



## ASSESSMENT MALPRACTICE AND MALADMINISTRATION POLICY

This policy is available on-line at: [www.tynecoast.ac.uk](http://www.tynecoast.ac.uk)

- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this. Please contact Student Services
- 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 Student Services

\*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.

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
SEG, Board	v.3	September 2019	September 2021	Principal, South Shields Marine School

**Equal Opportunities: Impact Assessed**

**POLICY NUMBER 10**

## **ASSESSMENT MALPRACTICE AND MALADMINISTRATION POLICY**

### **1. Policy Statement**

Incidents of malpractice/maladministration can potentially lead to learners being disadvantaged, can require the conducting of costly and time-consuming investigations and may cause reputational damage to the College. It is, therefore, desirable to prevent malpractice or maladministration from occurring, whenever possible. Where it is not possible to prevent this, cases of suspected or actual malpractice/maladministration should be dealt with quickly, thoroughly and effectively.

### **2. Scope**

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

### **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 in QMP4.
- 5.3 Course teams should use the student 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 center 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.
- 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 College's 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.

## 7. Maladministration

Maladministration is any non-deliberate activity, neglect, default or other practice that results in the College or learner not complying with the specified requirements for delivery of the qualifications as set out in the relevant codes of practice, where applicable.

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

- 8.1 Where the College discovers or suspects an individual, or individuals, of malpractice or maladministration it will conduct an investigation in a form commensurate with the nature of the allegation.
- 8.2 Where a member of staff is suspected of malpractice the Executive Director of HR must be informed immediately. Malpractice may be considered to be Gross Misconduct and the staff disciplinary policy must be invoked.
- 8.3 The Head of School, Assistant Principal or their nominated replacement, will conduct a preliminary investigation to determine the seriousness of the issue.
- 8.4 The College will make the individual(s) aware at the earliest opportunity of the nature of the alleged malpractice/maladministration and of possible consequences should it be proven.
- 8.5 The investigation will proceed through the following stages:
  - 8.5.1 Preliminary investigation, conducted by the appropriate Head of 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 and the member of staff may be suspended.
  - 8.5.2 Should it be determined that a full investigation is necessary it

shall be conducted by an independent Investigation Officer appointed by the Principal (Vocational and Professional College) for FE assessments at South Tyneside College, Principal (Tyne Metropolitan College) for FE assessment at Tyne Metropolitan College or Queen Alexandra), and Principal (South Shields Marine School) for HE assessments in all cases in conjunction with the Executive Director of HR.

8.5.3 The process for staff at this stage will then follow the College Staff Disciplinary Policy and Procedure.

8.6 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

8.7 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.

8.8 Where the malpractice/maladministration includes the award of external certification, the awarding body shall be informed by an acknowledged email by the nominated College center coordinator.

## **9. Monitoring and Evaluation**

9.1 Internal monitoring/verification of assessment activity within each School will include malpractice/maladministration checks.

9.2 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 Principal (Vocational and Professional College) for FE assessments at South Tyneside, Principal (Tyne Metropolitan College) for FE assessment at Tyne Met or Queen Alexandra, and Principal, (South Shields Marine School) for HE assessments

9.3 The records within this policy shall be kept for the duration stated in the College Archive Policy under "Appeals" and "Whistleblowing" which is nominally six years

## **10. 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.
- Archive Policy

