# Learner Malpractice Policy

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| Policy Code: | TL4 |
| Policy Start Date: | September 2025 |
| Policy Review Date: | September 2026 |

Please read this policy in conjunction with the policies listed below:

- SW4 Student Behaviour and Discipline Policy
- TE4 Technical Assessment Policy
- TL8 Conflict of Interest Policy
- TL9 Conduct and Administration of Examinations Policy
- TL15 Word Processor Policy
- TL18 Special Consideration and Reasonable Adjustment Policy

## 1 Policy Statement

1.1 The policy applies to all staff at The Priory Federation of Academies Trust and outlines any procedure for dealing with an alleged Learner Malpractice.

1.2 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well as the Early Years setting at the Priory Witham Academy, Priory Apprenticeships and Lincolnshire SCITT.

1.3 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.

1.4 References to 'working' days within this policy refer to working days for the setting. As such, weekends and holiday periods are not included within any stated timeframe, for example, five working days.

## 2 Roles, Responsibilities and Implementation

2.1 The Education & Standards Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Trust's Examinations Manager.

2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all member of staff are responsible for supporting colleagues and ensuring its success.

## 3 Aims and Objectives of the policy

3.1 To ensure that the standards of assessment are consistent, transparent and in line with the requirements of our awarding bodies.

3.2 To set out the steps that staff and learners must follow when reporting actual or suspected cases of malpractice.

3.3 To ensure all learner assessment decisions are open and transparent.

3.4 To ensure all learners have the right to appropriate redress.

3.5 To ensure that staff deal with learner malpractice in a consistent manner.

## 4 Definition of Learner Malpractice

4.1 Learner malpractice means any activity or practice by a learner in the course of an examination or assessment (including the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper) which deliberately contravenes regulations and undermines and compromises the integrity and validity of assessment or the certification of qualifications.

4.2 Examples of Learner Malpractice

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records in order to claim certificates and/or qualifications. The following list is not an exhaustive one but gives a flavour of the types of offences that constitute learner malpractice:

a) deliberate failure to adhere to the internal assessments, moderation or internal verification;
b) deliberate failure to adhere to the centre recognition and/or qualification approval requirements;
c) plagiarism by copying and passing off, as the learner's own, the whole or part(s) of another person's work, including artwork, images, words, computer generated work, thoughts, inventions and/or discoveries whether published or not, with or without the originators permission and without appropriately acknowledging the source;
d) misuse of artificial intelligence (AI), in order to submit work which is not their own;
e) collusion by working collaboratively with other learners to produce work that is submitted as the individual learner's work. Learners should not be discouraged from teamwork however;
f) impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one's place in an assessment/examination/test;
g) fabrication of results and/or evidence;
h) the deliberate destruction of another's work;
i) being in possession (whether used or not) of unauthorised material during an examination or assessment; and/or
j) disruptive behaviour in the examination room or during an assessment session (including the use of offensive language and/or production/display of offensive images).

## 5 Plagiarism

5.1 Plagiarism is attempting to pass off other people's work and ideas as your own.

5.2 Plagiarism can include:

- copying from another learner, copying from books or the internet;
- paraphrasing;
- subcontracting the work to someone else; and/or
- submitting the same piece of work for two different purposes.

5.3 The consequences of plagiarism can include:

- the learner does not learn as much as those who complete their own work;
- it may result in legal action due to infringement of copyright laws;
- failure in one or more components of a course; and/or
- it can compromise the intellectual reputation of the establishment.

## 6 Artificial Intelligence (AI)

6.1 AI tools must only be used when the conditions of the assessment permit the use of the internet, and where the learner is able to demonstrate that the work is their own.

6.2 In accordance with JCQ guidance, some examples of AI misuse are as follows:

- copying or paraphrasing sections of AI-generated content so that work is no longer the learner's own;
- copying or paraphrasing whole responses of AI-generated content;
- using AI to complete parts of the assessment so that the work does not reflect the learner's own work, analysis, evaluation or calculations;
- failing to acknowledge use of AI tools when they have been used as a source of information;
- incomplete or poor acknowledgement of AI tools; and/or
- submitting work with intentionally incomplete or misleading references or bibliographies.

6.3 The Trust can support learners to use AI effectively by:

- ensuring that learners can use referencing effectively – acknowledging the use of AI is crucially important in upholding the integrity of the qualification and assessment;
- selectively integrating the use of AI so that learners are able to reflect on appropriate uses;
- ensuring that learners understand how they will be graded, whilst considering the role of AI (helping learners to evaluate the appropriate contexts with which AI could be used as a learning tool); and/or

- reconsidering the contexts of assessment – good assessment practice will invite learners to present their work in different formats.

6.4 Appropriate use of AI can include the following:

- assessing learner proficiency – AI can provide diagnostic assessments to help determine strengths and developments in a learner's knowledge base. As a result, AI can then prompt learners to focus on specific learning materials best suited for their skills level and gaps in knowledge;
- adapting learning pathways – AI algorithms can help to create personalised learning pathways, i.e., to develop a well-rounded learning pathway, an AI system could recommend learning tools that are visual in nature (infographics, videos) as well as text based learning tools (article reviews);
- real time feedback – AI can provide real time feedback on learner performance. Thus, allowing learners to understand where they are making mistakes and provide support in how to correct them; and/or
- collaborative learning environments – AI can be used to create collaborative digital environments, meaning learners can work together. AI can then act as a moderator, suggesting resources that are required, assisting with project managements and evaluating performance. Learners can then understand how AI can facilitate developments in their own collaborative learning environments.

## 7 Learner Malpractice Prevention

7.1 The Trust must ensure that staff do all in their power to prevent learner malpractice. Although not exhaustive, the list below highlights ways in which learner malpractice can be prevented:

a) using the induction period and the student handbook to inform learners of the Centre's policy on malpractice and the penalties for attempted and actual incidents of malpractice;
b) explain, at an early stage, the concepts of individual ownership of ideas and words, the ownership of electronic material and the difference between 'intellectual property' and 'common knowledge';
c) showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Whilst learners will be encouraged to conduct research the submitted work must show evidence that the learner has interpreted and synthesised appropriate information and has acknowledged any sources used and indexed appropriately;
d) insist upon the use of referencing bibliographies from day one;
e) ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers;
f) avoid the use of highly generic assignments, favouring contextualised tasks that require learners to research in depth and individually analyse and evaluate their findings;

g) Teachers and assessors must only accept work for assessment which they consider to be the learners' own;
h) ensuring that learners understand that work submitted for assessment is demonstrably their own. If any sections of their work are reproduced directly from AI generated responses, those elements must be identified by the learner (acknowledging AI use) and they must understand what this will not allow them to demonstrate that they have independently met the marking criteria, and therefore will not be rewarded; and
i) introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating, etc. These procedures may include:
    i. periods of supervised sessions during which the learner produces evidence for assignments/tasks/coursework;
    ii. altering assessment assignments/tasks/tools on a regular basis;
    iii. the assessor assessing work for a single assignment/task in a single session for the complete cohort of learners;
    iv. using oral questions with learners to ascertain their understanding of the concepts, application, etc. within their work;
    v. assessors getting to know their learners' styles and abilities; and/or
    vi. learners will be required to sign a declaration of authentication form to confirm that the work is their own.

## 8 Raising an Allegation of Malpractice

8.1 Anybody who identifies or is made aware of suspected or actual cases of malpractice at any time must immediately inform the Examinations Officer (or the Head of Centre in their absence). In doing so, they should put it in writing and enclose (where possible) appropriate supporting evidence.

8.2 All allegations should include (where possible):

- learner's name;
- details of the course/qualification affected;
- nature of the suspected or actual malpractice and associated dates; and
- any further information that may be relevant to the investigation.

8.3 Sometimes, a person making an allegation may wish to remain anonymous. It is always preferable for the identity of the informant to be revealed, if the individual is concerned about possible adverse consequences, they may request that their identity is not disclosed. Any issues that are reported anonymously will still be investigated, but further investigation may be necessary before the matter is taken up with the individual(s) to whom the allegation relates.

8.4 If an individual identifies or is made aware of malpractice whilst an examination is in process, they must report this to the Examinations Officer immediately (or nominated deputy in their absence). The Head of Centre will be notified as soon as possible.

## 9 Investigating Alleged Malpractice and Summary Process

9.1 Allegations from whatever source, must be investigated thoroughly. Once a malpractice offence has been raised, an investigating officer, appointed by the Headteacher/Head of Setting, will investigate all aspects relating to the alleged malpractice offence. However, in line with JCQ guidance, the responsibility for the investigation remains with the Head of Centre.

9.2 The fundamental principle of all investigations is to ensure that they are concluded in a fair and reasonable manner. In doing so, the investigation will be based around the following broad objectives:

- to establish the facts relating to the allegations / complaint;
- to identify the cause of the irregularities and those involved;
- to determine whether any action is required; and
- to identify and adverse patters or trends.

9.3 The following procedure must be instigated by the investigating officer once an allegation has been made:

a) where possible and appropriate, the learner accused of malpractice must be informed of the allegation made against them both verbally and followed up in writing within 48 hours of the allegation being made;
b) the learner's parents/guardian must be contacted and informed of the allegation, unless the learner is over the age of 18;
c) the learner must be informed of the evidence that has brought to light the allegation and be allowed access to the evidence gathered;
d) the learner must be informed of the possible consequences should findings of malpractice be made;
e) the learner should be given at least 48 hours in which to prepare a response to the allegations. The only exception to this is in the event of an allegation of malpractice as outlined in Section 10;
f) the investigating officer must convene an interviewing body consisting of no more than three people including the head of department/subject/faculty;
g) the interviewing body must interview the learner against whom the allegations of malpractice have been made within a reasonable timeframe;
h) should the learner so wish, they can be accompanied by an appropriate adult or friend during the investigating interview; and
i) the investigating officer must inform the learner of the appeals procedure.

## 10 Investigating Alleged Malpractice – an allegation is made that a learner has brought a banned item into the examination room

10.1 Please see SW4 Student Behaviour and Discipline Policy, Appendix A, for a list of items that are specified as a banned item during a formal examination.

10.2 In the event that an individual identifies or is made aware of this form of malpractice whilst an examination is in process, staff will wait until the end of that particular examination session before speaking with the learner.

10.3 At the end of the examination session, the learner will be accompanied by the Examinations Officer (or nominated deputy in their absence) and another member of staff to the examinations office (or an appropriate space away from other learners). A member of the Senior Leadership Team (SLT) and/or a Pastoral Team may also be present.

10.4 The Examinations Officer (or nominated deputy in their absence) will explain to the learner that there has been an allegation of malpractice and any evidence (where available) will be presented to them.

10.5 The learner will be given the opportunity to disclose any banned item that they may have in their possession.

10.6 If a learner states that they do not have any banned items on their person, but the examinations staff have reasonable grounds to believe that they do, the Examinations Officer (or nominated deputy in their absence) will request to SLT that a search is carried out. This will be carried out and recorded in line with SW4 Student Behaviour and Discipline.

## 11 Penalties for malpractice

11.1 Should the investigation confirm that malpractice has taken place, the action that will be taken may include:

a) issue the learner with a written warning. The learner is issued with a warning that if the malpractice is repeated, further specified sanctions will be applied. The discrete section of work to which the malpractice refers may be discounted;
b) disqualification from certification for the specific unit subject to malpractice;
c) disqualification from the course; and/or
d) inform the Awarding Organisation and make arrangements for reassessment and/or withdrawal of the certificate.

11.2 Any alleged malpractice involving the administration of learner work will be reported immediately to the respective awarding body.

## 12 Appealing the Decision

12.1 Should the learner wish to appeal the decision made by the panel, the learner must do so within 7 (seven) working days. The Head of Centre must convene an independent panel consisting of no more than 3 people to consider the appeal, which must not include any person sitting on the panel that made the original decision. The learner must be informed of the decision of the appeal's panel within 3 working days. The decision of the appeals panel is final.

## 13 Policy Changes

13.1 This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.

# The Priory Federation of Academies Trust

## Learner Malpractice Policy

This Policy has been approved by the Priory Federation of Academies Trust's Education and Standards Committee:

Signed…… Name..... Date:

Trustee

Signed…… Name..... Date:

Chief Executive Officer

Signed…… Name..... Date:

Designated Member of Staff

Please note that a signed copy of this agreement is available via Human Resources.