Malpractice Policy & Procedure

Malpractice Policy

1. Introduction

1.1 This document aims to:

- Define malpractice in the context of assessment.
- Set out the rights and responsibilities of the DistanceLearningCentre.com Ltd staff and learners in relation to such matters.
- Describe the procedures to be followed in cases where there is reason to suspect that the regulations have been broken.

1.2 The Executive Manager (Quality) at the DistanceLearningCentre.com will supervise all investigations resulting from an allegation of malpractice.

1.3 The DistanceLearningCentre.com will actively and promptly report suspected malpractice to the relevant Awarding/Exam Body.

2. Malpractice

2.1 Malpractice is deemed to be those actions and practices, which threaten the integrity of assessment and certification. The term ‘malpractice’ is intended to encompass other similar terms such as ‘non-compliance’, ‘misadministration’ and ‘professional misconduct’.

3. Staff Malpractice

3.1 The following are examples of malpractice by staff. Other instances of malpractice may be considered by the DistanceLearningCentre.com at its discretion:

- Failing to keep learners, computers or other files secure.
- Assisting or prompting learners with the production of answers.
- Failing to abide by the conditions of supervision designed to ensure the security of the assessment.
4. Learner Malpractice

4.1 The following are examples of malpractice by learners. Other instances of malpractice may be considered by the DistanceLearningCentre.com at its discretion:

- Introduction of unauthorised material during an observed closed book examination assessment, for example course material notes, textbooks, websites.
- Copying any type or form of assessment/work from another learner.
- Sharing assessment/work with other learners.
- The inclusion of inappropriate, offensive or obscene material in assessment tasks.
- The deliberate destruction of another’s work.
- Multiple plagiarism offences.
- Behaving in such a way as to undermine the integrity of the assessment e.g. if a learner utilises an organisation or individual to complete an assessment for the learner and the learner submits the assessment as though it was completed by the learner.
- Acting in a disruptive manner.

5. Procedures for investigating alleged malpractice

5.1 All allegations of malpractice must be reported to the Executive Manager (Quality) of the DistanceLearningCentre.com by tutors, managers, learners and members of the public.

5.2 When dealing with alleged malpractice the DistanceLearningCentre.com will deal primarily with the person or persons against whom the malpractice has been alleged.

5.3 The DistanceLearningCentre.com will seek to establish the full facts and circumstances of any alleged malpractice.

6. Discovery of malpractice

6.1 If malpractice is discovered by the Centre, full details of the case will be submitted at the earliest opportunity to the Chief Executive/Head of Quality Assurance of the relevant Awarding/Exam Body.

7. Anonymous reports

7.1 The Centre will only act upon anonymous reports if there is supporting evidence, or if the nature of the report warrants any actions to be taken.
8. Investigation into suspected malpractice by learners

8.1 The Executive Manager (Quality) will supervise all investigations into the alleged malpractice and will submit a full written report of the case and provide supporting evidence to the relevant Awarding/Exam Body.

8.2 Learners suspected of malpractice will be made fully aware, in writing at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should the malpractice be proven.

8.3 Learners suspected of malpractice will be given an opportunity to respond in writing to the allegations made.

8.4 Learners suspected of malpractice will be made aware of the routes for appealing should a judgement be made against him/her.

8.5 Full details of the appeals procedure can be found on the DistanceLearningCentre.com’s website and can also be requested from Student Services at studentservices@distancelearningcentre.com

9. Investigation into suspected malpractice by members of staff

9.1 The Executive Manager (Quality) will in the first instance carry out all investigations into any case of suspected malpractice against a member of the DistanceLearningCentre.com staff, in conjunction with the relevant Awarding/Exam Body if required.

9.2 Any member of Centre’s staff suspected of malpractice will be made fully aware, in writing; at the earliest opportunity of the nature of the suspected malpractice and the possible consequences should malpractice be proven.

9.3 Any member of the Centre’s staff suspected of malpractice will have the opportunity to respond in writing to the allegations made.

9.4 Any member of the DistanceLearningCentre.com staff suspected of malpractice will be made aware of the routes for appealing.

9.5 A report on cases where members of the DistanceLearningCentre.com staff are found to have committed malpractice, together with details of the action taken by the Executive Manager (Quality) may be made available to others, for example, the Police, if the Centre decides that the circumstances of the case are sufficiently serious to warrant such reports being made.

10. Reporting

10.1 The Executive Manager (Quality) at the DistanceLearningCentre.com will submit a full written report of any malpractice investigation to the relevant Awarding/Exam Body.
11. The DistanceLearningCentre.com response to cases of malpractice

11.1 Where an investigation indicates evidence of malpractice, the Executive Manager (Quality) will appoint a panel, chaired by the Executive Manager (Quality) and comprising of members of the Executive Management Team and other relevant members.

11.2 The panel will establish that correct procedures have been followed in the investigation of cases.

11.3 The panel will determine:

- Whether assessment regulations have been broken.
- Where the culpability lies for the breach of regulations.
- Appropriate measures to be taken to protect the integrity of assessments and to prevent future breaches.
- The nature of the actions to be taken.

11.4 Each case of suspected malpractice will be considered and judged on an individual basis in the light of all information/evidence available.

11.5 The DistanceLearningCentre.com will impose sanctions on individuals found guilty of breaking assessment regulations in order to:

- Maintain the integrity and confidence of assessments.
- Ensure that there is nothing to gain from breaking the regulations.
- Deter others from doing likewise.

11.6 Where an investigation establishes a malpractice by a member of the Centre staff, the DistanceLearningCentre.com will subsequently undertake disciplinary action against the member of staff concerned.

12. Sanctions applied against learners

12.1 The DistanceLearningCentre.com may, at its discretion, impose the following sanctions against learners found guilty of breaking the regulations:

- The learner is issued with a warning.
- The learner loses all credit gained for a unit.
- The learner loses all credit gained from all units in a single qualification (units which have been awarded are retained).
- The learner is disqualified from the whole qualification and removed from their course of study.
Note:

- Not all of the penalties may be appropriate for all Awarding/Exam Body qualifications.
- In the case of serious malpractice, the DistanceLearningCentre.com may report the case to the Police.
- The Executive Manager (Quality) retains sole discretion to take any further action that is deemed appropriate.

13. Applying sanctions

13.1 The application of sanctions is at the discretion of the DistanceLearningCentre.com and will reflect the particular circumstances of each case and any mitigating factors.

13.2 Sanctions will be based only on the evidence presented.

13.3 All sanctions will be justifiable and reasonable in their scale and consistent in their application.

13.4 For reasons of consistency of approach in the application of sanctions, the Centre will not take into account any consequential effects of a particular sanction which might arise from the circumstances of the individual.

13.5 Sanctions applied will remain on record at the DistanceLearningCentre.com.

14. Communicating decisions

14.1 The Executive Manager (Quality) will communicate the decision to the individuals concerned and pass on warnings in cases where this is indicated.

14.2 In all instances of serious malpractice, the DistanceLearningCentre.com will automatically report the case to the relevant qualification authorities. All other cases will be reported on request.

14.3 The DistanceLearningCentre.com has established procedures for considering appeals arising from the outcomes of an investigation into malpractice. This appeals procedure can be found on the DistanceLearningCentre.com website.
Appendix 1: Malpractice – Authenticity of assessments procedure

When trying to determine whether malpractice has taken place, please follow the process set out below:

Template email to be sent to learner: Email Subject – Suspected Malpractice

Hi Learner Name,

I hope you are well. After reading through your last assessment [INSERT UNIT NAME] I have noticed that this is very different from work you have previously submitted in terms of level, style and content. As we need to demonstrate to the awarding body (Ascentis) that work submitted by a student is their own, I would like to discuss this assessment with you. Can you please let me know when you would be available for a video call. I will ask you some questions about the assessment so it would be good for you to review the assessment and prepare for some questions on its content before the call.

If you have any questions about this, please let me know.

Kind regards,

Tutor Name
Tutor Information

1. Send the above **email** to the learner and arrange a video call with him/her.

2. You will need to **record** the video call – explain to the learner that you will be recording the call so that you can review and reflect on the information after the call. Use whatever video software you want to e.g. Skype/Zoom etc.

3. At the start of the call:
   a. ask the learner to **confirm** that they are the author of the assessment.
   b. explain that we need to ensure **authenticity** of work that forms part of the course which is why the call is taking place – ask them if they understand why the call is being held.
   c. explain that **no decision** on authenticity of the work will be made at this time as you will need to review your notes and possibly discuss this with a senior manager.

4. During the call you should try to establish:
   a. **How** the learner has got from a previous assessment to this point. For example, have they changed their approach in studying, if so, how? Have they put in extra hours, changed their processes when completing a TAQ etc.
   b. Ask them about **sources**. If they have had an essay mill write their assessment, there may be a number of journal articles included. How did the learner find these, did they need to pay for these, if so, have they receipts to show this, why did they pay for these, how did they use them to help, did they understand their content (sometimes the articles are high level and inappropriate for level 3). You might want to use an example here from their source list to discuss this. Are the sources listed as we would expect i.e. Harvard format (compare to previous work)? How many sources are there compared to previous work (a lot of time there are a lot of sources in essay mill work compared to what the learner would normally use).
   c. Do they **understand** the content of their assessment? It is fine for them to have a copy of their assessment during the call to refer to. Ask them some questions about key points in their essay. Get a feel for their overall understanding rather than pinpointing very specific points which any learner may have forgotten about. Ask them to explain sections that you would expect any learner to understand. If they are simply reading out
from their assessment, you may need to probe a little deeper. This will help you gauge whether the learner really understands their subject.

d. **Turnitin** – sometimes, essay mills will reduce Turnitin to zero or a very low number. Compare this to previous work e.g. the source lists. Is it different? If it is, ask the learner to explain how they achieved this.

e. If there is odd **vocabulary** that your learner wouldn’t normally use, ask them to explain some of this e.g. pick out a phrase or word and ask them to explain what they mean.

f. Although you may not have seen much previous work of a learner or you may not be able to recall specific idiosyncrasies, if you are aware of any changes in **communication** such as spelling, punctuation etc that you have seen the learner use before and this has been changed here, ask them about this.

5. **At the end of the call:**
   a. ask the learner if they would like to add anything any further relevant information.
   b. thank them for taking time to participate in the call.
   c. explain that you will be in touch to explain if there are any actions arising from this or if the work will be marked as it is.

6. **After the call:**
   a. If at this point you are confident that the work is that of the learner’s make a note on the learner’s account/marksheet and mark the work accordingly.
   b. If you are unsure if the work is that of the learner’s, contact the Quality Department (Zafar or Janet) and explain why. You may want to send a copy of the video over for review (use Wetransfer.com to send the video for free).
   c. Email the learner to say that the information is being reviewed by the Quality Department and that they will get in touch to inform them of progress/outcome.
   d. The Quality Department will then make a decision on the outcome and copy you in as this may fall under the malpractice policy.

If you have any questions about this policy or procedure, please contact the Quality Department (Zafar or Janet).
Appendix 2: Procedure for dealing with malpractice

All malpractice is reported to Executive Manager (Quality) →

Executive Manager (Quality)/Quality Department will inform all relevant bodies/persons of malpractice and impending investigation →

Executive Manager (Quality)/Quality Department will supervise/investigate all allegations of malpractice →

Executive Manager (Quality)/Quality Department will inform relevant bodies/persons of malpractice investigation findings →

Executive Manager (Quality) will report findings of malpractice investigation to Senior Managers →

Once malpractice investigation is complete Executive Manager (Quality) will consider findings →

Executive Manager (Quality) will initiate disciplinary procedure (if relevant) and apply sanctions

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