

ASSESSMENT MALPRACTICE POLICY

DIVAD TRAINING LIMITED

- We will consider any request for this policy to be made available in an alternative format or language. Please contact Exams department – 0203 793 4750
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.
- All our policies are subject to equality impact assessments*. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact Exams department – 0203 793 4750

*Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a negative impact on grounds of: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

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1. Policy Statement

Malpractice consists of those acts which 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. This refers to acts and omissions made by staff or students involved with the assessment process.

2. Scope

This policy and procedure relates to college staff malpractice and applies to all internal assessments, and internal and external examinations. Where awarding bodies have their own published procedures these will take precedent over the college policy.

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3. Legislation

The Human Rights Act 1998 applies to the operation of this policy.

4. Responsibilities

All staff have a responsibility to give full and active support for the policy by ensuring:

- 4.1 The policy is known understood and implemented.

5. Actions to Implement and Develop Policy

- 5.1 Curriculum Leaders should, at the appropriate time, introduce new members of staff to this policy.
- 5.2 Course teams use robust internal moderation/verification procedures as detailed.
- 5.3 Course teams should use the induction period, or other appropriate time, to introduce learners to this policy.

6. Definitions and Examples

- 6.1 College staff malpractice:** Any deliberate action by a member of staff that has the potential to undermine the integrity of the assessment process. The following are examples of malpractice by centre staff; this list is not exhaustive and other examples of malpractice may be considered by the College at its discretion.

- 6.1.1 Improper assistance to candidates.
- 6.1.2 Inventing or changing marks for internally assessed work (course work or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made.
- 6.1.3 Fraudulent submissions that could lead to false claims for certificates.
- 6.1.4 Inappropriate retention of certificates.
- 6.1.5 Producing falsified witness statements, for example for evidence the learner has not generated.

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- 6.1.6 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?
- 6.1.7 Facilitating and allowing impersonation.
- 6.1.8 Misusing the conditions for special learner requirements, for example where learners are permitted support, such as amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment.
- 6.1.9 Failing to keep assessment/examination/test papers secure prior to the assessment/examination test.
- 6.1.10 Falsifying records/certificates. For example by alteration, substitution, or by fraud.
- 6.2 **Learner malpractice:** Any action by the learner that has the potential to undermine the integrity and validity of the assessment of the learner's work. 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:
 - 6.2.1 Plagiarism of any nature; in which case reference should be made to the Plagiarism Policy
 - 6.2.2 Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work.
 - 6.2.3 Copying (including the use of ICT to aid copying).
 - 6.2.4 Deliberate destruction of another's work.
 - 6.2.5 Fabrication of results or evidence.
 - 6.2.6 False declaration of authenticity in relation to the contents of a portfolio or coursework
 - 6.2.7 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.

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7. Procedures used to deal with the above

- 7.1 Where DIVAD TRAINING LIMITED discovers or suspects an individual, or individuals, of malpractice it will conduct an investigation in a form commensurate with the nature of the malpractice allegation.
- 7.2 Such an investigation will be initially undertaken by the Head of School, who will interview all personnel linked to the allegation.
- 7.3 DIVAD TRAINING LIMITED will make the individual(s) aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice and of possible consequences should malpractice be proven.
- 7.4 The investigation will proceed through the following stages:
 - 7.4.1 Preliminary investigation, conducted by the appropriate School, into the allegation to determine whether a full investigation is necessary. If the allegation appears to have substance, then all assessments by this member of staff should be halted until the investigation is complete
 - 7.4.2 Should it be determined that a full investigation is necessary it shall be conducted by an independent Investigation Officer appointed by the Deputy Principal (Curriculum and Quality).
- 7.5 During the investigation the DIVAD TRAINING LIMITED will give the individual the opportunity to respond to the allegations made.
- 7.6 All stages of the investigation shall be documented by the person leading the investigation.
- 7.7 The individual will be informed of the avenues for appealing against any judgments made.
- 7.8 The Investigation Officer shall produce a report of their findings for the attention of the Director of Workforce Planning and the Deputy Principal (Curriculum and Quality).
- 7.9 For cases of staff malpractice, the Director of Workforce Planning and the Deputy Principal will decide whether to invoke the Staff Disciplinary Procedure.
- 7.10 For cases of student assessment malpractice, reference should be made by the Investigation Officer to the other relevant policies: Conduct for internally set examinations Policy and Plagiarism Policy

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7.11 Where the Investigating Officer report indicates that the student assessment is suspect or flawed, then the relevant policies in 7.10 should be consulted for appropriate penalties.

8. Monitoring and Evaluation

8.1 Internal monitoring/verification of assessment activity within each department will include malpractice checks.

8.2 Evidence of both assessment and internal verification/moderation must be available for auditing by other Schools and the Quality Unit, under the responsibility of the Centre Manager (Curriculum and Quality).

9. Related Policies/Procedures

- Assessment Policy
- Conduct for internally set examinations Policy
- Late submission of course work Policy
- Plagiarism Policy
- Staff Disciplinary Procedure.
- Internal Assessment Appeals Policy.
- Internal Verification Policy.

10. Examples of maladministration

Maladministration is:

Any act or omission committed by the administration or by an employee of the administration, and which has the impact of infringing upon a person or an institution's right to fair administrative action, or that results in manifestly inequitable, unfair, irregular or unprocedural treatment.

Examples of maladministration:

- Abuse of powers.
- Failure by management to adequately monitor compliance with procedures and policies in the interaction between the administration and the learners.
- Inappropriate remarks or behaviour.
- Knowingly giving misleading or inadequate advice.
- Lack of proper care in carrying out duties.
- Neglecting to inform a complainant about his/her rights or entitlement.
- Offering no redress or manifesting disproportionate redress.

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- Omitting to identify channels of redress and thereby causing the learner to lose the right of appeal.
- Refusal to answer reasonable questions.
- Sexual Harassment.
- Showing bias on the basis of sex, race, or any other grounds.
- Undue delay in responding to concerns by learners.
- Unequal treatment.
- Unfair and faulty procedures applied.
- Unjust refusal to render services due to learners.
 - Unwillingness to treat the complainant as a person with rights