Hampshire County Council

Hampshire Outdoors

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Malpractice & Maladministration Policy & Procedures

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Hampshire County Council

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Malpractice and Maladministration Policy and Procedures

1. Introduction

Hampshire Outdoors is committed to providing high quality learning opportunities to adults and young people. This includes ensuring that all learning is delivered professionally, fairly, and legitimately. Hampshire Outdoors does not tolerate actions (or attempted actions) of malpractice and/or maladministration by learners or by staff, in connection with any awarding organisation qualifications.

1.1 Related Policies

This policy is developed in the context of other related policies, including:

- Internal Quality Assurance
- Conflict of Interest
- Safeguarding
- Equality, Diversity and Inclusion

2.0 Definitions of malpractice and maladministration

Malpractice consists of those acts which deliberately undermine the integrity and validity of assessment, the certification of qualifications and the authority of those responsible for conducting assessment and certification. Malpractice takes on many forms and generally constitutes an action that deliberately sets out to interfere or corrupt the assessment process or examination.

Maladministration is essentially any activity or practice which results in noncompliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

3.0 Conflict of Interest

Hampshire Outdoors conflict of interest processes have been designed to protect the integrity of awarding bodies assessments undertaken at our centre. We want to make sure they remain fair, we also want to make sure individuals at our centre are protected where there is potential, or a perception, that they could be influenced by any personal interests. All staff involved with any aspect of the accredited courses are required to familiarise themselves with the Conflict of Interest Policy and procedures prior to any involvement in assessments, and to declare any conflict of interest by following the guidance set out in the Conflict of Interest policy.

4.0 Malpractice by learners

Malpractice by learners may include (This list is not exhaustive and other instances of malpractice may be considered at the discretion of Hampshire Outdoors)**:**

- plagiarism of any nature
- collusion by working collaboratively with other learners to produce work that is submitted as individual learner work
- deliberately sabotaging someone else's assessment
- copying another learner’s work and submitting as their own (including the use of ICT to aid copying)
- unauthorised use of AI
- deliberate destruction of another’s work

- fabrication of results or evidence
- false declaration of authenticity in relation to the contents of a portfolio or coursework
- 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
- possession of any materials not permitted in the assessment room, regardless of whether or not they are relevant to the assessment, or whether or not the learners refer to them during the assessment process, for example notes, blank paper, electronic devices including mobile phones, smart watches, books, dictionaries / calculators (when prohibited)
- communicating in any form, for example verbally or electronically, with other learners in the assessment room when it is prohibited
- copying the work of another learner or knowingly allowing another learner to copy from their own work
- illegally gaining access to examination/assessment/test papers before the allocated time of the assessment
- failing to conduct themselves in line with the rules of the assessment criteria during examination/assessment/test.

5.0 Malpractice/maladministration by staff

Malpractice/maladministration by staff may include (this list is not exhaustive and other instances of malpractice/maladministration may be considered at the discretion of Hampshire Outdoors)**:**

- failing to maintain agreed procedures to ensure the assessment/test/examination rules and regulations of the Awarding Organisation (AO) are followed
- breaking the assessment regulations of the AO
- failing to keep test/examination papers secure prior to the assessment taking place
- failing to keep work secure and confidential on completion of the assessment/test/examination until received by the AO
- improper assistance to learners
- inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the learners' achievement to justify the marks given or assessment decisions made
- failure to keep learner coursework/portfolios of evidence secure
- fraudulent claims for certificates
- inappropriate retention of certificates
- 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 a scribe, this is permissible up to the point where the support has the potential to influence the outcome of the assessment
- fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment.

Hampshire Outdoors aims to:

- identify and minimise the risk of malpractice or maladministration by learners or staff
- respond to any incident of alleged malpractice or maladministration promptly and objectively
- standardise and record any investigation of malpractice or maladministration to ensure openness and fairness
- impose appropriate penalties and/or sanctions on learners or staff where incidents (or attempted incidents) of malpractice/ maladministration are proven
- protect the integrity of Hampshire Outdoors AOs qualifications

In order to do this, Hampshire Outdoors will:

- ask learners to declare that their work is their own
- ask tutors and assessors to be diligent and ensure that no materials that could constitute allowing learners to copy, or assist them within an assessment are available during formal assessment processes
- ensure all staff are proactive in managing assessments / test / examinations, following the appropriate policies and procedures set by Hampshire Outdoors
- conduct an investigation in a form commensurate with the nature of a malpractice or maladministration allegation. Such an investigation will be supported by the Head of Service (or their nominee e.g., Development Manager) and all personnel linked to the allegation.

Alleged malpractice or maladministration can be identified by anyone e.g., staff, learners, awarding organisations, and in a several ways for example:

- through quality assurance activity
- from the invigilator or examinations officer
- reported by a marker or assessor, through the identification of shared answers in an examination script or identical wording in a coursework assignment
- identified by a moderator, who may come across identical work in coursework assignments.

6.0 Malpractice/maladministration discovered by Hampshire Outdoors

In the event of alleged malpractice or maladministration being identified, the Development Manager will:

- request the person who has identified the discrepancy, malpractice, or maladministration to submit a written report giving full details of the incident
- make the staff/learner fully aware at the earliest opportunity of the nature of the alleged malpractice or maladministration and of the possible consequences should malpractice or maladministration be proven
- give the staff/learner the opportunity to respond to the allegations made
- inform the staff/learner of the avenues for appealing against any judgment made
- document all stages of any investigation.

Once all evidence has been collated, and if there is a strong case that malpractice or maladministration has taken place the Development Manager will contact the AO concerned to discuss their findings and seek additional advice and guidance and cooperate with any request from the AO.

7.0 Malpractice/maladministration discovered by an Awarding Organisation

In the event of an AO discovering suspicious activity they will contact Hampshire Outdoors to discuss their findings and potentially request an investigation.

Hampshire Outdoors will:

- comply with AO requests for information in relation to the fact finding or investigation in the timescales agreed by them
- advise staff of the concerns and request relevant personnel to provide the required support to Hampshire Outdoors who will forward the findings to the awarding organisation.
- inform the staff or learner if they are suspected of malpractice that a fact find and/or investigation will be launched and that they have a right to reply and appeal against any sanction imposed on them.

The AO may impose penalties and/or sanctions on learner(s), approved centres, or centre staff where incidents (or attempted incidents) of malpractice/maladministration have been proven.

8.0 Whistle Blowing

Hampshire Outdoors is committed to the highest standards of openness and accountability and takes malpractice seriously. All staff have a right and duty to report concerns of malpractice. All workers have a right and a duty to report concerns of malpractice that are in the public interest. Whistleblowing is ‘making a disclosure in the public interest’ and occurs when a worker raises a concern about a danger, illegality or malpractice that affects others, for example members of the public.

8.1 A member of staff who has a whistleblowing concern should refer to the Hampshire County Council Whistleblowing Policy.

9.0 Monitoring, Review & Audit

The contents of all policy and procedures will be monitored regularly by Hampshire Outdoors managers. All policy and procedures will be reviewed annually to determine their effectiveness, and where any changes are required, these will be applied and ratified.