



Malpractice & Maladministration Policy

Approved by Chair of Governors: Silas Jones		Date of approval: 11/01/23
Headteacher: Maria-Brigid Ryan		
Date of last review:	January 2023	
Frequency of review (every 3 years) and next review:	January 2026	

Purpose

The purpose of this policy is to set out and define the procedures to be followed in the event of any dispute or allegation regarding staff or pupil/student malpractice or maladministration in the assessment of internally marked qualifications and also regarding examinations invigilated by staff at the school and marked externally. It also details the process which will be followed to ensure that any allegations are fully investigated.

Malpractice is any illegal or unethical activity or practice that deliberately breaches regulations, or might compromise quality assurance or control, or 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, or could otherwise compromise the reputation of an awarding body, the school, or the wider qualifications community.

Maladministration is any unintentional activity or practice that leads to noncompliance with ASDAN requirements. In most cases, maladministration will relate to administrative or quality assurance procedures, and may involve any or all of the following: candidates, school staff, awarding organisation staff. Maladministration, if serious enough, may be treated as malpractice.

Relationship with other policies

If a candidate feels they have been treated unfairly they may need to refer to the Appeals Procedure.

Examples of Malpractice for staff

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by staff with regards to portfolio-based qualifications. This list is not exhaustive:

- Tampering with candidates work prior to external moderation/verification
- Assisting candidates with the production of work outside of the awarding body guidance
- Fabricating assessment and/or internal verification records or authentication statements

The following are examples of malpractice by staff with regard to examinations

- Assisting candidates with exam questions outside of the awarding body guidance
- Allowing candidates to talk to other candidates, use a mobile phone or go to the toilet unsupervised
- Tampering with scripts prior to external marking taking place.

Staff Malpractice Procedure

In the event of an accusation of malpractice by a member of staff, the Headteacher will be notified immediately by the exam officer. Investigations into allegations will be coordinated by the senior manager responsible for exams, who will ensure the initial investigation is carried out within ten working days. The person responsible for coordinating the investigation will depend on the qualification being investigated. The investigation will involve establishing the full facts and circumstances of any alleged malpractice. It should not be assumed that because an allegation has been made, it is true. Where appropriate, the staff member concerned and any potential witnesses will be interviewed and their version of events recorded on paper.

The member of staff will be:

- informed in writing of the allegation made against him or her
- informed what evidence there is to support the allegation
- informed of the possible consequences, should malpractice be proven
- given the opportunity to consider their response to the allegations
- given the opportunity to submit a written statement
- given the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- informed of the applicable appeals procedure, should a decision be made against him/her
- informed of the possibility that information relating to a serious case of malpractice will be shared with the relevant awarding body and may be shared with other awarding bodies, JCQ and the regulators Ofqual.

If work is submitted for moderation/verification or for marking which not the candidate's own work is, the awarding body may not be able to give that candidate a result.

Staff Malpractice Sanctions

Where a member of staff is found guilty of malpractice, Hollywater School may impose the following sanctions:

- 1) **Written warning:** Issue the member of staff with a written warning stating that if the offence is repeated within a set period of time, further specified sanctions will be applied
- 2) **Training:** Require the member of staff, as a condition of future involvement in both internal and external assessments to undertake specific training or mentoring, within a particular period of time, including a review process at the end of the training
- 3) **Special conditions:** Impose special conditions on the future involvement in assessments by the member of staff
- 4) **Suspension:** Bar the member of staff in all involvement in the administration of assessments for a set period of time

Appeals

The member of staff may appeal against sanctions imposed on them. Appeals will be conducted in line with the Hollywater School's Appeals process.

Examples of Malpractice by pupils/students

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by candidates with regards to portfolio-based qualifications. This list is not exhaustive:

- Plagiarism: the copying and passing off as the candidate's own work, the whole or part of another person's work
- Collusion: working collaboratively with other learners to produce work that is submitted as the candidate's only
- Failing to abide by the instructions of an assessor – This may refer to the use of resources which the candidate have been specifically told not to use
- The alteration of any results document

If a teacher suspects a candidate of malpractice, the candidate will be informed and the allegations will be explained to them and their parent /carer. The candidate will have the opportunity to give their side of the story before any final decision is made. If the candidate accepts that malpractice has occurred, he/she will be given the opportunity to repeat the assignment. If found guilty of malpractice following an investigation, the teacher may decide to re-mark previous assignments and these could also be rejected if similar concerns are identified.

The following are examples of malpractice by candidates with regards to examinations. This list is not exhaustive:

- Taking a mobile phone into an examination
- Taking any item other than those accepted by the Awarding Body into the examination, such as a book or notes
- Leaving the examination room without permission
- Passing notes or papers or accepting notes to, or accepting notes or papers from another candidate

If a teacher suspects a candidate of malpractice during an examination, the candidate will be informed and the allegations will be explained. The candidate will have the opportunity to give their side of the story before any final decision is made. If the candidate is found guilty of malpractice, the Awarding Body will be informed and the candidate's examination paper will be withdrawn. It is unlikely that the candidate will have the opportunity to repeat the examination.

Appeals

In the event that a malpractice decision is made, which the candidate feels is unfair, the candidate has the right to appeal in line with the Appeals Procedure.

Guidance for preventing malpractice and maladministration in school

Provide clear information for staff

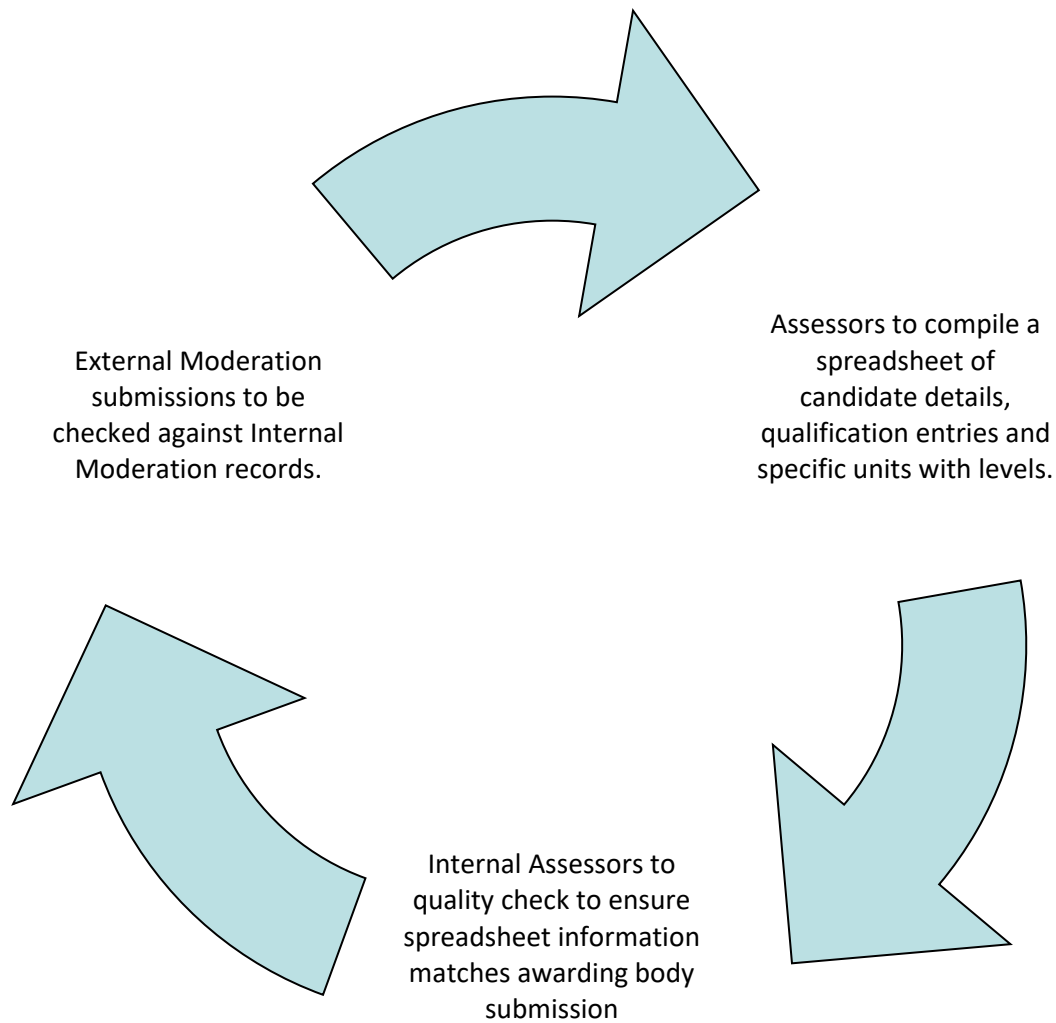
Many instances of malpractice relate to a lack of communication. For example, all staff involved must be aware of the assessment requirements, the relevant Standards with Guidance, administrative procedures and the terminology and definitions of malpractice and maladministration. They must be aware of the procedures to follow should they become aware of either centre staff or candidate malpractice or maladministration occurring.

Identify the key roles of staff

It must be clear to all staff what their roles and responsibilities are for the various aspects of the management, delivery and administration of assessments (assessors, internal moderator, exams officers and other administrative staff).

Quality Assurance of administrative procedures

There must be a clear procedure for cross referencing and checking administrative data with regards to candidate registrations, submissions and achievements prior to recording with the awarding body.



Only assist candidates where permitted

Assessors must be clear over how they may “assist candidates” in relation to assessments/portfolios, and the requirement to provide evidence of candidates’ individual performance. Candidates with access arrangements must not be assisted beyond what is permitted by the regulations.

Deal with centre staff and candidate malpractice in the correct and appropriate manner

If centre staff or candidates are suspected of engaging in any of the behaviour/ actions detailed above then this needs to be dealt with in the appropriate manner. Senior leaders must ensure that they are clear on what awarding bodies expect when dealing with such instances. They must be aware of the processes related to dealing with malpractice and how to investigate and report instances accordingly.

Provide clear information for candidates

Although it is almost impossible to monitor every aspect of internal assessments, candidates should be clear over the consequences of collusion, copying or allowing their work to be copied. It is the responsibility of centres to make candidates aware of these regulations.