</p> <p>info@ofqual.gov.uk</p>	<p>NCFE Q6 Quorum Business Park Benton Lane Newcastle upon Tyne NE12 8BT</p> <p>service@ncfe.org.uk</p> <p>https://www.ncfe.org.uk/</p>