

Learner Malpractice Policy (Vocational)

Policy Code:	VO4
Policy Start Date:	September 2022
Policy Review Date:	September 2024

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

- 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.

2 Roles, Responsibilities and Implementation

- 2.1 The Pay, Performance and HR 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 Federation 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 Range and Scope of the Policy

- 4.1 The policy covers all vocational courses offered within the Trust (including BTEC, City and Guilds, Cache, Gateway and Apprenticeship Qualifications) but may well

apply to other assignment-based courses should they become a part of the curriculum in future.

5 Definition of Learner Malpractice

5.1 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.

5.2 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) 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.
- e) 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.
- f) Fabrication of results and/or evidence.
- g) The deliberate destruction of another's work.

6 Learner Malpractice Prevention

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) 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.
- c) Ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers.
- d) 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.
 - vi. Learners will be required to sign a declaration of authentication form to confirm that the work is their own

7 Raising an Allegation of Malpractice

- 7.1 Anybody who identifies or is made aware of suspected or actual cases of malpractice at any time must immediately the Subject Lead and/or the Academy Headteacher/Head of Setting. In doing so, they should put it in writing and enclose appropriate supporting evidence.
- 7.2 All allegations should include (where possible):
 - a) Learner's name;
 - b) Details of the course / qualification affected;
 - c) Nature of the suspected or actual malpractice and associated dates;
 - d) Any further information that may be relevant to the investigation.
- 7.3 Sometime, 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, further investigation may be necessary before the matter is taken up with the individual(s) to whom the allegation relates.

8 Investigating Alleged Malpractice and Summary Process

- 8.1 Allegations from whatever source, must be investigated thoroughly. Once a malpractice offence has been raised, an investigating officer, appointed by the Headteacher, 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.
- 8.2 The fundamental principle of all investigations is ensure that they are concluded in a fair and reasonable manner. In doing so, the investigation will be based around the following broad objectives:
- a) To establish the facts relating to the allegations / complaint
 - b) To identify the cause of the irregularities and those involved
 - c) To determine whether any action is required
 - d) To identify and adverse patterns or trends
- 8.3 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 him or her 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.
 - f) The investigating officer must convene an interviewing body consisting of no more than three people including the head of department.
 - 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, he/she can be accompanied by an appropriate adult or friend during the investigating interview.
 - i) The investigating officer must inform the learner of the appeals procedure.

9 Penalties for malpractice

- 9.1 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.
 - d) Inform the Awarding Organisation and make arrangements for reassessment and / or withdrawal of the certificate.
- 9.2 Any alleged malpractice involving the administration of learner work will be reported immediately to the respective awarding body.

10 Appealing the Decision

- 10.1 Should the learner wish to appeal the decision made by the panel, the learner must do so within 7 (seven) working days. The Head teacher/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.

11 Policy changes

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

The Priory Federation of Academies Trust

Learner Malpractice Policy (Vocational)

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.