

# **ASSESSMENT MALPRACTICE AND MALADMINISTRATION POLICY**

## **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 SIGTA staff and learner malpractice/ maladministration 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 SIGTA policy.

## **3. Responsibilities**

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

- 3.1 The policy is known understood and implemented, to prevent and investigate any instances of malpractice and maladministration

## **4. Actions to Implement and Develop Policy**

- 4.1 SIGTA Management will, at the appropriate time, introduce new members of staff to this policy.
- 4.2 Internal Quality Assurance (IQA) Staff use robust internal verification procedures to detect issues and develop staff capability through action planning and standardisation.

## **5. Malpractice Definitions and Examples**

- 5.1 **SIGTA 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 SIGTA staff; this list is not exhaustive and other examples of malpractice may be considered by SIGTA at its discretion.

- 5.1.1 Improper assistance to candidates.
- 5.1.2 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.



- 5.1.3 Fraudulent submissions that could lead to false claims for certificates.
- 5.1.4 Inappropriate retention of certificates.
- 5.1.5 Producing falsified witness statements. E.g. for evidence the learner has not generated.
- 5.1.6 Allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignments/tasks/portfolio or coursework.
- 5.1.7 Facilitating and allowing impersonation.
- 5.1.8 Misusing the conditions for special learner requirements, for example where learners are permitted support, such as a scribe, or additional time.
- 5.1.9 Failing to keep assessment, examination or test papers secure prior to the assessment or examination.
- 5.1.10 Falsifying records or certificates, by alteration, substitution, or by fraud.

5.2 **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 SIGTA at its discretion:

- 5.2.1 Plagiarism of any nature.
- 5.2.2 Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work.
- 5.2.3 Copying (including the use of ICT to aid copying).
- 5.2.4 Deliberate destruction of another's work.
- 5.2.5 Fabrication of results or evidence.
- 5.2.6 False declaration of authenticity in relation to the contents of a portfolio or coursework
- 5.2.7 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 or examination.

### 5.3 **Maladministration**

- 5.3.1 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.
- 5.3.2 Examples of maladministration
- 5.3.3 Persistent failure to adhere to our learner registration and certification procedures.



- 5.3.4 Persistent failure to adhere to our centre recognition and/or qualification requirements and/or
- 5.3.5 associated actions assigned to the centre
- 5.3.6 Late learner registrations (both infrequent and persistent)
- 5.3.7 Unreasonable delays in responding to requests and/or communications
- 5.3.8 Inaccurate claim for certificates
- 5.3.9 Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- 5.3.10 Withholding of information, by deliberate act or omission, from us which is required to assure Active.

## **6. Procedures used to deal with the above**

- 6.1 Where SIGTA 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.
- 6.2 Such an investigation will be undertaken by the SIGTA Chief Executive with support from other SIGTA staff appointed by the Chief Executive, who will interview all personnel linked to the allegation.

All investigation of allegations must include (where possible):

- Learner's name and registration number
  - SIGTA staff members name and job role
  - Details of the course/qualification affected or nature of the service affected
  - Nature of the suspected or actual malpractice and associated dates details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances
- 6.3 SIGTA will make the individual(s) aware, in writing, at the earliest opportunity of the nature of the alleged malpractice and or maladministration, including the possible consequences should malpractice or maladministration be proven.
  - 6.4 The investigation will proceed through the following stages:
    - 6.4.1 Preliminary investigation to determine whether a full investigation is necessary.
    - 6.4.2 Should it be determined that a full investigation is necessary it shall be conducted by the Chief Executive.
    - 6.4.3 During the investigation SIGTA will give the individual(s) the opportunity to respond to the allegations made.



- 6.4.4 All stages of the investigation shall be documented by the person leading the investigation.
- 6.4.5 The individual(s) will be informed of their right of appeal against any judgments made.
- 6.4.6 The investigating officer shall produce a report of their findings.
- 6.4.7 For cases of staff malpractice and or maladministration, the Chief Executive will decide whether to invoke the Staff Disciplinary Procedure.
- 6.4.8 For cases of student assessment malpractice, the Chief Executive shall decide the correct course of action taking into account the requirements of operational policies and awarding body requirements.

## **7 Confidentiality and whistle blowing**

Sometimes a person making an allegation of malpractice or maladministration may request to remain anonymous. Although it is always preferable to know the identity and contact details of the informant, it is recognised that some individuals could fear adverse consequences as a result of being identified. The Chief Executive will take such concerns into consideration and take appropriate action to protect the identity of the informant, as far as this is lawfully allowed.

Issues reported anonymously will always be thoroughly investigated to determine if malpractice or maladministration has occurred.

## **8 Notifying relevant parties**

Where applicable, the Chief Executive will inform the appropriate regulatory authorities if we believe there has been an incident of malpractice or maladministration which could either invalidate the award of a qualification or if it could affect another awarding organisation.

Where the allegation may affect another awarding organisation and their provision we will also inform them in accordance with the regulatory requirements and obligations imposed by the regulator Ofqual. If we do not know the details of organisations that might be affected we will ask Ofqual to help us identify relevant parties that should be informed.

## **9 Investigation timelines and summary process**

We aim to action and resolve all stages of the investigation within 10 working days of receipt of the allegation.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be based around the following broad objectives:



- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred.
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities.
- To evaluate any action already taken
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of SIGTA Ltd and the qualification.
- To identify any adverse patterns or trends.

The investigation may involve a request for further information from relevant parties and/or interviews with personnel involved in the investigation.

Therefore, we will:

- Ensure all material collected as part of an investigation must be kept secure.
- If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter.
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us.
- Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, we reserve the right to withhold a learner's, and/or cohort's, results.

Where a staff member of SIGTA is under investigation we may suspend them or move them to other duties until the investigation is complete.

Throughout the investigation SIGTA's Chief Executive will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.

## **10 Investigation report**

After an investigation, we'll produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and ourselves.

The report will:

- Identify where the breach, if any, occurred.
- Confirm the facts of the case.
- Identify who is responsible for the breach (if any)
- Confirm an appropriate level of remedial action to be applied.

We'll make the final report available to the parties concerned and to the regulatory authorities and other external agencies as required.



If it was an independent/third party that notified us of the suspected or actual case of malpractice, we'll also inform them of the outcome – normally within 10 working days of making our decision - in doing so we may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty.

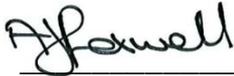
If it's an internal investigation against a member of our staff the report will be agreed by the Chief Executive, along with the relevant internal managers and appropriate internal disciplinary procedures will be implemented.

## 11. **Monitoring and Evaluation**

11.1 Internal monitoring and verification of assessment activity within all areas of SIGTA's operation will include malpractice checks.

11.2 Evidence of assessment and internal verification must be available for audit.

Approved:



Name:

Alison Foxwell

Position:

Chief Executive

Date:

June 2021



