

Academic Malpractice and Maladministration Policy

HARROW, RICHMOND AND UXBRIDGE COLLEGES POLICY AND PROCEDURES



Policy No:	C12
Subject:	Academic Malpractice & Maladministration Policy
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Person responsible:	Assistant Direct – Academic Standards
Approved by:	People Board
For action by:	Teaching staff, Tutors, Learning Advocates, appropriate Heads of School and Examinations
For information to:	All staff & students

1.0 Background

- 1.1 It is vital that HRUC maintains the integrity of its academic procedures, awards, and relationship with awarding bodies, and that there are procedures in place to deal with suspected cases of academic malpractice or maladministration.
 - 1.2 Academic malpractice and maladministration cover cases, be they intentional or unwitting, where HRUC considers there has been a breach of integrity that governs its academic contracts and operations.
 - 1.3 HRUC's academic malpractice and maladministration policy and procedures are closely informed by the Joint Council for Qualifications (JCQ) Policies and Procedures relating to "Suspected Malpractice in Examinations and Assessments".
 - 1.4 "*Malpractice and maladministration*" – any act, default or practice which is a breach of the Awarding Body regulations or which:
 - Compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of the certificates and/or
 - Damages the authority, reputation of HRUC or Awarding body, or any officer, employee or agent of HRUC or Awarding body.
- NB. Failure by HRUC to investigate allegations of suspected malpractice or maladministration in accordance with the requirements will also be considered malpractice by Awarding bodies.

- 1.5 “*Examinations and Assessments*” – means any written, on-line, on-screen or practical activity set according to the Awarding Body’s specifications, or any achievement measured against national standards, which contribute to the award of a qualification.

2.0 Intent

HRUC is committed to ensuring that its assessment regulations and those of the Universities and other Awarding Organisation with which it works are fully and fairly implemented. We will take action against any student who contravenes these regulations through negligence, inadvertence or deliberate intent in any form of summative assessment. The purpose of these provisions is to ensure that the College complies with the requirements of awarding organisations and can demonstrate that it has procedures in place to maintain the integrity of its assessment procedures. The policy is further intended to inform students of the nature of academic misconduct, its seriousness and the sanctions that may be imposed where plagiarism is detected.

- 2.1 The policy and procedures are designed to deal with suspected cases of academic malpractice and also provide guidance on preventing and detecting instances of malpractice.

2.2 Responsibility of staff

- i) Teaching staff have a professional responsibility to familiarise themselves with the specification, rules and regulations governing the assessment of any qualification with which they are involved in delivery and for ensuring that they comply with the requirements of the awarding body and regulatory authorities.
- ii) Section Managers and Curriculum Team Leaders are responsible for ensuring that their teams are familiar with requirements referred to in 2 a) above and that the requirements are followed by the course team.
- iii) Heads of School are responsible for ensuring that course teams comply with the requirements referred to above and that the induction of new staff covers those requirements.
- iv) To avoid conflict of interest, staff will ensure that they do not assess or verify the work of family or friends

Assessment Appeals Policy

- iv) Course Leaders are responsible for ensuring that students are made aware of this policy at induction, normally through drawing attention to them through a reference in the course handbook. This handbook will be available to student via the student intranet.
- v) Teachers are responsible for reminding students about the policy in advance of issuing any work intended for summative assessment.
- vi) Teachers are responsible for teaching students’ methods of referencing their sources that are in accordance with Awarding Organisation requirements and appropriate to their level of study.

- 2.3 Each case will be determined on its own facts and merits, regardless of the age, gender, faith group, sexuality, disability or race of the individual being investigated. The intention is to ensure individuals affected are given a fair opportunity to respond to any allegations of academic malpractice. Accordingly, it may be necessary to adjust the procedures to allow a proper investigation, or to ensure fairness to the person concerned in any particular case. It may be necessary for HRUC to seek legal advice in specific areas.

2.4 Where academic malpractice is found:

- 2.4.1 Candidates should be aware that the range of sanctions extends to exclusion from college and being barred from entry to examinations for a set period of time, by all awarding bodies within the Joint Council of Qualifications (JCQ).

- 2.4.2 HRUC staff should be aware that they may be subject to investigation under the HRUC’s disciplinary processes.

3.0 Scope

3.1 The policy and procedures are intended to cover suspected cases of academic malpractice and maladministration involving students or staff.

3.2 Illustrations of malpractice. The examples are not an exhaustive list and as such do not limit the scope of the definitions set out in this document.

3.2.1 Candidate Malpractice

- Any transgression of Examination Room Rules as prescribed by the Joint Council for Qualifications, University or Awarding Organisation.
- Exchanging, obtaining, receiving or passing on information which could be examination related (or the attempt to do this)
- Offering a bribe or inducement to invigilators, academic or administrative staff, examiners or other persons connected with the assessment.
- Being party to an arrangement whereby a person other than the candidate would fraudulently represent them at the assessment (personation)
- Breach of instructions or advice of any invigilator, supervisor, or the awarding body in relation to the examination or assessment rules and regulations
- Failing to abide by conditions of supervision designed to maintain the security of the examinations or assessments.
- Disruptive behaviour in the examination room or during an assessment session (including use of offensive language) in a manner as to undermine the integrity of the examination.
- Cheating to gain an unfair advantage including copying from another candidate (including the use of ICT to aid the copying).
- Bringing into the examination room or assessment situation unauthorised material, for example: notes; study guides; personal organisers; own blank paper; calculators; dictionaries (when prohibited); personal stereos; mobile phones; smart watches or other similar electronic devices.
- Collusion: working collaboratively with other candidates, beyond what is permitted.
- Arranging for another person to complete an assignment for submission by a candidate as their own work.
- Fabrication of results and/or evidence for example, presentation of data in laboratory reports, projects, etc., based on work purported to have been carried out by a student which has been invented, altered, copied or obtained by unfair means.
- Inclusion of inappropriate, offensive or obscene material in scripts, coursework or portfolios.
- Plagiarism: unacknowledged copying from published sources; incomplete referencing.
- Theft of another candidate's work.
- Alteration of any result document, including certificates
- False declarations intended to induce special consideration by Awarding Organisations, including deferrals and requests for exemption from work.
- The use of any form of unfair or dishonest practice in assessment not identified by the examples given above including an attempted infringement of any assessment regulations, any arrangement with others to do so or any incitement to others to do so.

3.2.2 Centre Staff Malpractice and Maladministration

- Improper assistance to candidates: in the production of coursework; in the production of answers.
- Maladministration: for example, poor invigilation.
- Breach of security: breaking the confidentiality of question papers or materials and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalent; tampering with candidates' scripts or coursework after collection and before despatch to the awarding body.
- Deception: any act of dishonesty in relation to examinations and assessments.
- Failing to keep any Awarding Body mark schemes secure.
- Alteration of any Awarding Body mark schemes.
- Alteration of Awarding Body's assessment and grading criteria.
- 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 centre 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, for example where learners are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment.
- Failing to keep learner computer files secure.
- Falsifying records/certificates, for example by alteration, substitution, or by fraud.
- Fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment.
- Failing to keep assessment/examination/test papers secure prior to the assessment/examination/test.
- Obtaining unauthorised access to assessment/examination/test material prior to an assessment/examination/test.
- Failing to adhere to awarding body Conflict of Interest requirements
- Continual failure to adhere to learner registration and certification procedures.
- Continual failure to adhere to centre recognition/qualification requirements, and/or associates assigned to the course.
- Continual late learner registration.
- Inaccurate claim for certification
- Failure to maintain appropriate auditable records – e.g. certificate claim and/or forgery of evidence.
- Withholding or delaying of information by deliberate acts or omission required by awarding organisation.
- Inappropriate administration arrangements and/or records

It is recognised that HRUC is obliged to conduct an investigation into suspected malpractice and maladministration, when called upon to do so by an Awarding Body partner.

3.4 HRUC will co-operate with any investigation that a partner Awarding Body may wish to conduct on issues of suspected academic malpractice.

3.5 It is also recognised that where suspected malpractice or maladministration has been detected by an Awarding Body (or a case referred to the Awarding Body following investigation by the College) any sanctions that may arise as a result will be dictated by the Awarding Body in line with recommendations set out under the agreements of the Joint Council for Qualifications (Appendix 1.1) or by their own published regulations if not associated with the JCQ.

4.0 Preventing and detecting academic malpractice

- 4.1 It is incumbent on academic staff and examinations personnel to ensure candidates are clear about expectations in relation to academic conduct.
- 4.2 Induction and other course/tutorial activity, as well as communications directly related to examinations and assessments must make clear HRUC's and Awarding Bodies stance on academic malpractice and the potential sanctions for reaches of policy.
- 4.3 HRUC staff should be aware of the JCQ instructions for conducting coursework/portfolios and good practice guidelines for preventing and detecting academic malpractice and maladministration (refer Appendix 1).

4.4 Plagiarism

- 4.4.1 Plagiarism - as a form of academic malpractice is on the increase. There are a number of clues that point to the possibility of plagiarism and academic staff should be alert to these. Guidance on detection of plagiarism is referred to in JCQ documents (Appendix 1).
- 4.4.2 Authentication processes – The awarding bodies' Code of Practice requires all candidates to sign that the work submitted is their own and teachers/assessors to confirm that the work assessed is solely that of the candidate concerned and was conducted under required conditions.
- 4.4.2 Wherever possible, before submitting work, including drafts, for assessment, Higher Education students are expected to provide evidence of use of a plagiarism detection tool. The relevant reports should accompany submitted work.
- 4.4.3 All course teams should consult the JCQ guidance – Plagiarism in examinations (Appendix 1.) and in particular, ensure the following:
- awareness raising for students on academic honesty, understanding of academic malpractice (include plagiarism and the HRUC Policy for the use of Generative AI Tools) and its consequences and penalties.
 - reinforce the significance of the signed declaration by candidates and staff when authenticating coursework.
 - candidates are clear on sourcing and acknowledgement of sourcing in order to avoid accusations of plagiarism.
 - set reasonable deadlines for submission of work and provide reminders.
 - provide time for sufficient work to be done in class under direct supervision to allow teachers/assessors to authenticate each candidate's whole work with confidence.
 - Examine intermediate stages (drafts) to further authenticate candidates' work and ensure work is underway in a planned and timely manner. It is recommended that course teams should utilise the candidate authentication declaration proforma for all drafts of course work provided by the awarding bodies or the HRUC college proforma which is Appendix 2.

5.0 Investigating Suspected Malpractice and Maladministration

- 5.1 Instances of malpractice and maladministration arise for a variety of reasons.
- Some incidents are intentional and aim to give an unfair advantage in an examination or assessment.
 - Some incidents occur because of ignorance of the regulations, carelessness or forgetfulness in applying regulations.
 - Some happen because of the force of circumstances which are beyond the control of those involved (e.g. disruption of an exam by fire alarm).
 - Human clerical error

- 5.2 Individuals involved in malpractice and maladministration also vary. These may be:
- Candidates.
 - Teacher/lecturers (established and agency), assessors or others responsible for the conduct, the administration or the quality assurance of examinations and assessments.
 - Assessment personnel such as examiners, assessors, moderators or internal and external verifiers.
 - Other third parties, e.g., parents, siblings, friends of the candidates.

5.3 Regardless of underlying cause or people involved, all allegations of academic malpractice and maladministration will be investigated in order to protect the integrity of the qualification and to be fair to the course team and candidates.

6.0 Part A Suspected Academic Malpractice: Candidates

6.1 For suspected academic malpractice occurring during examination/events and conditions – refer Appendix 1: Exam Regulations – JCQ – Instructions for conducting Examinations.

- The authority of the “Head of Centre” (as stipulated in the JCQ instructions) is delegated to the supervisory Exams Officer at HRUC.

6.2 For suspected academic malpractice reported to HRUC by an Awarding body, the procedure for investigation is dictated to by the JCQ’s - Policies and procedures for suspected malpractice in examinations and assessments or provided by the awarding bodies which is Appendix 1.

6.3 For cases of suspected academic malpractice reported by or detected from within the College, the following will apply:

6.3.1 Where a case of suspected academic malpractice has been reported, the Academic Standards Director (ASD) and the Academic Standards Officer (ASO)/Academic Standards and Quality Officer (ASQO) will together check and confirm the relevant awarding body regulations in respect of malpractice/maladministration, inform the awarding body (where appropriate) and the HOS will be notified. The HOS will send a letter to the student and/or parent/guardian/employer, informing them that an allegation of academic malpractice is being investigated (Stage 1). The Academic Standards Director and the Academic Standards Officer (ASO)/Academic Standards and Quality Officer (ASQO) and will be notified.

6.3.2 The tutor/lecturer reporting the suspected academic malpractice should write a statement outlining the suspected academic malpractice identified for this investigation. The statement will be reviewed by the ASD and ASO/ASQO who will advise the HOS on the appropriate outcome of Stage 1.

6.3.3 The outcomes of the initial investigation (Stage 1) should fall under one of the following. In all cases, candidates should be notified of the findings and outcomes in writing within 5 working days following the conclusion of Stage 1

- (A) No case to answer.
- (B) A case to answer – where the suspected academic malpractice is considered to be minor (refer Appendix 3. for definition).
- (C) A case to answer – where the suspected academic malpractice is considered to be moderate to serious (refer Appendix 3. for definitions).

In the case of outcome (A) the HOS should ensure the CTL/SM provides appropriate guidance and advice to the candidate.

In case of outcome (B) the HOS, in consultation with the CTL/SM, will agree the guidance and advice to be provided to the candidate. An appropriate written warning will be placed in the student’s personal file.

In the case of outcome (C) the HOS will notify the Academic Standards Director (ASD) and Assistant Principal (AsP); moving the investigation to Stage 2.

6.4 Stage 2 Investigation

The ASD in conjunction with the HOS/AsP, will undertake a Stage 2 investigation into the specific suspected academic malpractice, in line with the relevant awarding body regulations in respect of malpractice/maladministration.

- 6.4.1 The ASD will determine whether notification to external examiners/verifiers/awarding bodies in line with the Awarding Bodies procedures is necessary and the ASD will make contact if appropriate.
- 6.4.2 The HOS/AsP/ASD will decide if an investigation can continue uncompromised without suspension. Consideration should be given to protecting the integrity of the qualification and whether this is the second, proven offence.
- 6.4.3 It is expected that all relevant parties will be interviewed, which might include candidate course/subject lecturer, course team leader/section manager and any other relevant witnesses identified and the individual(s) who have reported the case of suspected academic malpractice, if this differs and where this is not anonymous. **NB, candidates (< 19 years old) must have parents/guardians/adult acting in loco parentis present at any interview.**
- 6.4.4 Written notice of Stage 2 interview will be sent to the candidate stating allegations, providing a summary of the evidence and the potential outcomes a maximum of 5 working days prior to the interview. The candidate must also be sent a copy of the college Academic Malpractice Policy with this letter.
- 6.4.5 The HOS will chair the Stage 2 interview and will require attendance by the ASO/ASD, and student (accompanied by guardian/parent if ≤ 19 ; or (optionally) by friend, relative, student council representative if > 19)¹. HOS may also request attendance by CTL/SM, assessing teacher and any other involved member of staff.
- 6.4.6 The ASO/ASD will provide information and guidance relevant to the case of specific suspected academic malpractice, in line with the relevant awarding body regulations in respect of malpractice/maladministration to assist the interview.
- 6.4.7 All documents relevant to the case will be made available to all concerned a minimum of 3 days prior to the interview.
- 6.4.8 A formal record will be kept of the meeting. All parties must be given the opportunity to acknowledge that this is an accurate record before it is sent to any external body. If the record is submitted with a report to an external body, the student must be given the opportunity to produce an accompanying statement.

6.5 Stage 2 Possible Outcomes

- 6.5.1 If the malpractice investigation was a result of a report by an awarding body then the ASO/ASD must provide all details of the investigation (including records of meetings and statements from students) to be put forward by the ASD to the awarding body and a completed report using either the JCQ M1 form or the awarding bodies own template. In this case the College must await the awarding body decision on any sanctions to be imposed.
- 6.5.2 If the academic malpractice investigation was a result of an internal report, the college should issue a letter to the student indicating one of the following:

- No academic malpractice is found. Appropriate guidance and advice may be given to the candidate by the HOS.

¹ Legal representation will not be allowed, unless under exceptional circumstances which have been agreed in advance following a written request to the Principal (copied to Academic Standards Officer) at least three days in advance of the 2nd stage interview.

- **Case is found** – academic malpractice has taken place – the academic malpractice is considered to be minor (refer Appendix 3. for definition). HOS, in consultation with the CTL/SM, will agree the guidance and advice to be provided to the candidate. An appropriate written warning will be placed in the student’s personal file.
- **Case is found** – academic malpractice has taken place – the suspected academic malpractice is considered to be moderate to serious (refer Appendix 3. for definitions). Awarding body is informed (use JCQ /M1 – available in JCQ document “*Suspected Malpractice in Examinations and Assessments*”) and the College (via ASD) liaises with the awarding body in relation to the sanction to be imposed. (Refer Appendix 1).

Where the case is found and is considered moderate to serious, any decision on college sanctions must be held pending notification from the awarding body on the sanction to be applied.

- 6.5.3 Following notification by the awarding body, the HOS will decide if the student is found in breach of the Code of Conduct to the extent that a recommendation for exclusion or investigation as a Stage 3 disciplinary hearing is made. The HOS would normally confirm suspension from college in these circumstances. The findings and recommendations are sent in writing to the candidate within 3 days of the decision being made
- 6.5.4 Where there is a recommendation for exclusion or an investigation as a Stage 3 Disciplinary issue, the AsP will convene the Stage 3 hearing in liaison with the Head of Student Support under HRUC’s Disciplinary policy.

7.0 Part B Suspected Academic Malpractice and Maladministration: Centre (College) Staff

- 7.1 Any suspected academic malpractice or maladministration by college staff must be reported to the ASD, relevant line manager, and the Assistant Principal (AsP)
- 7.2 The ASD/AsP will conduct an initial investigation to determine whether there is a case to answer.
- 7.3 In conducting the initial investigation, the ASD/AsP may call upon assistance of other parties within the College, such as Head of School or other members of course team.
- 7.4 Any relevant documentation must be exchanged at least 3 days prior to any meeting between the AsP/ASD and the member of staff concerned.
- 7.5 The member of staff should be given an opportunity to refute or explain the alleged academic malpractice or maladministration.
- 7.6 A formal record of the investigatory meeting should be kept and when the investigation was a result of a report by an awarding body sent to them. In this case the College must wait for the decision of the awarding body on any sanctions to impose.
- 7.7 The AsP/ASD will decide whether or not there is a case for the member of staff to answer in relation to academic malpractice or maladministration. Written notification of the outcome will be provided by the AsP/ASD within 5 working days following conclusion of the investigation.
- 7.8 If the decision is that there is no case to answer, the AsP/ASD may still make recommendations to the member of staff concerned (and/or the relevant line manager) in order to minimise the chances of a similar case being brought in future.
- 7.9 Where the AsP/ASD determines there is a case to answer, the process will be dealt with **either via** training, where malpractice or maladministration arises from misunderstanding of a specification or awarding body rules or under the College’s disciplinary policy and procedures. The ASM will notify any external examiners/verifiers and Awarding bodies as appropriate.

8.0 Appeals

Appeals against penalties arising from malpractice or maladministration decisions by the Awarding Bodies.

8.1 The following individuals have a right of appeal against decisions of the Awarding Body's malpractice or maladministration committee or officers acting on its behalf.

8.1.1 "Head of Centre" (i.e., the principal) – who may appeal against sanctions imposed on behalf of candidate(s) or those imposed on the College. The principal will decide on whether or not the College will support an appeal on behalf of candidate(s) or a member of the college staff.

8.1.2 Members of college staff, or examining personnel contracted to the College, who may appeal against sanctions imposed on themselves personally.

8.1.3 It should also be noted that private candidates (without the support of the College), and third parties who have been barred from examinations of the Awarding Body have rights of appeal.

8.2 Information on submitting an appeal to an Awarding Body may be obtained from the college Academic Standards Officer (ASO)

8.3 Appeals against penalties arising from malpractice decisions by the College – Candidates.

8.3.1 Candidates have a right to appeal against decisions taken at Stage 2 by written notice to the appropriate HoS/AsP with grounds for their appeal, within 7 days of receipt of the Stage 2 outcomes, in accordance with the Appeals Against Assessment Decisions Procedure.

8.3.2 The AsP will hear the appeal.

8.3.3 Candidates (accompanied/with appropriate representation ²) will be invited to present their case with evidence.

8.3.4 All parties must be sent copies of documentation to be used a minimum of 3 days prior to the appeal.

8.3.5 The AsP will decide and notify the candidate as to the outcome of the appeal within 5 working days of the appeal hearing.

8.3.6 If the matter is not resolved, the student can make a final appeal to the Deputy - Principal in writing within 10 days on the following grounds:

- A material irregularity in the consideration of evidence.
- A failure by the appeal hearing to observe procedural requirement.
- The penalties imposed were not commensurate with the offence.
- The emergence of new evidence which could not reasonably have been brought to the attention of the appeal hearing.

8.3.7 The AsP decision will be final.

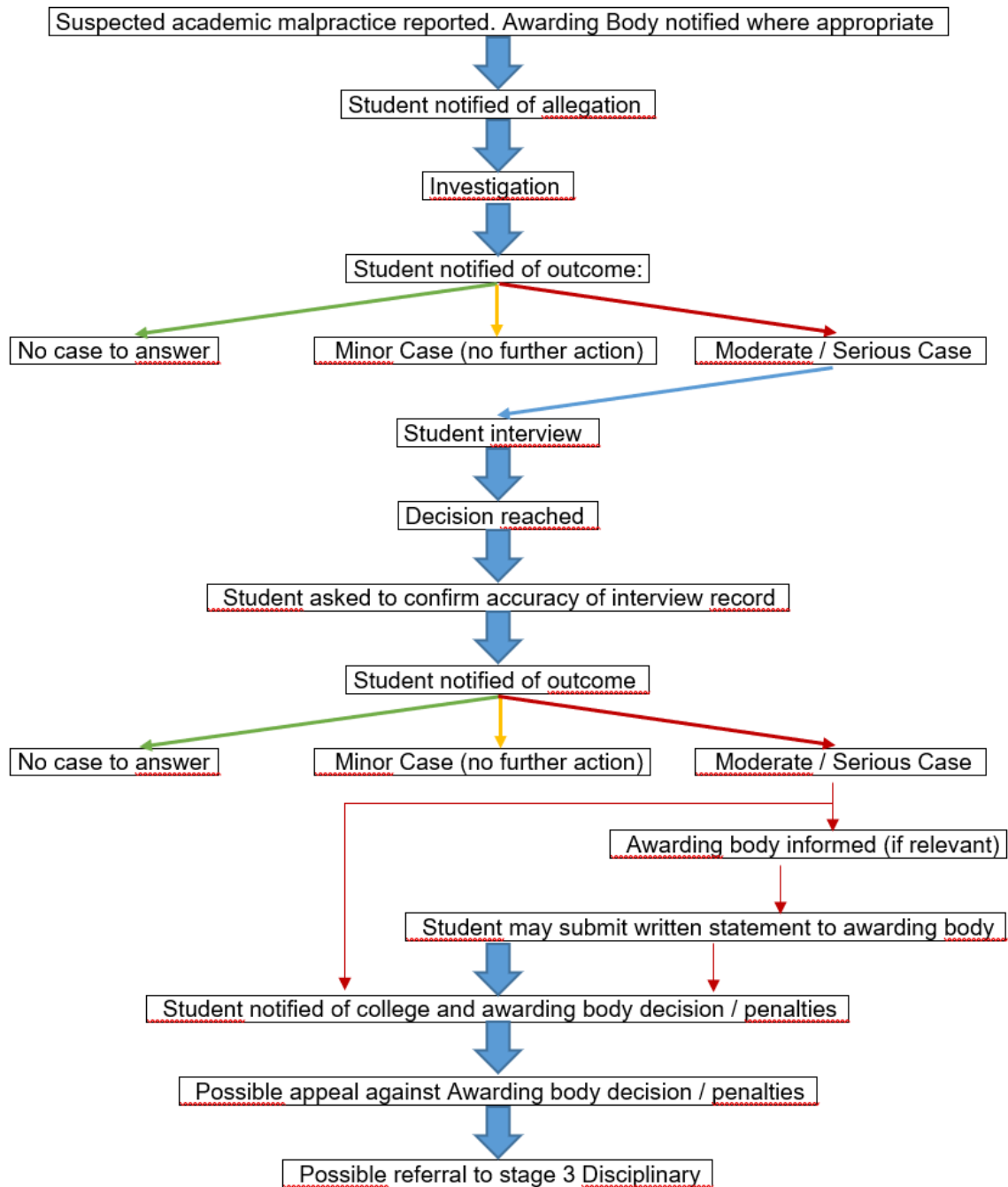
Appendix 1

JOINT COUNCIL FOR QUALIFICATIONS DOCUMENTATION

Contact college ASO/ASQO or ASD for details of accessing these documents or refer to the JCQ website – www.jcq.org.uk/

1. JCQ – Instructions for conducting coursework including authentication procedures
2. JCQ – 'ICE' Instructions for conducting Examinations
3. Instructions for conducting controlled assessments
4. JCQ – Suspected malpractice in examinations and assessments
5. JCQ - AI Use in Assessments:

Appendix 4 Stages of the Academic Malpractice process - brief outline for Students



Monitoring and Reporting

- Summaries of any allegations of malpractice and maladministration, findings of any investigation and subsequent action will be reported to HRUC Senior Management on an annual basis, normally in the autumn term in each academic
- The policy will be reviewed annually to ensure that compliance with guidance from the regulatory authorities is maintained.