

**MALPRACTICE MALADMINISTRATION POLICY**

**Assessment Malpractice & Maladministration Policy Context**

Malpractice refers to any deliberate act or practice, which compromises, or threatens to compromise the process and integrity of assessment, and as a result the validity of the result or certificate awarded.

Assessment processes and outcomes can also be put at risk through maladministration; whilst malpractice is a deliberate act, maladministration may be accidental or a result of incompetence or a simple mistake.

The purpose of this Policy is to reduce the risk of malpractice and/or maladministration by:

* increasing awareness and understanding of the actions that constitute malpractice and/or maladministration by Learners, Teachers, Trainers and other Staff
* to reduce risk of breach of regulations through ignorance
* to aid detection of any irregularities
* explaining how Learners and staff will be made aware of this policy
* identifying strategies to be employed to minimise risk of Learner malpractice
* describing how instances of alleged malpractice will be dealt with by Reynolds Training Academy

Reynolds Training Academy will not tolerate actions (or attempted actions) of malpractice by staff or Learners. The Training Academy is committed to investigating all cases of suspected malpractice.

Where cases of suspected malpractice are proven, the Training Academy is fully committed to taking appropriate action, including applying punitive measures and reporting suspected malpractice in order to maintain the integrity of assessment and certification.

All staff have a professional duty to ensure that they uphold this Policy. Whilst the Policy sets out general principles, in addition, staff must also ensure that they abide by the specific assessment requirements for each course as laid down by the Awarding Organisation for each subject specification.

**Examples of Staff Malpractice**

This list below is not exhaustive and Reynolds Training Academy, at its discretion, may consider other instances of malpractice.

* Improper assistance to Candidates
* Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the Candidate's achievement to justify the marks given or assessment decisions made
* Failure to keep Candidate coursework/portfolios of evidence secure
* Fraudulent claims for certificates
* Inappropriate retention of certificates
* 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
* Falsifying records/certificates, for example by alteration, substitution, or by fraud

**Examples of Learner Malpractice**

This list below is not exhaustive and Reynolds Training Academy, at its discretion, may consider other instances of malpractice.

* Plagiarism of any nature
* Collusion by working collaboratively with other Learners to produce work that is submitted as individual Learner work, beyond what is permitted
* Copying (including the use of ICT to aid copying)
* Deliberate destruction of another’s work
* Fabrication of results or evidence
* False declaration of authenticity in relation to the contents of a portfolio or coursework
* 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
* A breach of the instructions or advice of an Invigilator, Supervisor, or the Awarding Body in relation to the examination or assessment rules and regulations
* Failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments
* Allowing work to be copied e.g. posting written coursework on social networking sites prior to an examination/assessment
* Disruptive behaviour in the examination room or during an assessment session (including the use of offensive language)
* Exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication
* Allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework
* Bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations)
* The inclusion of inappropriate, offensive or obscene material in scripts, controlled assessments, coursework or portfolios

**Actions to Implement the Policy**

**Informing Learners**

The Training Academy will communicate the Learner Assessment Malpractice Policy to Learners through the following means:

* Induction
* Learner Handbook
* Programme Managers and Personal Tutors/Assessors have responsibility for ensuring that Learners are made aware of this Policy before undertaking any assessed work, which has the potential to contribute to the awarding of a qualification.

**Implementing Assessment Practices**

Programme Managers/ Director of Quality & Training and the Principal have responsibility for implementing Assessment Practices that reduce the opportunity for malpractice, including for example:

* Periods of supervised sessions during which evidence for assessments is produced by the Learner
* Altering assessment assignments / tasks / tools on a regular basis
* Using oral questions with Learners for a single assignment / task in a single session for the complete cohort of Learners
* Ensuring access controls which prevent Learners from accessing and using other people’s work when using networked computers
* Requiring Learners to sign to declare that their work is their own when submitting assessments

**Procedure for Dealing with Allegations of Malpractice**

All Reynolds Training Academy staff have a responsibility for reporting any suspected incidences of staff or Learner malpractice through the appropriate channels. Learners will be made aware of the procedure for reporting any allegations of suspected malpractice via the Learner Assessment Malpractice Statement.

In addition allegations of suspected malpractice may be made by External Moderators, Verifiers, Examiners and reported to the Training Academy via the Awarding Organisation.

**Allegations made by Training Academy Staff**

Allegations of suspected staff / Learner malpractice to be made to the relevant Training Academy Programme Managers, Director of Quality & Training, or the Principal.

**Allegations made by Learners**

All Reynolds Training Academy staff have a responsibility to ensure that any allegations made to them in their professional capacity are taken seriously and reported through the correct channels.

Allegations of suspected staff / Learner malpractice to be made to the relevant Training Academy Programme Managers, Director of Quality & Training, or the Principal.

The Training Academy will consider allegations that are made verbally but will request in all cases that allegations are put in writing with any supporting evidence that is available. Training Academy Programme Managers will inform the Director of Quality & Training or Principal of allegations that are made.

**Informing Awarding Organisations**

The Training Academy accepts the responsibility to report any suspicion of Learner or staff assessment malpractice to the appropriate Awarding Organisation. The only exception to this relates to assessment malpractice in coursework or controlled assessment, which is discovered prior to the Learner signing the Declaration of Authentication. In these cases the incident need not be reported to the Awarding Body, but will be dealt with in accordance with the Training Academy’s Disciplinary Management Procedures. Any work that is not the Learner’s own will not be given credit; in addition a note will be added to the cover sheet to detail any assistance that has been given.

In all other instances of suspected malpractice the staff member responsible for Quality Improvement will submit the fullest details of the case at the earliest opportunity to the relevant Awarding Body as per Joint Council of Qualification Regulations.

**Investigation of Suspected Malpractice**

If assessment malpractice is suspected by Reynolds Training Academy staff there will be a process of investigation, usually commissioned by the relevant Training Academy Programme Manager, Director of Quality & Training or the Principal to establish the full facts and circumstances of any allegations or evidence. Such an investigation will usually be under the terms of the Reynolds Training Academy’s Disciplinary Policy and Procedure given the potential seriousness of the matter.

The Training Academy Programme Manager, Director of Quality & Training or Principal will usually nominate an Investigating Officer. To avoid conflicts of interest investigations into suspected malpractice should not be delegated to the supervisor of the section, team or department involved in the suspected malpractice.

Any Disciplinary Investigation will proceed as described in the Disciplinary Policy and Procedure and include provision for:

* The member of staff to be informed about the concerns and possible consequences
* Possible suspension depending on the circumstances of the case
* The member of staff to be accompanied at any subsequent investigation meeting
* Collection of evidence related to the alleged malpractice
* The review of evidence and production of a report
* A decision to be made on whether or not to proceed to a formal disciplinary hearing
* If necessary a formal hearing with a right of representation

**Possible Actions Taken by Reynolds Training Academy**

 In cases where it is believed, following an investigation and hearing, that there is clear evidence of malpractice:

* The appropriate Awarding Body will be informed by the Training Academy of the allegation of malpractice and they will be given the supporting evidence
* The Training Academy will take disciplinary action commensurate with the seriousness of the malpractice
* There will be a right of appeal against any formal disciplinary warning or dismissal

In any instances where suspected malpractice will be reported to Awarding Bodies the Training Academy will provide the individual/s with a completed copy of the form or letter used to notify the awarding body of the malpractice.

The relevant Training Academy Programme Manager, Director of Quality & Training or the Principal will investigate incidences of Learner Assessment Malpractice in a similar manner.

As with staff malpractice, potential conflicts of interest will be avoided by nomination of an Investigating Officer who is external to the management of the Learner and/or particular curriculum area.

Any disciplinary investigation will proceed as described in the Learner Disciplinary Policy and Procedure. Investigations will proceed through the following stages:

* The Learner will be informed about the issues, possible consequences and right of appeal
* Collection of evidence related to the alleged malpractice
* The review of evidence and production of a report
* A formal meeting between the Programme Manager, Director of Quality & Training and/or the Principal and the Learner against whom an allegation has been made

**Possible Actions Taken by the Training Academy**

In cases where it is believed that there is clear evidence of malpractice:

* The appropriate Awarding Body will be informed by the Training Academy of the allegation of malpractice and they will be given the supporting evidence
* The Training Academy will take internal disciplinary action in line with Training Academy Student / Learner Management Policy and Procedures

This action will be commensurate with the seriousness of the malpractice

* In any instances where suspected malpractice will be reported to Awarding Bodies the Training Academy will provide the individual/s with a completed copy of the form or letter used to notify the Awarding Body of the malpractice.

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