



Malpractice, Maladministration or Plagiarism Policy & Procedure

This policy is reviewed annually and may be revised in response to feedback from students, tutors and external organisations.

Version	Review Date	Author	Details
1.1	10/09/2020	Ebenezer	Amended logos



Malpractice, Maladministration or Plagiarism Policy & Procedure

1. Scope

This policy and procedure lays out the steps that people should take to report an actual or suspected occurrence of malpractice, maladministration or plagiarism and inform those who receive the information on how they should proceed.

The intended audience for this document is:

- ART Providers Ltd Core and Associate staff
- All staff of ART Providers Ltd Delivery Partners associated with ART Providers Ltd provision
- All staff in ART Providers Ltd recognised and partner Centres
- Qualification Regulators
- Industry Regulators

This policy and procedure satisfy requirements for Learners, Trainers & Assessors and ART Providers Training and Assessing centre(s) staff, as set out by the Awarding bodies.

The Information

Training and Assessing Organisations are required by Awarding Bodies to take all reasonable steps to prevent the occurrence of any malpractice, maladministration or plagiarism. They must also investigate instances of alleged or suspected malpractice and take the necessary action to maintain the integrity of the qualification or assessment. ART Providers Ltd takes the integrity of its qualifications and assessments very seriously and is committed to providing qualifications and assessments which are fit for purpose and which are managed and assessed consistently, accurately and fairly.

It is very important that ART Providers Ltd has policies and procedures in place which show how we intend to prevent and deal with any case of suspected malpractice and how they will be reported to the relevant awarding bodies immediately such incidence is suspected or discovered.

There may be many reasons why malpractice occurs and it can be detected in a number of ways. For example:

- Observation – someone identifies that they have witnessed someone (or a number of people) doing something they feel is inappropriate and reports it either openly or anonymously.
- Word of mouth – someone is told that something has happened or is happening that is inappropriate and reports it either openly or anonymously.
- Through professional identification – for example a Tutor, Assessor, Internal Quality Assurer, External Quality Assurer, Examiner or Moderator identifies that learners' answers or assessments are the same or they believe the work has been plagiarised. Alternately an Invigilator in an exam may witness people talking, copying or passing notes or using mobile phones etc.

The examples given here are illustrative and do not provide a full and complete description of the many forms malpractice can take.



Malpractice for the purposes of this ART Providers Ltd procedure includes malpractice, maladministration and plagiarism.

Definitions: -

Malpractice: in breach of regulation, unethical, negligent, or immoral behaviour, which does or could compromise the process of assessment, the integrity of regulated qualifications, or the validity of a result or certificate. It could also damage the reputation, credibility and authority of ART Providers Ltd - its Centre(s) and their employees and the Awarding body. This could include for example; a learner cheating in an exam, or a professional person falsifying or tampering with results or assessment/quality assurance records. Staff or other Centre representatives and/or learners can carry out malpractice

Examples of Centre malpractice include:

- Insecure storage of assessment instruments and marking guidance.
- Misuse of assessments, including inappropriate adjustments to assessment decisions or externally set assessments
- Failure to comply with requirements for accurate and safe retention of learner evidence, assessment and internal quality assurance records.
- Failure to comply with Awarding Organisation procedures for managing and transferring accurate learner data.
- Excessive direction from assessors to learners on how to meet assessment criteria, learning outcomes or national standards.
- Deliberate falsification of records to claim certificates.

There may be other instances of suspected centre malpractice that may undermine the integrity of an Awarding Organisation's qualifications. These are examples only and not an exhaustive list.

'Centre staff malpractice' this means malpractice committed by a member of staff (or contractor) at a centre. It can arise through, for example:

- A breach of security (e.g. failure to keep exam material secure, tampering with coursework etc.).
- Deception (e.g. manufacturing evidence of competence, fabricating assessment or internal quality assurance records).
- The provision of improper assistance to learners (e.g. permitting the use of a reasonable adjustment over and above the extent permitted by the Awarding Organisation's policy, prompting learners in assessments by means of signs or verbal or written prompts).
- Failure to adhere to regulations/Awarding Organisation stated requirements.

Examples of learner malpractice include:

- Plagiarism - failure to acknowledge sources properly and/or the submission of another person's work as if it were the learner's own.
- Collusion with others when an assessment must be completed by individual learners.
- Copying from another learner (including using ICT to do so).



- Personation - assuming the identity of another learner or having someone assume your identity during an assessment.
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence. This includes vulgarity and swearing that is outside of the context of the assessment, or any material of a discriminatory nature (including racism, sexism and homophobia).
- Inappropriate behaviour during an assessment or examination that causes disruption to others. This includes shouting and/or aggressive behaviour or language and having an unauthorised electronic device that causes a disturbance in the examination room.
- Frivolous content - producing content that is unrelated to the examination paper/question in scripts or coursework.
- Unauthorised aids - physical possession of unauthorised materials (including mobile phones, MP3 players, notes, etc) in the examination room.

There may be other examples of malpractice that may undermine the integrity of qualifications.

Maladministration – activity, neglect, default or other practice that results in ART Providers Ltd or learner not complying with the specific requirements for delivery of qualifications. This would include incompetent or dishonest management or administration of exams or assessments. This could include for example; poor invigilation, incorrectly recording of examination or assessment results or issuing an incorrect certificate.

Plagiarism - someone deliberately falsifying records or using work in their assessments that is not their own but is presented as if it were their own - if plagiarism is detected before a declaration of authentication is signed, and then this need not be reported to ART Providers Ltd Awarding bodies and should be dealt with under ART Providers Ltd own procedures (plagiarism).

N.B. by a declaration of authentication we mean that the evidence or examination result has been signed by the learner to confirm that it is his or her own work.

2. Our Procedures

When ART Providers Ltd identifies that suspected or actual malpractice, maladministration or plagiarism (MMP) has occurred we must determine whether the allegation is about a Learner or staff member.

ART Providers Ltd awarding bodies must be informed immediately. Senior members of the Assurance Team will consider who and how the matter will be investigated. This may be done in consultation with the Head of Assurance or Responsible Officer.

In many cases of alleged MMP the Head of Learning or Head of Organisation at ART Providers Ltd may be asked to conduct the initial investigation into the allegations, often supported by Awarding Body/ Delivery Partner employees.

Where the incident concerns a Learner, ART Providers Ltd must ascertain whether the Learner has signed a declaration of authentication. If a Learner declaration has not been signed, ART Providers Ltd internal policies and procedures should be followed.



Where ART Providers Ltd and the staff or Learners have signed a declaration of authentication, a malpractice, maladministration or plagiarism (MMP) form will be completed. The relevant MMP form should be submitted to the Awarding Body the same day or the next working day at the latest, ensuring there is a receipt confirmation of the MMP form by the Awarding body.

2.1 The Investigation

Conducting an investigation the Head of Learning/ Organisation at ART Providers Ltd must ensure that investigations into the allegations are conducted appropriately, as required by the Awarding body.

The investigation may involve:

- A request for further information
- Interviews (face to face or by telephone) with people involved in the investigation
- Arranging for Focal Point staff to carry out a workplace visit
- Informing the awarding body
- Making informed decisions based on the evidence
- Protecting the identity of the 'informant' as required
- Sharing information with other external parties, as required

Staff and learners will be informed of their rights unless the Awarding Body Head of Assurance informs the Head of Learning/ Organisation at ART Providers Ltd that this is not appropriate given the specific circumstances. All facts and findings must be reported to the Assurance Team in full by the date stated by Awarding Body. The report must be submitted with an action plan to deal with the situation and ensure that it does not reoccur.

In addition, the Head of Learning/ Organisation at ART Providers Ltd should conduct further enquiries when asked to do so by Awarding Body (Assurance Team).

On completion of the investigation the matter will be considered. The investigation report will then be reviewed internally by ART Providers Ltd and or Awarding Body within 3 to 7 working days of receipt.

If the allegation is not upheld ART Providers Ltd (and / or its Awarding Bodies) will provide relevant decisions in writing within 3 working days of the decision.

The Incident Log will be updated with the outcome.

ART Providers Ltd will review the circumstances and consider whether our processes and procedures need to be changed to prevent re-occurrence as part of the Continuous Improvement process.

No sanction will be applied.

If an allegation is upheld ART Providers Ltd (and / or its Awarding Bodies) will decide whether the MMP could cause an Adverse Effect. If it is thought that this is the case, the appropriate Regulator will be informed immediately.



If the allegation upheld learner or ART Providers staff or partner must be reminded of their right to appeal.

2.2. Possible action(s) following Investigation

If the investigation confirms that malpractice has taken place, we may impose one or more of the following sanctions on the learner. Please note that this list is not exhaustive:

- Disallowing all or part of the learner's assessment evidence
- Disallowing all or part of the learner's external assessment marks
- Not issuing the learner's certificate(s)
- Not accepting any further registrations for the learner
- Disqualification from the programme

In some circumstances, the Awarding Body may ask ART Providers Ltd to take appropriate action against an individual. These actions must be carried out as requested by the awarding body and reported back when completed.

The Incident Log will be updated with the outcome.

ART Providers Ltd must retain all documentation in case of appeal. Documentation should be retained for 7 years.