

What is Malpractice?

Malpractice consists of those acts that undermine the integrity and validity of assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification.

It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- the assessment process;
- the integrity of a regulated qualification;
- the validity of a result or certificate;
- the reputation and credibility of [centre name] or,
- the qualification or the wider qualifications community.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records to claim certificates.

Thurrock Adult Community College does not tolerate actions (or attempted actions) of malpractice by learners and staff in connection with any qualifications.

Thurrock Adult Community College may impose penalties and/or sanctions on learners or staff where incidents (or attempted incidents) of malpractice have been proven.

What is Maladministration?

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

Examples of maladministration

- Persistent failure to adhere to our learner registration and certification procedures.
- Persistent failure to adhere to our centre recognition and/or qualification requirements and/or associated actions assigned to the centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from regulators, Awarding Organisations, or learners.
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding of information, by deliberate act or omission.

Briefing Note on Assessment Malpractice

All staff must be vigilant regarding assessment malpractice and where malpractice occurs it must be dealt with in an open and fair manner.

The policy on malpractice aims to:

- define malpractice in the context of assessment and certification for any qualifications.
- set out the rights and responsibilities, regarding malpractice, of the learner and staff.

In the interest of learners and staff, the college will respond effectively and openly to all requests for an investigation into an incident or a suspected incident of malpractice.

For policy on malpractice relating to GCSE, AS, GCE, AVCE, GNVQ and Functional Skills qualifications see the JCQ publication Guidance for dealing with instances of suspected malpractice in examinations, the latest issue (www.jcq.org.uk).

An important aspect of academic endeavours is recognition of the effort and work of the individual learner. As such, the college views attempts to falsely claim the achievements of others as one's own as a serious academic offence and has policies and procedures to deal with such actions in a fair and just manner.

Academic offences are defined as:

Cheating in an examination: Copying from the work of other learners, obtaining help from other learners in a way that contravenes the regulations for the examination, bringing into the examination any unauthorised materials, or referring during the examination to any unauthorised material, or any form of impersonation.

Plagiarism: This means copying work from any other source published, in a manner not authorised by the regulations for assessment and presenting the copied work as if it were the learner's own work. Work presented by a learner in assessment must be the learner's own, and where exceptions are permitted, any such exceptions must be clearly identified, and the source fully acknowledged (including downloads from any internet site). [See Appendix 1 re use of AI in assessments.](#)

Fabrication of information: This is the presentation of any false or fabricated information, results, or conclusions in any form of assessment, including practical or field work studies, oral presentations, unpublished work, and including the work of fellow learners, interviews and reports from work placements, etc.

Collusion: This is the deliberate and intentional collaboration, without official approval, between two or more learners in the development and production of work that is eventually submitted by each learner, in a substantially similar and/or identical form; and is presented by each learner to be the outcome of his or her individual efforts. Collusion also occurs where there is unauthorised co-operation between a learner and another person, in or outside of college, in the preparation and production of work, which is ultimately presented as the learner's own.

ACTION TO BE TAKEN AT THE TIME OF ANY SUSPECTED OFFENCE

Cheating in Examinations

If an invigilator in an examination has cause to suspect any learner of cheating, for example by the discovery of unauthorised books or papers brought into the examination, these will be confiscated when discovered and any work done by the learner up to that time will be suitably annotated. The learner will, however, be allowed to complete the examination.

At the end of the examination the learner may be asked for an explanation. Unless a totally satisfactory response is received, the invigilator will submit a written report to the Exam Office. This report will include a description of the evidence that cheating has occurred, together with details of the learner's name, the date and time of the examination and any other relevant information. Where material is confiscated, this material should be presented along with the written report.

The Exam Office will forward this information to the examining body in line with Examination Regulations.

Plagiarism / Fabrication

Where a member of teaching staff marking an assessment, or otherwise associated with the presentation of an assessment, suspects plagiarism, fabrication or collusion of information, the matter will be reported to the relevant Programme Manager via a written report.

The written report must include the appropriate details, including the nature of the alleged offence and the evidence for suspecting it.

The college's disciplinary process will then be followed.

Collusion

Where a member of teaching staff marking an assignment, or any piece of work associated with the assessment of modules, suspects unauthorised collusion in the production of that piece of work, between two or more learners, the matter will be reported to the relevant Programme Manager responsible for the programme via a written report.

The written report should include: the nature of the alleged offence; the names of the learners suspected of colluding; and the evidence upon which the allegation is based.

The college's disciplinary process will then be followed.

Guidance on assessment malpractice

The college requires assessors to ask learners to declare that their work is their own, for instance: -

- for internally assessed units, assessors are responsible for checking the validity of the learner's work.
- for NVQs, learners must provide a written declaration that the evidence is authentic and that the assessment was conducted under the requirements of the assessment specification.

The college will take positive steps to prevent or reduce the occurrence of learner malpractice. These steps will include:

- using the induction period and the learner handbook to inform learners of the college's policy on malpractice and the penalties for attempted and actual incidents of malpractice
- showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Learners should not be discouraged from conducting research; indeed, evidence of relevant research often contributes to the achievement of higher grades. However, the submitted work must show evidence that the learner has interpreted and synthesised appropriate information and has acknowledged any sources used.
- introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating, etc. These procedures may include:

- periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the learner
- altering assessment assignments/tasks/tools on a regular basis
- the assessor assessing work for a single assignment/task in a single session for the complete cohort of learners
- using oral questions with learners to ascertain their understanding of the concepts, application, etc within their work
- assessors getting to know their learners' styles and abilities, etc. ○
 - ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers.

Learner malpractice

Attempting to or actually carrying out any malpractice activity is not permitted by the college. The following are examples of malpractice by learners; this list is not exhaustive and other instances of malpractice may be considered by the college at its discretion:

- plagiarism by copying and passing off, as the learner's own, the whole or part(s) of another person's work, including artwork, images, words, computer generated work (including Internet sources), thoughts, inventions and/or discoveries whether published or not, with or without the originator's permission and without appropriately acknowledging the source
- collusion by working collaboratively with other learners to produce work that is submitted as individual learner work. Learners should not be discouraged from teamwork, as this is an essential key skill for many sectors and subject areas, but the use of minutes, allocating tasks, agreeing outcomes, etc are an essential part of team work and this must be made clear to the learners
- impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one's place in an assessment/examination/test
- fabrication of results and/or evidence
- failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator, or awarding body conditions in relation to the assessment/examination/test rules, regulations and security
- misuse of assessment/examination material
- introduction and/or use of unauthorised material contra to the requirements of supervised assessment/examination/test conditions, for example: notes, study guides, personal organisers, calculators, dictionaries (when prohibited), personal stereos, mobile phones or other similar electronic devices
- obtaining, receiving, exchanging or passing on information which could be assessment/examination/test related (or the attempt to) by means of talking or written papers/notes during supervised assessment/examination/test conditions
- behaving in such a way as to undermine the integrity of the assessment/examination/test
- the alteration of any results document, including certificates
- cheating to gain an unfair advantage.

College staff malpractice

The following are examples of malpractice by college staff. The list is not exhaustive and other instances of malpractice may be considered by the college at its discretion:

- failing to keep any awarding body mark schemes secure
- alteration of any awarding body mark schemes

- alteration of any awarding body's assessment and grading criteria
- assisting learners in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves college staff producing work for the learner · producing falsified witness statements, for example for evidence the learner has not generated
- allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/ coursework.
- facilitating and allowing impersonation
- misusing the conditions for special learner requirements, for example where learners are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment
- failing to keep learner computer files secure
- falsifying records/certificates, for example by alteration, substitution, or by fraud
- fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment
- failing to keep assessment/examination/test papers secure prior to the assessment/examination/test
- obtaining unauthorised access to assessment/examination/test material prior to an assessment/examination/test.

Investigating and dealing with alleged malpractice

The College's Disciplinary Process shall be applied. Any evidence of malpractice will be reported to the relevant awarding organisation.

If the college discovers or suspects anyone of malpractice, it will make the individual fully aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven.

If the college is alleging an individual may have been involved in act of malpractice, the college must give the individual the opportunity to respond (preferably in writing) to the allegations made. The college will also inform such individuals of the avenues for appealing should a judgment be made against them.

It may be necessary during this process to notify the funding authorities. The college may have to notify the police in some cases of malpractice.

It is accepted that awarding bodies may apply sanctions to the college.

Note

This policy and briefing note must be read in conjunction with any guidance, policy or briefing note issued by an awarding organisation.

Appendix 1

Use of Artificial Intelligence (AI) Tools

The use of AI tools in education is increasing. They can be useful with research and generating text

for assignments and assessments.

However, they are open to misuse – learners using content directly from AI and saying it is their own work – this is cheating or plagiarism.

There is a JCQ guide for students on the display board in all rooms.

Use of AI tools is not allowed in exams or controlled assessments.