

Policy & Procedure	Dealing with Malpractice
Policy Area	Quality
Version Number	02
Approving Committee	SMT
Date of Approval	27 August 2019
Date of Equality Impact Assessment	October 2019
Date of Review	June 2022
Responsible Senior Manager	Assistant Principal Performance and Skills

History of Amendments

Date	Version/Pages/Sections Affected	Summary of changes
June 2017	Version 01	2.3 to comply with AB guidance 4.4 and 4.7 Clarification of roles Pages 12 & 13 – Revisions to guidance incorporating advice from ABs.
August 2019	Version 02	Small amendments

Policy Statement

This procedure applies to all staff involved in assessing students who are enrolled in the college and who undertake qualifications leading to certification by accredited awarding bodies or by the college. Guidance for students on what constitutes malpractice, extracts of the relevant malpractice components of this procedure and what happens if malpractice is suspected and/or proven is available on the student intranet. [Student Guide on Malpractice].

Equality Statement

The College is committed to providing equal opportunities to ensure its students, staff, customers and visitors are treated equally regardless of gender reassignment, race, religion or belief; disability; age; marriage and civil partnerships; pregnancy and maternity; sexual orientation; sex.

Please note this document is available in other formats, to request another format please email quality@wcs.ac.uk

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1. What is malpractice?

1.1. Malpractice is defined as being any deliberate action, neglect, default or other practice that compromises the integrity of the assessment process, the validity of a qualification or certificate or the reputation of the college or any approved awarding body that we work with. There are two types of (non- mutually exclusive) malpractice – candidate malpractice and college (centre) malpractice.

1.2. Candidate malpractice

Candidate malpractice can occur in both internal and external assessment and may constitute any of the following examples, but the list is not intended to be exhaustive and staff should be aware of other instances in which malpractice can occur:

- plagiarism – failure to acknowledge sources of work or submit another person's work as the candidate's own
- collusion with others where an assessment should be completed by the individual
- copying from another candidate including using ICT to do this
- pretending to be someone else
- using inappropriate material in assessment evidence – offensive, discriminatory, obscene material
- using content unrelated to the assessment
- using unauthorised aids during the assessment process
- inappropriate behaviour that causes disruption to others – for example shouting, swearing, aggressive manner, talking during silent assessment conditions, purposely distracting others

1.3. College (Centre) Malpractice

College malpractice may constitute any of the following examples, but the list is not exhaustive and staff should be aware of any other instances in which malpractice can occur:

- Misuse of assessments including reassessing candidates contrary to the assessment guidelines, multiple resit attempts contrary to the college assessment policy and/or modifying or adjusting assessment decisions contrary to the requirements;
- Insecure storage of assessments and marking guidance;
- Failure to retain candidate evidence, assessment and internal verification records;
- Failure to manage accurate candidate data;
- Inappropriate direction from assessors to candidates on how to meet the assessment standard;
- Falsifying records to claim certification;
- Inappropriate pressure applied to assessors to influence assessment outcomes.

2. Reporting Malpractice

- 2.1.** Suspected cases of malpractice, including those from a third party, must be reported to the Quality Department as soon as the instance occurs, or where circumstances dictate (for example in evening class or community outreach delivery) within 24 hours of occurrence. This can be done by contacting the Quality Assurance and Examinations Manager or the campus based Quality Standards Coordinators in their absence, any senior staff member. In cases where remote delivery of assessment takes place, communication may be made by email to quality@wcs.ac.uk or by telephone – see Appendix 1 for contact details.
- 2.2.** All suspected cases of malpractice reported should contain the information within the Malpractice Report Form (Appendix 2) – this form is available electronically but in cases where the form is not accessible the reported instance should contain a minimum of the following information: the date and time, unit/assessment number and title, assessor name, candidate name, candidate enrolment number (or DoB), commentary as to the suspected malpractice and any supporting evidence.
- 2.3.** All cases of suspected Centre malpractice must be notified to the appropriate Awarding Body

3. Preventing malpractice

- 3.1.** Reasonable steps must be taken by all staff involved in the assessment process to minimise the risk of malpractice occurring. This includes ensuring all candidates are aware of the Student Guidance on Malpractice, accessible on the Student Intranet and awareness raised as part of college and course induction.
- 3.2.** Staff training and awareness events will be offered as part of the college CPD programme with mandatory training for all teaching staff.
- 3.3.** Any member of staff must notify the Quality Department of a potential conflict of interest as soon as is practicable. The Quality department will agree what mitigating measures need to be adopted.

4. Dealing with Malpractice

- 4.1.** The Quality Department will retain records of all reported cases of malpractice. All records are available for awarding body review on request. In the case of external assessment any suspected instance of malpractice is immediately reported to the awarding body.
- 4.2.** Quality Department will immediately inform the Data Services Manager of any suspected or actual malpractice occurrence. A hold will be placed on the candidate(s) results pending investigation of the incident.
- 4.3.** If a candidate result has inadvertently been submitted to an awarding body prior to the reporting of the incident, the Quality department will immediately inform the awarding body.
- 4.4.** The Head of Quality and Professional Standards or a delegate Quality Standards Co-ordinator will assign an investigator – typically a Head of Sector or equivalent - to investigate the suspected malpractice as a priority but in exceptional circumstances,

no later than two working days after the incident has been reported. The investigator will record staff statements and gather in supporting materials relative to the incident.

4.5. As a minimum the Quality department will retain records which include the date and time, unit/assessment number and title, candidate name, candidate enrolment number (or DoB), commentary as to the suspected malpractice and any supporting evidence. Initial recording of the incident should be undertaken by the assessor, and involve consultation with the course Curriculum and Quality Leader (CQL) where this individual is accessible, or at the very least a comprehensive written communication to the CQL informing him/her of the incident. The incident should be recorded on the Malpractice Report Form and submitted electronically to the Quality Department.

4.6. Along with the Malpractice Report Form, in the event of serious breaches or repetitive practices, other records to be made available may include written summary statements by all staff and candidates involved, all assessment evidence and any comparable exemplars/checklists/markings schemes or other candidates work and internal verification records.

4.7. The Head of Sector or equivalent or delegated Quality Standards Co-ordinator will investigate the incident and following consultation with all parties will recommend appropriate action in a report to the HQPS. Action that is deemed appropriate may be based on the following suggestions but as each instance of suspected or proven malpractice can vary, the remedial actions below are not exhaustive:

Circumstance	Outcome	Quality Department Actions
Candidate malpractice reported and investigated but not proven	Candidate result hold is lifted and processed.	Inform Data Services and candidate of outcome. Retain records on file for 3 years

Circumstance	Outcome	Quality Department Actions
Candidate malpractice in internal assessment reported, investigated and proven	Candidate attempt at assessment is recorded as a Fail. If the candidate has not taken all opportunities for assessment then an additional opportunity may be offered. If the candidate has exhausted all opportunities for assessment the result is entered as a fail for the whole unit. In order to retake this unit the candidate will have to appeal to the CQL to be entered on a future occurrence of the same unit. Quality department to notify Data Services to process fail result to awarding body.	Inform candidate of outcome and meet with CQL or equivalent to discuss future progress. Retain records for 3 years from date of closure. Notify awarding body as required. Advise Data Services to withhold unit result or advise awarding body of reclaim of result/certification.
Candidate is a repeat offender (more than once in any academic session) or the seriousness of the proven malpractice is significant in terms of impact on others or damage to the college reputation.	Candidate is subject to disciplinary proceedings under the Student Behaviour Policy.	Candidate is informed in writing of the commencement of disciplinary proceedings.

Circumstance	Outcome	Quality Department Actions
Centre malpractice	All suspected cases of Centre malpractice to be reported to the appropriate Awarding Body Confirmed Centre malpractice is deemed to be a Staff matter – dealt with under staff disciplinary procedure as appropriate to the nature and seriousness of the incident.	
Investigation involves a criminal offence report, prosecution or civil compensatory claim		Retain records for 5 years from date of closure.

4.8. Any notification by an awarding body or the qualifications regulator (SQA Accreditation, Ofqual) of their intent to conduct a centre investigation into any cases of suspected malpractice must be immediately reported to the Assistant Principal Performance and Skills and the Assistant Principal: Faculty within whose area/department the incident occurred.

4.9. Staff Representative Groups/Trades Unions play an important role in promoting a shared understanding of the malpractice procedure across their memberships. These groups also have a role in supporting and representing staff members involved in a college malpractice investigation.

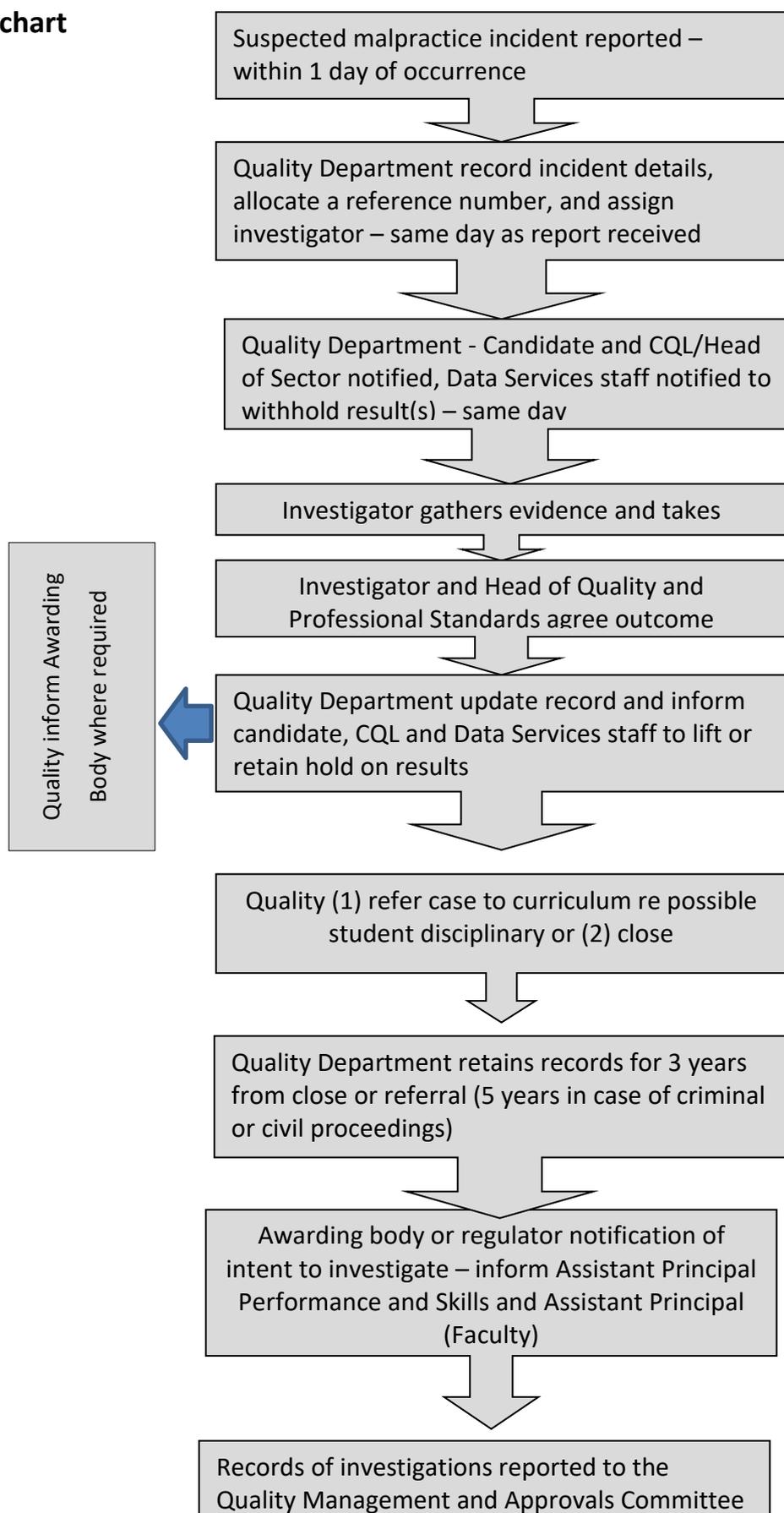
5. Candidate appeals

5.1. Candidate appeals against the outcome of a malpractice investigation will be dealt with under the college Academic Appeals procedure.

5.2. Candidates may further appeal against the outcome, directly to an awarding body within a period of ten days after the college appeals process has concluded.

Procedure for Dealing with Candidate Malpractice

Flowchart



Appendix 1 – Quality Department Staff contact details

Head of Quality and Professional Standards – John Redman

Email John.Redman@wcs.ac.uk

Quality Assurance and Examinations Manager – Fiona Goggins

Email: Fiona.Goggins@wcs.ac.uk

Campus	Quality Standards Co-ordinator	Email
Queen's Quay	Steven Cairney	steven.cairney@wcs.ac.uk
Greenock	Johanne Porter	johanne.porter@wcs.ac.uk
Paisley	Christine McGowan	christine.mcgowan@wcs.ac.uk
Generic	All	quality@wcs.ac.uk

Appendix 2 – Template Malpractice Report Form

Date/time/location of (suspected) malpractice incident	<ul style="list-style-type: none"> ■ / ---- / ---- at am/pm ■ Campus location _____
Candidate Name	
Course	
Enrolment ID/DoB	
Unit/Assessment Number	
Unit/Assessment Title	
Staff names and designation	
Name[s] of other candidate[s] involved	

Quality Department Use:

Case Reference Number		Investigator
Supporting statements	Number	Names
Candidate evidence	Description	
Other supporting reference	Description	

MALPRACTICE STATEMENTS		CASE REF NUMBER:
Name:	Staff or Student (circle)	
	Post held or Course (insert) _____	
Statement of facts		
Summary of Actions taken/proposed		
Signed		Date of Statement

Appendix 3 - Equality Impact Assessment

Name of policy/procedure/decision: Dealing with Malpractice Procedure

Provide a brief summary of the aims of the policy/procedure/decision and main activities:

The aim of this Procedure is to define what is meant by malpractice, and to explicitly state the College's position that any form of academic malpractice is unacceptable and may have serious consequences.

Assessed By: Clare Fraser **Date:** 2 October 2019

This stage establishes whether a policy, procedure or decision will have a differential impact from an equality perspective on people who share protected characteristics or whether it is "equality neutral" (i.e. have no effect either positive or negative).

The protected characteristics are: age, disability, gender reassignment, pregnancy or maternity, race, religion or belief, sex and sexual orientation.

1. Who will benefit from this (students/staff/stakeholders)? Is there likely to be a positive impact on people who share protected characteristics, and if so, how? Or is it clear at this stage that it will be equality "neutral"? i.e. will not have a differential impact on any equality group/s?

The approach which is set out in this Procedure should have a neutral impact on protected groups.

2. Is there likely to be an adverse impact on people who share protected characteristics? If so, who may be affected and why? Or is it clear at this stage that it will be equality "neutral"?

The Procedure includes steps to mitigate against the risk of adverse treatment. The independence of the investigation should reduce the risk of bias. Staff who are involved in implementing this Procedure receive Equality and Diversity training, which emphasises the importance of meeting the diverse needs of stakeholders. The College will also make reasonable adjustments as appropriate, and will provide support in understanding the implications of this Procedure.

3. What action will you take to ensure that you are monitoring the impact of this Procedure?

An annual review of the personal profile of candidates involved in any reported incidents of malpractice will be undertaken. This will analyse proportions of candidates with protected characteristics against the whole college population of enrolled students and be benchmarked year on year. The outcome of the review will be reported to the Equality and Diversity Committee on an annual basis.

Appendix 4 – Checklist for Approving Committee

Approving Committee(s) Checklist

To be submitted to SMT and retained within the committee meeting records

The approving committee has made the following checks prior to approval of the policy

Title _____

The standardised template for presentation has been used	
Appropriate consultation has taken place	
Impact on other college policies and procedures has been considered and consulted upon where appropriate	
Equality Impact Assessment has been carried out	
Agree the date for review	

The committee endorses the above policy and associated procedure(s).