

FE Malpractice, Maladministration & Plagiarism Policy

Excellence • Integrity

Our Mission

Raising Aspirations, Unlocking Potential, Advancing Futures

Our Values

Excellence, Passion, Teamwork, Integrity, Innovation,
Sustainability, Valuing Others and Supportiveness

Sparsholt College Group

The Sparsholt College Group (the college) includes Sparsholt College, Andover College, University Centre Sparsholt, Sparsholt College Services, Westley Enterprises and Andover Town Football Club. College Group policies apply to each part of the group unless specified otherwise.

The FE *Malpractice, Maladministration & Plagiarism Policy* was approved by the Board of Governors in March 2024 and supersedes previous versions.

Originator:	Deputy Principal
Located:	College Group Intranet College Group Website
Due for review:	January for March/April 2027

FE MALPRACTICE, MALADMINISTRATION AND PLAGIARISM POLICY

Context

Malpractice, maladministration and plagiarism relates to 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 certification.

These procedures relate to malpractice, maladministration and plagiarism in any assessment, examination and certification context and set out the rights and responsibilities of learners and staff of the Sparsholt College Group (the college) to uphold the integrity of processes designed to fairly and accurately validate knowledge and application of knowledge.

This policy gives staff and FE students a condensed and operational insight into the standards expected by the college in relation to the undertaking of assignment, examination, assessment and synoptic assessment. The college FE community is required to adhere fully to the Joint Council for Qualification (JCQ) Policy for Malpractice and the JCQ AI Use in Assessments: Protecting the Integrity of Qualifications. These JCQ policies will take primacy in the actions taken and decisions made by the college in response to any allegation of malpractice or maladministration.

Objective

The college statement is designed to enable the college, linked institutions and/or awarding bodies to work together in detecting any irregularities and the implementation of appropriate sanctions as set out in the Further Education Learner Conduct and Performance Policies and Procedures and or as determined by the Joint Council for Qualifications, or one of its awarding bodies.

College Statement

The college has a commitment to the highest standards of quality, honesty, openness and accountability. The college does not tolerate actions (or attempted actions) of malpractice and/or maladministration by staff or learners. There is no scope for compromising the reputation of the qualifications and curriculum of the professional/awarding bodies and/or that of the college, as laid out in the Code of Practice.

The college is committed to investigating all potential cases of failure to abide by exam regulations that may constitute malpractice, maladministration or plagiarism. Post initial validation of a suspected breach of regulations as reviewed by the Head of Exams Sparsholt or the Exams, Student Services Manager Andover, or the Principal (as Head of Centre) or the Deputy Principal on her behalf, the college will report suspected malpractice and/or maladministration to the awarding body and or JCQ in order to maintain the integrity of all qualifications. In most cases sanctions and other punitive measures will be directed by JCQ and the awarding body and the college will apply these as directed by the awarding or regulatory institution. Should the college disagree with the findings of these institutions it will use the appeal process for case review.

MALPRACTICE: Identification

For the purposes of these procedures, malpractice is defined as any **deliberate** action, neglect 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 the awarding body; or,
- the qualification or the wider qualifications community.

College malpractice can include:

- Inadequately secured materials (Exam storage, marking guidance, learner evidence, assessment and IQA records).
- Misuse of assessments, inappropriate adjustments, improper assistance, and manufacturing evidence of competence, fabricating assessment or internal verification records.
- Deliberate falsification of records in order to claim certificates.
- Failing to keep assessment mark schemes secure.
- Alteration of assessment mark scheme
- Alteration of an awarding bodies 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 staff producing work for the learner.
- Use of 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.
- Misusing the conditions for special learner requirements, for example where learners are permitted support, 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 or substitution,
- 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.
- Interfering with coursework/scripts after collection and before dispatch to awarding body/moderator

Learner/Student Malpractice in assessment can occur in:

- The compilation of portfolios.
- The presentation of practical work.

- The preparation and authentication of evidence.
- Conduct during an internal or external assessment.

Examples of **learner/student malpractice** can include:

- Plagiarism of any nature. Plagiarism is presenting the ideas, work or words of other people and passing off the work as the learner's own, whether whole or part(s) of another individual's work. This can include artwork, graphics, images, words, computer generated work (including Internet sources), whether published or not, with or without the originator's permission and without acknowledging the source.
- Falsification of assessment evidence or results.
- Collusion by working collaboratively with other students to produce work that is submitted as individual work. Likewise, it is also collusion to copy someone else's work and submit it as though it were their own. Both students would be open to a charge of academic malpractice. However, students should not be discouraged from teamwork, as this is an important skill, however the use of minutes and task allocation, etc. are a key part of teamwork, and this must be made clear to students.
- Copying from another candidate (including the use of ICT to assist copying) or allowing work to be copied.
- Deliberate destruction of another's work.
- False declaration of authenticity in relation to the contents of a portfolio or coursework.
- Impersonation: 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, test or examination.
- Failure to abide by instructions or advice given by an assessor, supervisor, invigilator, or Awarding Body conditions in relation to an assessment, test or examination.
- Introduction and/or use of unauthorised material or instruments in the examination room or assessment session, e.g. study guides, notes, mobile phones, tablets or other similar electronic devices.
- Disruptive, offensive or in appropriate behaviour.
- Misuse or attempted misuse of examination/assessment material.
- Using Artificial Intelligence (AI) to undertake task which the learner then presents in an assessment, assignment or examination situation as their own works.

Malpractice involving the use of Artificial Intelligence

The use of AI in education is a complicated and evolving field. A separate (Artificial Intelligence Policy for Students has been developed for students to provide clarity as to where AI can support studies and where it is not permitted to be used. This policy repeats that AI materials cannot be used as a demonstration of attained knowledge in an exam, assessment, synoptic assessment or assignment contributing to final grade. There are some types of exam, assessment, synoptic assessment or assignment where AI responses can be included where academically referenced (and so in referencing the source, clearly not providing a demonstrations of the author's attained knowledge) but

rather a demonstration of research undertaken to which the author's own opinion is then invariably provided to demonstrate attained knowledge.

Artificial Intelligence (AI) is a machine's ability to perform cognitive functions we associate with human minds. Specifically Generative Pre-trained Transformers (GPT) is a type of AI that uses deep learning techniques (this is a type of learning that enables the machine to process a wider range of data) to generate natural language text. This type of AI has been built into large language models (LLMs) like ChatGPT and Google Bard and enables these tools to respond to prompts in a human-like way, answering questions and complete written tasks. With prompts, these AI tools can respond with structured written text and also turn written prompts into audio, video and images.

AI use in the educational sector is referred to as the use of AI tools to obtain information and content which might be used in work produced for assessment that leads toward qualifications. Any use of AI tools by students that do not independently demonstrate their own attainment in qualification assessments (and any related assessment / qualification material) are to be considered as malpractice. Such as and not limited to;

- Plagiarism – copying or paraphrasing AI generated content.
- Commissioning – using AI to complete whole and parts of an assessment.
- Fabrication – submitting data or experiences from AI that you rely on.
- Failure to acknowledge – not acknowledging or incomplete / poor acknowledgement of AI tools.
- Misleading – intentionally submitted work with incomplete or misleading references or bibliographies.

The college retains at its discretion to identify further areas of malpractice beyond the areas identified above.

MALADMINISTRATION: identification

For the purposes of these procedures, maladministration is defined as 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 curriculum area.
- 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, from us which is required.
- Failure to appropriately instruct students of the requirements and regulations relating to the synoptic assessment or examination.

Implementation

The college will use the Further Education Learner Conduct and Performance Policies and Procedures with students where incidents (or attempted incidents) of malpractice, maladministration and/or plagiarism have been proven. Where assessment malpractice is proven by awarding authorities/bodies may also impose penalties or sanctions. The college will use the disciplinary procedure with staff of the college where incidents (or attempted incidents) of malpractice and/or maladministration have been proven. Where assessment malpractice is proven by awarding authorities/bodies may also impose penalties or sanctions.

Process of Implementation

- The college will inform its students of its procedures on assessment malpractice and plagiarism during induction and through handbooks.
- Students will be shown the appropriate formats to record cited texts and other materials or information sources including websites.
- The college staff should include assessment procedures which reduce the opportunity for malpractice.
- Learners should be asked to declare that their work is their own when submitting assessments.
- Incidents of staff or learner assessment malpractice should be reported to the Heads of Examinations (Sparsholt), Examinations and Student Services Manager Andover, who will advise the Head of Centre (The Principal). The Principal or Deputy Principal under instruction will instruct and monitor investigations. Onwards liaison with JCQ or the awarding body will be conducted by the Heads of Examinations (Sparsholt), Examinations and Student Services Manager Andover, the Deputy Principal or Principal. When a case of alleged assessment malpractice and/or maladministration has been reported involving staff the incident should be investigated using the college disciplinary procedure. It should be noted that JCQ or the awarding body will hold an investigation alongside the college investigation. The JCQ/awarding body investigation must be allowed to conclude first and the required sanctions and penalties must be incorporated in the college disciplinary process.

Malpractice may be identified:

- At course and unit level when marking relevant work
- At centre level through on-going quality assurance activity and monitoring e.g. internal verification activity.
- At centre level through intelligence, complaints or feedback received e.g. from centre staff, learners etc.
- Through scheduled quality assurance activity and monitoring e.g. external verification/moderation activity.
- Through internal examinations sampling.
- Through intelligence, complaints or feedback received e.g. from learners, centre staff, whistleblowers or other stakeholders.
- Through information from other organisations e.g. other awarding bodies, sector skills councils or funding agencies etc.
- At regulator level through intelligence, complaints or feedback received.

Responsibility: Reporting Malpractice

- The college accepts the responsibility to report any suspicion of malpractice to the link institutions and/or professional body and will facilitate investigation of the alleged irregularities.
- When dealing with an incident of suspected Malpractice the college will:
 - ensure staff leading the investigation are independent of the staff, students, learners being investigated.
 - inform those who are suspected of malpractice that they are entitled to know the necessary details of the case and possible outcomes.
- In all cases, it will notify the regulatory authorities/awarding bodies/institutions once malpractice has been proven. In certain cases, it will notify the regulatory authorities/awarding bodies/institutions if malpractice is suspected, if this initial notification is required. The college will also indicate the proposed action and an estimated timescale for the investigation to the regulatory authorities of the link institutions/professional bodies maintain confidentiality of the relevant materials and will ensure that they are kept secure and not disclosed to any third parties.

Protocol when dealing with expected malpractice spotted during an exam or synoptic assessment

In all cases where a student is suspected of malpractice during an examination or assessment, he/she will first be warned by the invigilator that his/her actions are in breach of regulations and therefore might constitute malpractice. The student will also be informed that the invigilator is obliged to report his/her (the student's) actions.

The student concerned has the right to provide a statement explaining his/her conduct that will be included in the invigilator's written report. The student is however not obliged to provide a statement before leaving the assessment venue. In such cases, the invigilator will note this in the report. In cases where a student is discovered to be in possession of any unauthorised materials during an examination/assessment, the invigilator will confiscate the materials, with a record the time and point within the script at which the discovery was made, along with a list of the confiscated materials which the student will be asked to sign to confirm its accuracy.

Students will be allowed to continue working for the remainder of the assessment without prejudice to the final outcome. In cases where the assessment invigilator suspects that students may have been communicating/collaborating the invigilator will note on each suspected student's assessment script the time and point within the script at which the discovery was made. Any written evidence relevant to the incident, e.g. confiscated materials, statements from other individuals involved, must accompany the report.

Suspected Malpractice by Assessment Venue Staff/Invigilators

Suspected cases of malpractice by a staff member or invigilator may be reported by students, other assessment venue staff, other assessment invigilators or a member of the public.

Information should be submitted to the Head of Examinations (Sparsholt) or the Exams

and Student Services Manager (Andover) via the Examinations Office. Information should include location, date, title and time of the assessment. In addition where applicable the student's name and his/her student number plus the name of the member of staff in question should also be supplied.

Maladministration

Responsibility: Reporting Maladministration

Anybody who identifies or is made aware of suspected or actual cases of at any time must notify the Head of Examinations immediately.

In doing so, details should be provided in writing, with the appropriate supporting evidence.

All allegations must include (where possible):

- the nature of the suspected or actual maladministration and associated dates
- details of the qualification, unit or exam
- centre's name, address and number
- candidate's name and registration or enrolment number
- details of centre personnel (e.g. name, job role) if they are involved in the case
- details and outcome of any initial investigation carried out by the college or anybody else involved in the case, including any mitigating circumstances.

The Head of Examinations Sparsholt or the Exams and Admissions Manager Andover will notify the Deputy Principal and Head of Centre (the Principal) of any allegations.

Confidentiality

Sometimes a person making an allegation of maladministration may wish to remain anonymous, although it is always preferable if they reveal their identity and provide us with their contact details. However, if a whistle-blower is concerned about possible adverse consequences that may occur should their identity be revealed to another party, they should inform that they do not want their identity divulged.

The college will always aim to keep the identity of the person making the allegations confidential when asked to do so, although we cannot guarantee this. We may need to disclose their identity should the allegation lead to issues that need to be taken forward by other parties such as:

- The Police (to investigate or prevent crime)
- The Courts (in connection with any court proceedings)
- Other third parties such as regulatory authorities (in connection with certification)

Once a concern has been raised the college will investigate the matter.

Responsibility for the investigation

The Head of Centre at the college must ensure that the staff involved in any internal investigation are competent and have no previous involvement or personal interest in the outcome of the investigation. The Head of Centre should have oversight in all such

investigations unless the allegations relate to the Head of Centre. In which case, such investigations should be referred to the Deputy Principal.

The nominated person will be responsible for ensuring that the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy. They will work to establish whether or not the maladministration has occurred, and review any supporting evidence received or gathered by the process. They will provide the outcome of their investigation to the Principal and Deputy Principal who will provide for onwards liaison with the awarding bodies and JCQ, instruct disciplinary measures as appropriate and apply sanctions and penalties as instructed.