

ASSESSMENT MALPRACTICE & MALADMINISTRATION (INCLUDING HE PROGRAMMES)

PROCEDURE

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SCOPE

All internal and external formative and summative assessments undertaken in relation to College registered learners. Throughout this document the CEO & Principal shall be referred to as the Head of Centre, as per JCQ terminology.

PURPOSE

To provide guidance and support to staff (those employed by the College, contractors, subcontractors, or associates) and learners on Assessment Malpractice and Maladministration and maintain the integrity of our relationships with awarding organisations.

To ensure the integrity of the assessment process and academic progress undertaken.

DEFINITION

**Assessment Malpractice and Maladministration is:
Centre Staff Malpractice**

Breach of Security (this list is not exhaustive):

- Failing to keep examination material secure prior to an examination
- Discussing or otherwise revealing secure information in public, e.g. internet forums.
- Moving the time or date of a fixed examination beyond the arrangements stated within the JCQ publication Instructions for conducting examinations.
- Conducting an examination before the published date constitutes centre staff malpractice and clear breach of security.
- Failing to adequately supervise learners who have been affected by a timetable variation; this would apply to learners subject to overnight supervision by centre personnel or where an examination is to be sat in an earlier or later session on the scheduled day.
- Permitting, facilitating, or obtaining unauthorised access to examination material prior to any examination.
- Failing to retain and secure examination question papers after an examination in cases where the life of the paper extends beyond the particular session. For example, where an examination is to be sat in a later session by one or more learners due to a timetable variation.
- Tampering with learner's scripts or controlled assessments or coursework after collection and before despatch to the awarding organisation/ examiner/ moderator.
- Failing to keep learners' computer files which contain controlled assessments or coursework secure.

Deception (this list is not exhaustive):

- Inventing or changing marks for internally assessed components (eg coursework) where there is no actual evidence of the learners' achievement to justify the marks

awarded.

- Manufacturing evidence of competence against national standards.
- Fabricating assessment and/or internal verification records to authentication statements.
- Entering fictitious learners for examinations or assessments or otherwise subverting the assessment or certification process with the intention of financial gain (fraud).
- Substituting one learner's-controlled assessment or coursework for another.

Improper assistance to learners (this list is not exhaustive):

- Assisting learners in the production of controlled assessments or coursework, or evidence of achievement, beyond that permitted by the regulations.
- Sharing or lending learners'-controlled assessments or coursework with other learners in a way which allows malpractice to take place.
- Assisting or prompting learners with the production of answers.
- Permitting learners in an examination to access prohibited materials (dictionaries, calculators etc).
- Prompting learners in an examination/assessment by means of signs or verbal or written prompts.
- Assisting learners granted the use of an Oral Language Modifier, a practical assistant, a prompter, a reader, a scribe, or a Sign Language Interpreter beyond that permitted by the regulations.

Maladministration (this list is not exhaustive):

- Failing to ensure that learners' coursework or work to be completed under controlled conditions is adequately monitored and supervised.
- Inappropriate members of staff assessing learners for access arrangements who do not meet the criteria as detailed with the JCQ publication Access Arrangements and Reasonable Adjustments.
- Failure to use current assignments for assessments.
- Failure to train invigilators adequately, leading to non-compliance with the JCQ publication Instructions for conducting examinations.
- Failure to issue to learners the appropriate notices and warnings, e.g. JCQ Information for learner's documents.
- Failure to inform the JCQ Centre Inspection Service of alternative sites for examinations.
- Failing to post notices relating to the examination or assessment outside all rooms (including music and art rooms) where examinations and assessments are held.
- Not ensuring that the examination venue conforms to the requirements as stipulated in the JCQ publication Instructions to conducting examinations.
- The introduction of unauthorised material into the examination room, either prior to or during the examination (NB this precludes the use of the examination room to coach learners or give subject-specific presentations, including power-point presentations, prior to the start of the examination).
- Failing to remind learners that any mobile phones or other unauthorised items, such as smart watches, found in their possession must be handed to the invigilator prior to the examination starting.
- Failure to invigilate examinations in accordance with the JCQ publication Instructions

for conducting examinations.

- Failure to keep accurate records in relation to very late arrivals and overnight supervision arrangements.
- Failure to keep accurate and up to date records in respect of access arrangements which have been processed electronically using the Access arrangements online system.
- Granting access arrangements to learners who do not meet the requirements if the JCQ publication Access Arrangements and Reasonable Adjustments.
- Granting access arrangements to learners where prior approval has not been obtained from the Access arrangements online system or, in the case of a more complex arrangement, from an awarding organisation.
- Failure to effectively supervise the printing of computer-based assignments when this is required.
- Failing to retain learners'-controlled assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked.
- Failing to maintain the security of learner scripts prior to despatch to the awarding organisation or examiner.
- Failing to despatch learner scripts/controlled assessments/coursework to the awarding organisations or examiners or moderators in a timely way.
- Failing to notify the appropriate awarding organisation of an instance of suspected malpractice in examinations or assessments as soon as possible after such an instance occurs or is discovered.
- Failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding organisation.
- The inappropriate retention or destruction of certificates.
- Failure to adhere to key dates and deadlines set by the JCQ and Awarding Organisations.
- Failure to comply with regulatory requirements and standards set by the governing body where the governing body is not regulated by the JCQ

Learner malpractice (this list is not exhaustive):

- The alteration or falsification of any results document, including certificates.
- A breach of the instructions or advice of an invigilator, supervisor, or the awarding organisation in relation to the examination of assessment rules and regulations.
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments.
- Collusion: working collaboratively with other learners, beyond what is permitted.
- Copying from another learner (including the use of IT to aid the copying).
- Allowing work to be copied eg posting written coursework on social networking sites prior to an examination/assessment.
- The deliberate destruction of another learner's work.
- 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.
- Making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework, or the contents of a portfolio.
- Allowing others to assist in the production of controlled assessments, coursework

- or assisting others in the production of controlled assessments or coursework.
- The misuse or the attempted misuse, of examination and assessment materials and resources (eg exemplar materials).
- Being in possession of confidential material in advance of the examination.
- 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 or offensive comments, or obscenities or drawings; discriminatory language, remarks or drawings directed at an individual or group obscene material in scripts, controlled assessments, coursework non-examination assessments or portfolios.
- Impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment.
- Plagiarism: unacknowledged copying from published sources or incomplete referencing.
- Theft of another learner's work.
- Bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), instruments which can capture a digital image, electronic dictionaries (when provided), translators, wordlists, glossaries, iPads, mobile phones, Smart Watches, MP3/4 players, pagers or other similar electronic devices.
- The unauthorised use of a memory stick where learner uses a word processor.
- Behaving in a manner as to undermine the integrity of the examination.
- AI misuse. This includes but is not limited to:
 - Copying or paraphrasing sections of AI-generated content so that the work is no longer the learner's own.
 - Copying or paraphrasing whole responses of AI-generated content.
 - Using Ai to complete parts of the learner's assessment so that the work does not reflect the learner's own work, analysis, evaluation, or calculations.
 - Failing to acknowledge the use of AI tools when they have been used as a source of information.
 - Incomplete or poor acknowledgement of AI tools.
 - Submitting work with intentionally incomplete or misleading references of bibliographies.
 - AI tools cannot be used during examinations or controlled assessments.
 - For further details about AI misuse and plagiarism, see the Plagiarism, Artificial Intelligence and Misuse procedure.

PROCEDURE

- I. Where the College discovers or suspects an individual, or individuals, of assessment malpractice and maladministration it will conduct an investigation in a form commensurate with the nature of the assessment malpractice and maladministration allegation. In all cases of suspected assessment malpractice and maladministration reported, the College will protect the identity of the 'informant' in accordance with its duty of confidentiality and/or any other legal duty. Allegations should normally be made in writing. Where an allegation is made orally, the receiver of the allegation

should attempt to obtain written confirmation from the person(s) making the allegation, but if this is not possible should make a written record. Where the candidate under investigation is a child/vulnerable adult, the candidate's parent/carer/appropriate adult must be kept informed of the progress of the investigation.

2. Such an investigation will be initially undertaken by the relevant Assistant Principal or Head of Centre who will interview all personnel linked to the allegation and will ensure that the Quality Nominee and Director of MIS and Data are informed to provide input where appropriate. The Head of Centre will ensure that the staff allocated to the investigation are chosen to best reduce/mitigate any bias.
3. The College will make the individual(s) aware in writing within 5 working days of the nature of the alleged assessment malpractice and maladministration and of the possible consequences should the assessment malpractice and maladministration be proven.
4. The investigation will proceed through the following stages:
 - 4.1 Preliminary investigation, conducted by the appropriate Assistant Principal or Head of Centre into the allegation to determine whether a full investigation is necessary. If the allegation has substance, then all assessments by this member of staff should be halted until the investigation is complete and the Head of Centre and the Vice Principal and Head of Human Resources is notified.
 - 4.2 Should it be determined that a full investigation is necessary it shall be conducted by the Head of Centre or an independent investigation officer appointed to the Head of Centre by the Vice Principal. This investigation will include:
 - a) A statement of the facts.
 - b) A detailed account of the circumstances.
 - c) Names of all persons involved and their roles in the case.
 - d) Copies of any written statements by learners and staff.
 - e) Details of the investigation carried out.
 - f) A record of any hearing.
 - g) Copies of any learner's work that is the subject of the allegation or suspicion of malpractice.
 - h) Details of any unauthorised material found in the assessment room.
 - i) A record of the decision.
 - j) A record of the proposed penalty imposed if the allegation or suspicion is upheld (and a record of the confirmed penalty once this is agreed).
5. The Head of Centre will notify the awarding organisation (and possibly any public funding provider eg Department for Education) of the alleged assessment malpractice and maladministration in writing (by letter or e-mail whichever is appropriate) and include a copy of form JCQ/M1 – (Suspected Candidate Malpractice) or form JCQ/M2a (Suspected Malpractice/Maladministration) involving centre staff to notify the awarding organisation of an incident of malpractice. Each form is available from the JCQ website

<http://www.jcq.org.uk/exams-office/malpractice>. If the incident occurs for an institution not governed by the JCQ, the Head of Centre will complete the paperwork provided by the institute in question.

The report will contain the following:

- a) The College's name, address, and number.
- b) The learner's name and registration number (where relevant).
- c) The College's or awarding organisation's person's details (name, job role) if they are involved in the case.
- d) Details of the course or qualification affected, or nature of the service affected.
- e) The nature of the suspected or actual malpractice and associated dates.
- f) 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 Centre will consider any evidence that the awarding organisation may provide. Subject to agreement it may be appropriate for a member of staff from the awarding organisation to give evidence at any hearing called as part of the investigation.

6. During the investigation, the College will give the individual the opportunity to respond to all the allegations made. The individual whether a learner or a member of staff, accused of malpractice must:
 - Be informed (preferably in writing) of the allegation made against them.
 - Be advised that a copy of the JCQ publication Suspected Malpractice in Examinations and Assessments: Policies and Procedure can be found on the JCQ website – <http://www.jcq.org.uk/exams-office/malpractice> in the case of Pearson (BTEC) higher education students. Higher education students accredited through a university should visit the relevant university website.
 - Know what evidence there is to support that allegation.
 - Know the possible consequences should malpractice be proven.
 - Have the opportunity to consider their response to the allegations (if required).
 - Have the opportunity to submit a written statement.
 - Be informed that they will have the opportunity to read the submission and make an additional statement in response, should the case be put to the Malpractice Committee.
 - Have the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required).
 - Be informed of the applicable appeals procedure, should a decision be made against them.
 - Be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding organisations, the regulators, the Police, and/or professional organisations as appropriate.
7. All stages of the investigation shall be documented by the investigating officer leading the investigation.

8. The individual(s) will be informed of the avenues for appealing against any judgements made. The individual(s) concerned has/have the right to appeal against any decision(s) or sanction(s) imposed. An appeal must be made in writing to the Head of Centre within 30 working days from the receipt of the written notification of the reported incident. The individual(s) concerned have the right of access to all the evidence, used by the investigating officer to make their decision, in order to provide a full response. The Head of Centre will acknowledge receipt of an appeal within five working days. All appeals will be dealt with by the Head of Centre or their delegated representative in accordance with the awarding organisation requirements.
9. The Head of Centre or investigating officer shall produce a report of their findings. If conducted by an appointed investigating officer this must be addressed to the Head of Centre. This report must be submitted to the relevant awarding organisation and should contain the following facts:
 - A statement of facts, a detailed account of the circumstances of the alleged malpractice, and details of any investigations carried out by the centre.
 - Written statement(s) from the invigilator(s), assessor, internal quality assurer(s) or other staff who are involved.
 - Written statement(s) from the learner(s).
 - Any mitigating factors.
 - Information about the centre's procedures for advising learners of the awarding organisations' regulations.
 - Seating plans showing the exact position of learners in the examination room.
 - Unauthorised material found in the examination room.
 - Any work of the learner and any associated material (eg source material for coursework) which is relevant to the investigation.

Form JCQ/M1 or Form JCQ/M2b should be used as the basis of the report which are obtainable from <http://www.jcq.org.uk/exams-office/malpractice>

The awarding organisation will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The Head of Centre will be informed accordingly.

10. For cases of staff malpractice, the Head of Centre will decide whether to invoke the Discipline (Staff) procedure through the Head of Human Resources. Where the assessment malpractice or maladministration involves a criminal offence, the College will consult with the awarding organisation whether it is appropriate for the College to report the case to the police.
11. For cases of learner assessment malpractice, reference should be made by the investigating officer to the other relevant procedures: Examinations/Admissions procedure, Assessment (including Appeals Against Assessment) procedure and Plagiarism procedure.

12. Where the investigation officer report indicates that the learner assessment is suspect or flawed, then the relevant procedures in I I should be consulted for appropriate penalties.

Reporting suspected cases of malpractice during an examination

In all cases where a learner is suspected of malpractice during an examination, they will first be warned by the invigilator that their actions are in breach of regulations and therefore might constitute malpractice. The learner will also be informed that the invigilator is obliged to report their (the learner's) action.

The learner concerned has the right to provide a statement explaining their conduct that will be included in the invigilator's written report. The learner 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 learner is discovered to be in possession of any unauthorised materials during an examination/assessment, the invigilator will confiscate the materials and record the time and point within the script at which the discovery was made, along with a list of the confiscated materials which the learner will be asked to sign to confirm its accuracy.

Learners will be allowed to continue working for the remainder of the assessment without prejudice to the final outcome. In communicating/collaborating the invigilator will note on each suspected learner'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 Staff/Invigilators

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

Written reports should be submitted to the Director of MIS and the Head of Centre, along with the assessment name, location, the date and title of the assessment, the time the assessment took place, the learner's name and their College ID number, if applicable and the name of the member of staff in question.

Sanctions for staff – assessment malpractice and administration

In cases of staff malpractice, the role of the awarding organisation is confined to considering whether the integrity of its examinations and assessments has been placed in jeopardy, and whether the integrity might be jeopardised if an individual is found to have indulged in assessment malpractice and maladministration were to be involved in the future conduct, supervision or administration of the awarding organisation's examinations or assessments.

It is not the role of the awarding organisation to be involved in any matter affecting the member of staff or contractor's contractual relationship with their employer or engager. Awarding organisations recognise that each centre may take a different view of an

allegation to that determined by the awarding organisation or its Malpractice Committee. The centre may wish to finalise its decision after the awarding organisation, or its Malpractice Committee has reached its conclusion.

Where a member of staff or contractor has been found guilty of malpractice, an awarding organisation may impose the following sanctions or penalties:

1. Written warning

Issue the member of staff with a written warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

2. Written warning

Issue the member of staff with a written warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

3. Training

Require the member of staff, as a condition of future involvement in its examinations, to undertake specific training or mentoring, within a particular period of time, and a review process at the end of the training.

4. Staff Barring

Bar the member of staff from all involvement in the delivery of its examinations and assessments for a set period of time. Other awarding organisations and the regulators will be informed when a suspension is imposed.

These sanctions will be notified to the Head of Centre who will be required to ensure that they are carried out.

If a member of staff moves to another centre while being subject to one of the above sanctions, the Head of Human Resources will notify the awarding organisation of the move. Each awarding organisation reserves the right to inform the Head of Centre to which the staff member is moving to of the nature of, and the reason for, the sanction.

After investigating an alleged assessment of malpractice and maladministration the Head of Centre or their nominee must submit a full written report of the case to the awarding organisation. Following investigation if the alleged assessment malpractice and maladministration is upheld the following sanctions and penalties apply:

1. Written warning

A letter to the Head of Centre advising of the breach (including the report) and advising of the further action that may be taken (including the application of penalties and special conditions) should there be a recurrence of this breach, or subsequent breaches at the centre.

2. Review and report (action plans)

The Head of Centre will be required to review the College's procedures for the conduct or administration of a particular examination/assessment, or all examinations/assessments in general, and to report back to the awarding organisation on improvements implemented by a set date. Alternatively, an action

plan will be agreed between the awarding organisation and the College and will need to be implemented as a condition of continuing to accept entries from the College.

3. Approval of specific assessment tasks

The approval by the awarding organisation of specific assessment tasks in situations where these are normally left to the discretion of the College.

4. Additional monitoring or inspection

The awarding organisation may increase, at the College's expense, the normal level of monitoring that takes place in relation to the qualification(s). Alternatively, the JCQ Centre Inspection Service may be notified of the breach of regulations and may randomly, without prior warning, inspect the College over and above the normal schedule of inspections. (The JCQ Centre Inspection Service operates in relation to general qualifications and examined vocational qualifications).

5. Removal of direct claims status

Direct claims status may be removed from the College in which case all claims for certification must be authorised by the awarding organisation. (This sanction applies only to vocational qualifications and similarly assessed qualifications).

6. Restrictions on Examination and Assessment Materials

For a specified period of time the College will be provided with examination papers and assessment materials shortly before such papers and materials are scheduled to be used. These papers will be opened and distributed under the supervision of the awarding organisation officer (or appointed agent) responsible for the delivery. The College might also be required to hand over to an awarding organisation officer (or appointed agent) the completed scripts and any relevant accompanying documentation as opposed to using the normal script collection or posting procedures. These measures may be applied for selected subjects or all subjects.

7. Independent Invigilators

The appointment of, for a specified period of time and at the College's expense, independent invigilators to ensure the conduct of examinations and/or assessments is in accordance with the regulations.

8. Suspension of learner registrations or entries

An awarding organisation may, for a time, or until a specific matter has been rectified, refuse to accept learner entries or registrations from the College. This may be applied for selected subjects/occupational areas or all subjects/occupational areas.

9. Suspension of certification

An awarding organisation may, for a period of time, or until a specific matter has been rectified, refuse to issue certificates to learners from the College. (This applies to vocational qualifications and similar types of qualifications only).

10. Withdrawal of approval for a specific qualification(s)

An awarding organisation may withdraw the approval of the College to offer one or more qualifications issued by that awarding organisation.

11. Withdrawal of centre recognition

The awarding organisation may withdraw recognition or approval for the College. This means as a result that the College will not be able to deliver or offer the learners the respective awarding organisation's qualifications. Other awarding organisations will be informed of this action. At the time of withdrawal of centre recognition, the College will be informed at the earliest date at which it can reapply for registration and any measures it will need to take prior to this application.

Centres which have had centre recognition withdrawn should not assume that re-approval will be treated as a formality.

Any expense incurred in ensuring compliance with the penalties and or special conditions will be incurred by the College.

If the Head of Centre leaves while the centre is subject to any sanctions or special measures, the awarding organisation will, if approached to do so, review the need for the continuation of these measures with the new Head of Centre.

Sanctions and penalties against learners

Awarding organisations may, at their discretion, impose the following sanctions and penalties against learners found guilty of assessment malpractice and maladministration. Not all the sanctions and penalties are appropriate to every type of qualification or circumstance. Sanctions imposed will only be applied in relation to the assessments taken in the series/academic year where malpractice has been identified.

1. Penalty 1 – Warning

The learner is issued with a warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

2. Penalty 2 – Loss of marks for a section

The learner loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of coursework if this consists of several items. The learner loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of coursework if this consists of several items.

3. Penalty 3 – Loss of marks for a component

The learner loses all the marks gained for a component. A component is more often a feature of linear qualifications than a unitised qualification, and so this penalty can be regarded as an alternative to penalty 4. Some units also have components, in which case a level of penalty between numbers 2 and 4 is possible.

4. Penalty 4 – Loss of all marks for a unit

The learner loses all the marks gained for a unit. The penalty can only be applied to qualifications which are unitised. For linear qualifications, the option is penalty 3. This penalty usually allows the learner to aggregate or request certification in that series, albeit with a reduced mark or grade.

5. Penalty 5 – Disqualification from a unit

The learner is disqualified from the unit. The penalty is only available if the qualification is unitised. For linear qualifications, the option is penalty 7. The effect of this penalty is to prevent the learner aggregating or requesting certification in that series if the learner has applied for it.

6. Penalty 6 – Disqualification from all units in one or more qualifications

If circumstances suggest, penalty 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous exam series are retained). This penalty is only available if the qualification is unitised. For linear qualifications see option in penalty 8.

7. Penalty 7 – Disqualification from a whole qualification

The learner is disqualified from the whole qualification taken in that series or academic year. The penalty can be applied to unitised qualifications only if the learner has requested aggregation. Any units banked in a previous series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a learner has not requested aggregation the option is penalty 6. It may also be used with linear qualifications

8. Penalty 8 – Disqualification from all qualifications taken in that series

If circumstances suggest, penalty 7 may be applied to other qualifications. This penalty can be applied to unitised qualifications only if the learner has requested aggregation. Any units banked in a previous series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a learner has not requested aggregation the option is penalty 6. It may also be used with linear qualifications.

9. Penalty 9 – Learner debarred

The learner could be barred from entering for one or more examinations for a set period of time. This penalty is applied in conjunction with any of the other penalties above if the circumstances warrant it.

When awarding organisations are applying sanction and penalties, they will take into account that not all of the above penalties set out may be appropriate to every type of qualification and circumstance.

Unless a penalty is accompanied by a bar on future entry, all learners penalised by loss of marks or disqualification, make retake the component(s), unit(s), or qualification(s) affected in the next examination series or assessment opportunity.

In linear GCSE qualifications learners are not generally able to retake only a component at a later series. They can, however, retake the whole subject, carrying forward the coursework mark. This means that in these cases, learners will generally have a twelve month wait for an opportunity to retake an examination.

The College may take further action in cases of assessment malpractice and maladministration as deemed appropriate.

Communication decisions

The awarding organisation will inform the College of its decision in writing as soon as possible after the decision is made. It is the responsibility of the Head of Centre or their nominee to communicate the decision to the individuals concerned, and to pass on warnings in cases where this is indicated.

The majority of cases of assessment administration and maladministration are confidential between the individual awarding organisation and the College, but in cases of serious malpractice, where the threat is to the integrity of the examination or assessment outweighs a duty of confidentiality, it will be normally be necessary for information to be exchanged amongst the regulators and the awarding organisations and other centres where the malpractice may affect the delivery of an awarding organisation's qualification.

It is the responsibility of the Head of Centre to inform the accused individual that the awarding organisation may share information in accordance with the paragraph above

Data Management and Retention Requirements

All records pertaining to investigations and findings of Malpractice or Maladministration will be retained for a minimum period of 6 years after the case or any appeal has been closed. If the record relates to an ESF contract the retention period is 13 years.

Records will be scanned and retained electronically for access purposes. Hard copy documentation containing signatures of authentication will be retained as follows:

Learner Malpractice

Learner electronic records will be attached to the learner's ProSolution record. Hard copy documents will be retained in the learner records, which are securely retained by the MIS department (locked limited access room within locked cabinets).

Staff Malpractice

Electronic records will be held in secure, limited access storage by the Quality department. The Quality Assurance Coordinator (QAC) will be responsible for the maintenance and retention of these records. Hard copy documents will be retained in staffing records by the HR department.

Staff Maladministration

Suspected malicious maladministration will be treated as malpractice.

Records of accidental maladministration will result in a formal procedural review with the team concerned. Minutes of the meeting will be recorded and held by the department head and made available to the Awarding Organisation (AO) upon request. Minutes will also be forwarded to the College's QAC, who will review the case in relation to any further actions being required.

Data sharing with external organisations

If a case of Malpractice or Maladministration results in the College losing the approval of a qualification or an AO; this information will be shared with other AOs, funding organisations and regulatory bodies, where applicable.

Procedure Review

This procedure will be reviewed bi-annually and revised as necessary in response to customer and learner feedback, changes in its practices, advice from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous instances of assessment malpractice or maladministration.

In addition, this procedure may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of assessment malpractice and maladministration remain effective.

Associated Documents can be requested

- Assessment (including Higher Education) procedure
- Discipline - Staff procedure
- Conduct - Student policy & procedure
- Internal Quality Assurance/Moderation (CBL) procedure
- Internal Quality Assurance/Moderation (WBL/Apprenticeship Standard) procedure
- Lead Internal Verifier (BTEC/EDEXCEL only, RQF, NQF and QCF) procedure
- Plagiarism, Artificial Intelligence and Misuse procedure