

Company Policy	COM 006	Issue Number	7
Procedure	COM-006	Issue Date	October 2022
Qualification Malpractice and Maladministration		Originator	PH
		Amended by	PH
		Approved by	PH

1. Introduction

SETA follows the latest version of the document titled 'Suspected Malpractice Policies and Procedures' written for centers by the 'Joint Council for Qualifications' (JCQ). The document has been followed in the production of this policy for dealing with suspected maladministration and malpractice.

2. Aims and Objectives

This procedure aims to:

- 1. Identify and minimise the risk of malpractice and maladministration by SETA's staff
- 2. Identify and minimise the risk of malpractice and plagiarism by learners
- 3. To respond to any incident of alleged malpractice, maladministration and plagiarism promptly and objectively
- 4. To Standardise and record any investigation of malpractice, maladministration and plagiarism to ensure openness and fairness
- 5. To impose appropriate penalties and/or sanctions on learners or staff where Incidents (or attempted incidents) of malpractice, maladministration and plagiarism are proven
- 6. To protect the integrity of SETA and its Awarding Body and Organisations Qualifications

3. Suspected malpractice identified by the centre

Where there is suspected malpractice within the centre, the details of the case should be submitted in full at the earliest opportunity to the awarding body by the Centre Compliance Manager.

Investigation in a form commensurate with the nature of the malpractice allegation will be conducted by the Centre Compliance Manager, assisted by the Chief Operating Officer and recorded on one of the following JCQ provided documents:

- 1. JCQ-M1 Suspected Candidate Malpractice (Please See Annex A)
- 2. JCQ-M2 Notification of suspected malpractice/maladministration involving centre staff (Please See Annex B)
- JCQ-M3 Report into suspected malpractice/maladministration involving centre staff (Please See Annex
 C)

The individual will be:

- Made fully aware at the earliest opportunity (no later than 5 working days) of the nature of the alleged malpractice and of the possible consequences should malpractice be proven
- Given the opportunity to respond to the allegations made and their thoughts and comments will be collected and documented on the appropriate form being used (Please See Annex A, B or C)
- Given the full details of the avenues for appealing against any judgment

Where investigations of malpractice are carried out by an Awarding Body, the Centre Compliance Manager and the Chief Operating Officer will liaise with them.



4. Examples of Malpractice

Malpractice by Centre Staff

This applies to all staff members including internal quality assurers, assessors, teachers and invigilators. The following examples of staff malpractice, although not exhaustive, could be:

- Any act of dishonesty regarding the assessment and internal verification process
- Any act of dishonesty regarding the delivery of examinations
- The alteration of any results document, including certificates
- Giving inappropriate assistance to a candidate or candidates where they could gain an advantage in an assessment or examination
- A breach of security breaking the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of a candidates work or documentation
- Failure to implement the control of documents and administrative procedures for examinations and assessments in the centre and the candidates place of work
- Failure to implement the control of coursework, mark sheets, assessment records, results and certification forms

Malpractice by Learners

This applies to all Learners. The following examples of malpractice, although not exhaustive, could be:

- Plagiarism of any nature; unacknowledged copying from published sources or incomplete referencing
- Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work
- Copying other Learners work (including the use of ICT to aid copying)
- Allowing another Learner to copy their work
- 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
- theft of another candidate's work
- the inclusion of inappropriate, offensive or obscene material in scripts, coursework or portfolios
- collusion: working collaboratively with other candidates, beyond what is permitted

6. Penalties

SETA will impose the penalties listed in the table below on individuals found guilty of malpractice or plagiarism in order to:

- minimise the risk to the integrity of examinations and assessments, both in the present and in the future
- maintain the confidence of the public in the delivery and awarding of qualifications
- ensure that there is nothing to gain from breaking the regulations
- deter others from doing likewise



Learner Penalties

Type of offence	Warning (Penalty 1)		Loss of marks (Aggregation Still Permitted) (Penalties 2 – 4)	Loss of aggregation or certification opportunity (Penalties 5 – 9)	
Collusion: working collaboratively with other candidates beyond what is permitted.	Collaborative work is apparent in a few areas, possibly due to teacher advice; candidate unawathe regulations.		Collaborative work begins to affect assessor's ability to award a fair mark to individual candidates.	The work of candidates reflects extensive similarities and identical passages, possibly due to deliberate attempt to share work.	
Copying from another candidate (including the misuse of ICT).	Lending coursework, not knowing it would be cop		Permitting examination script / coursework to be copied; showing other candidates the answers.	Copying from another candidate's script / coursework; borrowing coursework to copy.	
Making a false declaration of authenticity.			Sections of work done by others, but most still the work of the candidate.	Most or all the work is not that of the candidate.	
The inclusion of inappropriate, offensive or obscene material in scripts, coursework or portfolios.	Isolated words or drawin mildly offensive, inappropriate approache responses.		Frequent mild obscenities in script; isolated mild obscenities or mildly offensive comments aimed at examiner or member of staff.	Offensive comments or obscenities aimed at a member of staff, assessor or religious group; racist, lewd remarks or drawings.	
Plagiarism: unacknowledged copying from published sources (including the internet); incomplete referencing.			Plagiarism from published work listed in the bibliography. OR minor amount of plagiarism from a source not listed in the bibliography.	Plagiarism from published work not listed in the bibliography. OR plagiarised text consists of the substance of the work submitted and the source is listed in the bibliography.	
Theft (where the candidate's work is removed or stolen).				Taking somebody else's work (project/ coursework) to pass it off as one's own	
Standard penalties:	Standard penalties:				
_	s of marks gained for a section; series; s of all the marks gained for a component; s of all the marks gained for a unit; s disqualification from the whole qualification; 8 disqualification from all qualifications taken in that series;		ication; staken in that series;		

SETA Staff Penalties

Any staff proven to have been carrying out Malpractice will be reprimanded and be subject to SETA's disciplinary Procedure (Please see STF-012 – Disciplinaries).

7. Steps SETA takes to assist in the elimination of malpractice

During the course Induction period, SETA aims to avoid potential malpractice by running sessions going through the BTEC/HNC learner handbook and SETA's own Technical Certification handbook. This helps inform learners of SETA's policy on malpractice and the penalties for attempted and actual incidents of malpractice.

All cited texts and other materials or information sources they quote are referenced accordingly within their assignments. This helps learners provide evidence that they have interpreted and synthesised appropriate information, and have acknowledged any sources used.

Learners declare that their work is their own by signing the form sheet of each assignment they produce.



8. Registration, Transfer and Certification Claims Maladministration

SETA's robust Registration, Transfer and Certification Claims process (Please see COM-008 - Vocational Qualification Registration, Claims and Portfolio Control and COM-024 - Pearson Qualification Registration, Claims and Portfolio Control), is controlled by the Centre Compliance Manager and followed by all staff involved. No Registration, Transfer or Certification Claim will be processed unless this process is correctly adhered to.

It is possible however, that due to the difference in nature of the various Awarding Body and Awarding Organisations Registration, Transfer and Certification Claims systems, human error can occur, which is the reason why certain things are checked at various stages as descripted within the document.

If errors are found at any one stage of this process, or maladministration is suspected (for example, a Certificate arrives when there is no known claim having been authorised), the Centre Compliance Manager will carry out an investigation by completing on an Investigation form (Please see Annex A, B and C). This will then be communicated to the Awarding Body or Awarding Organisation.

All instances of maladministration are investigated with a view to supporting the staff member at fault.

9. References

Suspected Malpractice Policies and Procedures https://www.jcq.org.uk/exams-office/malpractice/

10. Review

The Centre Compliance Manager will review this procedure with SETA's Lead IQA and the BTEC/HNC delivery team annually.



JCQ/M1

Suspected candidate malpractice

Confidential

This form is to be used by centres to report instances of suspected candidate malpractice.

For guidance on how to complete this form please **see page 6** of this form.

Awarding body		
Date of incident		Time (AM/PM session)
Centre number		
Centre name and addres	ss	
	_	
Head of centre's email	address	Head of centre's telephone number
Candidate number(s)	Candidate name(s)	

Examination/assessment details

Qualification or specification code	Qualification or specification title Component/unit title		
Component/unit code/batch number			
Name(s) of invigilator(s	s)/assessment personne	el or other witness/witnesses	
Name		Role	
C	C D		
•			
Section A (All qualif	fications) the suspected candidate	malpractice including details as to how	
Section A (All qualif	fications) the suspected candidate	malpractice including details as to how	
Section A (All qualif	fications) the suspected candidate	malpractice including details as to how	
Section A (All qualif	fications) the suspected candidate	malpractice including details as to how	
Section A (All qualif Describe the nature of t t was discovered, by w	fications) the suspected candidate	malpractice including details as to hov	

Section B (Vocational qualifications only)

Describe how the candidates were made aware of the examination or assessment regulations.				
Section C (All general qualifications and other qualifications if a	pplicable)		
Examinations				
Was the <i>Warning to Candidates</i> displayed outside the examination room? (either by means of a projector or in hard copy paper format)	YES	\boxtimes		
room: (cicies by means of a projector of in hard copy paper format)	NO			
Had the candidate(s) been issued with a copy of the	YES			
Information for candidates? (either electronically or a paper version)	NO			
Were candidates reminded of examination regulations at the beginning	YES			
of this particular examination?	NO			
Coursework/non-examination assessment				
Had the candidate(s) been issued with a declaration of authentication?	YES			
	NO			
Had the candidate(s) signed the declaration of authentication stating	YES			
that all work completed was the candidate's own?	NO			
Was the <i>Information for candidates</i> issued to the candidate(s) prior to signing the declaration of authentication?	YES			
	NO			

Section D (All qualifications)

f the incident involves disruptive behaviour, did the candidate's behaviour cause disturbance to other candidates?		
benumear cause distarbance to earlier carranaaces.	NO	
If the answer to the above question is yes and you wish to request special contained other candidates, please submit an application for special consideration in the		
If the incident involves the introduction of unauthorised material, is the unauthorised material enclosed?	YES NO	
If the answer to the above question is no, please give details below of the na unauthorised material.	ture of th	e
If the case involves plagiarism, please provide full details (i.e. title, author, edi the material plagiarised and include copies if possible.	tion, web	site, etc.) of
If there are any other details you feel are relevant to this allegation, including circumstances, please give further information below.	mitigating)

Supporting evidence

Please indicate below the supporting evidence submitted with this report. All relevant information and materials **must** be submitted at this time. Evidence submitted subsequently may not be considered.

If submitting this form by email, please ensure that all supporting documents are scanned and attached (preferably as PDF documents) to the same email.

Evidence submitted with this form	
Statement(s) from invigilator(s)	
Statement from teacher/tutor/head of subject/assessor/internal verifier	
Statement from examinations officer	
Statement(s) from candidate(s)	
Statement from employer	
Seating plan of examination room	
Unauthorised material removed from the candidate(s)	
Copies of sources of plagiarised material	
Assessment and Internal Verification or Moderation records	
Other (please give details)	

If statement(s) from the candidate(s) is/are not enclosed, please put a cross in this box to indicate that the candidate(s) has/have been given the opportunity to make a statement, but has/have chosen not to do so.

To be completed by the head of centre

Name (please print)	Tel no.	
Signature*	Date	

^{*} Submission by email from the centre's registered email address will be accepted in place of a signature.

NOTES ON THE COMPLETION OF FORM JCQ/M1

This form **must** be used by the head of the centre to notify the appropriate awarding body of an instance of suspected candidate malpractice in the conduct of examinations or assessments. It can also be used to provide a report on investigations into instances of suspected malpractice.

In order to prevent the issue of erroneous results and certificates, it is essential that the awarding body concerned is notified immediately of instances of suspected candidate malpractice.

Full details of the procedures which **must** be followed when investigating cases of suspected malpractice can be found in the JCQ publication: *Suspected Malpractice in Examinations and Assessments: Policies and Procedures*: http://www.jcq.org.uk/exams-office/malpractice

Reports on investigations from centres **must** include:

- a detailed account of the circumstances surrounding the suspected candidate
 malpractice including, in the case of disruptive behaviour, an indication as to whether
 the behaviour continued after warnings were given, and whether the candidate was
 removed from the examination room/assessment situation or not;
- the procedures for advising candidates of the regulations concerning the conduct of examinations and/or assessments;
- a report of any investigation carried out subsequently by the centre;
- signed and dated statements from the staff concerned (e.g. invigilators, assessors, teachers, tutors, etc.) on the centre's official letterheaded paper;
- signed and dated statements from the candidate(s) concerned or a clear indication that they have been given the opportunity to make a statement; (In circumstances which make it inappropriate to interview the candidate, the centre should discuss the case in confidence with the awarding body.)
- seating plans of the examination room (if appropriate).

This form is intended to be used as the basis for the report.

If the first four pages of the form are printed on A3 paper, and backed, it can be used as a coversheet for supporting documentation.

This form may be submitted either by post or by email. Submission by email from the centre's registered email address will be accepted in place of a signature.

When submitting the form by email, all supporting documents should be scanned and attached (preferably as PDF documents) to the same email, and the originals retained within the centre. Reports which require the inclusion of lengthy documents or candidate work should be sent by post. Centres must not submit the same report by both methods.

The awarding body concerned will acknowledge receipt of this form.

The form and supporting documentation must be sent to:

AQA

Irregularities/Malpractice

AQA

Devas Street

Manchester M15 6EX

irregularities@aga.org.uk

CCEA

Irregularities/Malpractice 29 Clarendon Road Belfast BT1 3BG malpractice@ccea.org.uk

City & Guilds

Investigation and Compliance
5-6 Giltspur Street
London EC1A 9DD
investigationandcompliance@cityandquilds.com

NCFE

Customer Compliance & Investigations Team Q6, Quorum Business Park Benton Lane Newcastle Upon Tyne NE12 8BT CustomerCompliance@NCFE.org.uk

OCR

Vocational Qualifications

Compliance Team
Progress House
Westwood Way
Coventry CV4 8JQ
malpractice@ocr.org.uk

Pearson

Candidate Malpractice

Investigations Processing Team
Lowton House
Lowton Way
Hellaby Business Park
Rotherham S66 8SS
candidatemalpractice@pearson.com

General Qualifications

Compliance Team
The Triangle Building
Shaftesbury Road
Cambridge
CB2 8EA

malpractice@ocr.org.uk

WJEC

Compliance Team 245 Western Avenue Cardiff CF5 2YX malpractice@wjec.co.uk



Report of suspected candidate malpractice

This checklist is intended to assist centres when completing a report of suspected candidate malpractice.

It is the responsibility of the head of centre to ensure that these requirements have been met.

Reference is made to the requirements detailed in the JCQ document: Suspected Malpractice in Examinations and Assessments: Policies and Procedures http://www.jcq.orq.uk/exams-office/malpractice

Please indicate by putting a cross in the appropriate box for the following points:

		Yes	No
1.	The candidate(s) has/have been informed of their individual responsibilities and rights (section 5.3.2).		
2.	A candidate or candidates accused of malpractice:		
	 has/have been informed (preferably in writing) of the allegation made against him or her; 		
	 has/have been advised that a copy of the JCQ publication Suspected Malpractice in Examinations and Assessments: Policies and Procedures can be found on the JCQ website; 		
	 know(s) what evidence there is to support the allegation; 		
	know(s) the possible consequences should malpractice be proven;		
	 has/have had the opportunity to consider their response to the allegations (if required); 		
	has/have had an opportunity to submit a written statement;		
	 has/have had an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required); 		
	 has/have been informed of the applicable appeals procedure should a decision be made against him or her; 		
	 has/have been informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators and other appropriate authorities. 		



JCQ/M2

Notification of suspected malpractice/maladministration involving centre staff

Confidential

This form is to be used by a head of centre **before** an investigation commences to notify an awarding body of an instance of alleged, suspected or actual malpractice or maladministration. **It must be completed and submitted to the appropriate awarding body immediately a suspicion is raised or an allegation received.**

Awarding body	
Centre Number	
Centre Name and address	
Head of centre's email address	Head of centre's telephone number
Name of head of centre	
Name(s) of centre staff involved	Position

Details of examinations/assessments involved

Qualification, unit or specification code	Qualification, unit or specification title
Date and time of inciden	•
Date and time of inciden	
Describe the nature of the to how it was discovered	he suspected malpractice/maladministration, including details as d by whom and when.
	ve been unfairly advantaged or disadvantaged by the suspected stration? If so, please give details.
Describe the steps the co	entre management propose to take to gather evidence relating to

individual proposed to gather evi	aence		
Name:			
Role within centre/organisation:			
Reason why suitable to gather evidence (e.g. experienced senior leader):			
[\/50	
Have you and the individual proposed JCQ guidance on conflicts of interest sections 4.1.3 and 5.7-5.8 and Apper Suspected Malpractice: Policies and Proposed	and personal interest at ndix 3 within the JCQ	YES	NO
Does the individual proposed to gath conflicts of interest or personal interest investigation?	•	YES	NO
Name and position (please print): Signed:			_
Date			

The form and supporting documentation must be sent to:

AQA

Irregularities/Malpractice

AQA

Devas Street

Manchester M15 6EX

irregularities@aga.org.uk

CCEA

Irregularities/Malpractice 29 Clarendon Road Belfast BT1 3BG malpractice@ccea.org.uk

City & Guilds

Investigation and Compliance
5-6 Giltspur Street
London EC1A 9DD
investigationandcompliance@cityandquilds.com

NCFE

Customer Compliance & Investigations Team Q6, Quorum Business Park Benton Lane Newcastle Upon Tyne NE12 8BT CustomerCompliance@NCFE.org.uk

OCR

Vocational Qualifications

Compliance Team
Progress House
Westwood Way
Coventry CV4 8JQ
malpractice@ocr.org.uk

Pearson

Maladministration/Staff Malpractice

Investigations Team 80 Strand London WC2R 0RL pgsmalpractice@pearson.com

General Qualifications

Compliance Team
The Triangle Building
Shaftesbury Road
Cambridge
CB2 8EA

malpractice@ocr.org.uk

WJEC

Compliance Team
245 Western Avenue
Cardiff CF5 2YX
malpractice@wjec.co.uk



JCQ M3

Report into suspected malpractice/maladministration involving centre staff

Confidential

This form is to be used by a head of centre following the gathering of evidence related to an investigation into an instance of suspected malpractice or maladministration. It **must** be completed and submitted to the appropriate awarding body together with supporting statements and documentation.

If the gathering of evidence has not yet commenced please use **Form JCQ/M2** *Notification of suspected malpractice/maladministration* which can be found on the JCQ website: http://www.icq.org.uk/exams-office/malpractice

Awarding body	
Centre Number	
Centre Name and address	
Head of centre's email address	Head of centre's telephone number
Name of head of centre	
Name(s) of centre staff involved	Position

Details of examinations	/assessme	ents involved				
Qualification, unit or specification code	Qualifica	ation, unit or	specification	on title		
Date and time of incide	nt					
Individual(s) who gathe	ered evide	nce				
Name:						
Role within centre/organis	sation:					
Reason why suitable to ga evidence (e.g. experience leader):						
Did any external people gathering of evidence? Name(s)		se give detai		nion office	rs) assis	t in the
(-)						

Give a	letails of the evidence you have obtained and your findings
Vhere elow	e malpractice (including maladministration) has been identified, please use the box to provide:
•	candidates; and
•	details of the actions your centre proposes to take to prevent a recurrence of similar incidents in future

Name and position (please print):	
Signed:	
Date:	



Report into suspected malpractice/maladministration involving centre staff

This checklist is intended to assist centres when gathering evidence for an investigation into suspected malpractice or maladministration involving centre staff. Once completed, it **must** be submitted to the awarding body together with the supporting statements and documentation. **It is the responsibility of the head of centre to ensure that these requirements have been met.**

Reference is made to the requirements detailed in the JCQ document:	
Suspected Malpractice: Policies and Procedures	
Name of centre staff member:	

Please indicate by putting a cross in the appropriate box for the following points:

		Yes	No
1.	The accused member of staff has been informed of their individual responsibilities and rights (sections 4.1.3 and 5.3.2).		
2.	The member of staff accused of malpractice should:		
	 be informed (preferably in writing) of the allegation made against him or her (include a copy of any letter/notification in the submission); 		
	 be provided with a copy of the JCQ publication Suspected Malpractice: Policies and Procedures; 		
	 know what evidence there is to support the allegation (provide full details in the submission to the awarding body); 		
	 know the possible consequences should malpractice be proven; 		
	 have the opportunity to consider their response to the allegations (provide a verified record of any interviews conducted); 		
	 have an opportunity to submit a written statement (provide a copy of all statements); 		
	 be informed that he/she will have the opportunity to read and make a statement in response to the submission to the awarding body's Malpractice Committee; 		
	 have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required); 		

 be informed of the applicable appeals procedure should a decision be made against him or her; 	
 be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators and other appropriate authorities. 	

This form must be enclosed with the report and any other relevant evidence.

The form and supporting documentation must be sent to:

AQA

Irregularities/Malpractice AQA Devas Street Manchester M15 6EX irregularities@aqa.org.uk

CCEA

Irregularities/Malpractice 29 Clarendon Road Belfast BT1 3BG malpractice@ccea.org.uk

City & Guilds

Investigation and Compliance
5-6 Giltspur Street
London EC1A 9DD
investigationandcompliance@cityandquilds.com

NCFE

Customer Compliance & Investigations Team Q6, Quorum Business Park Benton Lane Newcastle Upon Tyne NE12 8BT CustomerCompliance@NCFE.org.uk

OCR

Vocational Qualifications

Compliance Team
Progress House
Westwood Way
Coventry CV4 8JQ
malpractice@ocr.org.uk

Pearson

Maladministration/Staff Malpractice

Investigations Team 80 Strand London WC2R 0RL pgsmalpractice@pearson.com

General Qualifications

Compliance Team
The Triangle Building
Shaftesbury Road
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CB2 8EA
malpractice@ocr.org.uk

WJEC

Compliance Team
245 Western Avenue
Cardiff CF5 2YX
malpractice@wjec.co.uk