

## **Malpractice Policy and Procedure**

Malpractice consists of those acts which undermine the integrity and validity of assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification. PROJCON has a duty to ensure that the highest standards are maintained in the conduct of assessment. The proper discharge of this duty is essential in order to safeguard the legitimate interests of its learners and the Projcon reputation.

Malpractice is taken very seriously. The Projcon will take action against any learner who contravenes the policy through negligence, foolishness or by deliberate intent. Furthermore, PROJCON does not tolerate actions (or attempted actions) of malpractice by its learners or employees.

### **Guidance to prevent or reduce malpractices by Learners**

PROJCON takes positive steps to prevent or reduce the occurrence of learner malpractice. Below are examples of good practice that could be followed.

- i) Our induction exercise and learner handbooks are used to inform learners of the Projcon's policy on malpractice and the penalties for attempted and actual incidents of malpractice.
- ii) Learners are showed the appropriate formats to record cited texts and other materials or information sources including websites. Learners should not be discouraged from conducting research. Indeed evidence of relevant research often contributes to the achievement of higher grades. However, submitted work must show evidence that the learner has interpreted and included appropriate information as well as acknowledged the sources used in the research.
- iii) The procedures for assessing work are introduced in a way that reduces or identifies malpractice, eg plagiarism, collusion, cheating, etc. These procedures may include periods of supervised sessions during which evidence for assignment/tasks/coursework is produced by the learner.
- iv) Alter assessment assignments and tasks on a regular basis, which may include the use of oral questions so that learners can demonstrate their understanding of the concepts and its application in their work.
- v) Lecturers use their knowledge of learners' styles and abilities, whilst access controls are installed to prevent learners from accessing and using other people's work when using networked computers.

## **Malpractice by Learners**

Examples of what amount to malpractices are provided below. Please note that the list is not exhaustive.

- a) 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 (including Internet sources), thoughts, inventions and/or discoveries whether published or not, with or without the originator's permission and without appropriately acknowledging the source.
- b) Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work. Learners should not be discouraged from teamwork, as this is an essential key skill for many sectors and subject areas, but the use of minutes, allocating tasks, agreeing outcomes, etc are an essential part of team work and this must be made clear to the learners.
- c) 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.
- d) Fabrication of results and/or evidence failing to abide by the instructions or advice of an assessor, a supervisor or an invigilator in relation to the assessment/examination/test rules, regulations and security.
- e) Misuse of assessment/examination material.
- f) Introduction and/or use of unauthorised material contrary to the requirements of supervised assessment/examination/test conditions. For example: notes, study guides, personal organisers, calculators, dictionaries (when prohibited), personal stereos, mobile phones or other similar electronic devices.
- g) Obtaining, receiving, exchanging or passing on information which could be assessment/examination/test related (or the attempt to) by means of talking or exchanging written papers or notes during supervised assessment/examination/test conditions.
- h) Behaving in a way as to undermine the integrity of the assessment/examination/test.
- i) The alteration of any results document, including certificates, as well as cheating to gain an unfair advantage.

## **Malpractice by Projcon Staff**

The following are examples of malpractice by Projcon staff. Please note that the list is not exhaustive.

- i) Alteration of assessment and grading criteria.
- ii) 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.
- iii) Producing falsified witness statements, for example for evidence the learner has not generated.
- iv) 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.
- v) Facilitating and allowing impersonation.
- vi) Misusing the conditions for special learner requirements, for example where learners are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment.
- vii) Failing to keep learner computer files secure.
- viii) Falsifying records/certificates, for example by alteration, substitution, or by fraud.
- ix) Fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment.
- x) Failing to keep assessment/examination/test papers secure prior to the assessment/ examination/test.

## **Dealing with Malpractice**

The overall responsibility for dealing with malpractice lies with the Chief Executive at PROJCON. The Chief Executive reserves the right to appoint an Investigating Officer to conduct the investigation of an alleged malpractice and report to the Academic Development Committee (ADC).

Once a malpractice has occurred or has been discovered, the incident must be recorded and reported to the awarding body. The person involved in the alleged malpractice must be notified in writing as to the nature of the alleged malpractice as well as the possible consequences if the alleged malpractice is proven. PROJCON will work with Awarding body during any investigation.

Thereafter, the following steps must be observed:

1. After notifying the person involved in the alleged malpractice in writing, the person will be given an opportunity to explain what happened.
2. The investigation, penalties and appeals procedure must be explained to the person involved in the alleged malpractice.
3. The investigation must be carried out in a fair and appropriate manner.
4. Appropriate penalties must be imposed on the person involved, which must be commensurate to the malpractice incident.

### **Investigation**

PROJCON will conduct the investigation in a manner that is fair and appropriate into the alleged incident of malpractice. The scope and activities undertaken as part of the investigation will depend on the nature of the alleged malpractice. The investigation will be conducted in the manner described below by the Investigating Officer who will report to the ADC.

1. Evidence relating to the alleged malpractice will be gathered by the Investigating Officer. This may involve contacting potential witnesses and collecting witness reports, as well as conducting interviews with witnesses. Where it is the learner's submitted work that instigated the malpractice allegation, the relevant work, including work previously submitted to the Projcon for assessment may be reviewed by the Investigating Officer.
2. The procedure for investigation and the rights of appeal available to the person involved in the alleged malpractice will be explained to the person, in the likely event that the outcome of the investigation is adverse.
3. The person must be notified in writing of the alleged malpractice and invited to provide a written response to the allegation and evidence presented. The person will be given 14 days from the date of notification of the alleged malpractice to provide a written response.
4. If no response is received within 21 days, the matter will be referred to the ADC by the Investigating Officer for further action. When the investigation is completed, the ADC will consider the report of the Investigating Officer and the evidence in support of the allegation before reaching a decision on whether or not the allegation of malpractice has been proven. The ADC will rely on balance of probabilities as their standard of proof.
5. Should the ADC decide that the alleged malpractice is proven, it will determine the penalty to be applied, which will be notified to the person involved in the malpractice allegation within 5 working days.
6. Every stage of the investigation will be documented, whilst records will be kept for at least three years.

## **Penalties**

Where the decision of the ADC is that the allegation of malpractice has been proven, the penalties that can be applied will depend on the severity of the malpractice incident and therefore will vary in nature.

The following represent the type of penalties that may be imposed on the person, which must be commensurate with gravity of the malpractice if proven. Please note that the penalties and the criteria for them highlighted below are not exhaustive, but only serve as a benchmark.

1. Where the malpractice is a minor breach and does not affect the integrity of the examination/assessment, the penalty may be a written warning about future conduct. Examples of minor breaches include mobile phone making noise for a short period in the examination, but not in the candidate's possession; or a learner tearing out pages from an answer booklet; or minor refusal by a learner to adhere to invigilator's instructions which does not disrupt other candidates.
2. Where the malpractice is a significant breach which affects the integrity of the assessment/examination for one task only, the penalty will result in the assessment task being declared void. Examples of significant breaches include sharing drafts or final versions for a task with another learner; or copying another learner's work for an assessment task; or working together with another learner (or learners) to produce response for work for assessment.
3. Where the malpractice is a significant breach of the examination regulations which affects the integrity of the examination or assessment task, the penalty will be a declaration of the examination or assessment result as void. Examples of significant breach in this instant include a refusal to comply with Invigilator's instructions which compromises the integrity of the examination; or severely disruptive behaviour during an examination; or unauthorised materials found on the learner during an examination which would have given the learner advantage over other learners.
4. Where the malpractice involves a staff of the Projcon, the person will be subjected to the Projcon's disciplinary procedures for staff, the outcome of which may result in a written warning being issued to the staff against future conduct or a complete withdrawal of the staff from all examinations/assessments processes, depending on the severity of the proven malpractice.

## **Appeals**

Learners are entitled to appeal to the Chief Executive of the Projcon against the decision of the ADC in cases where malpractice has been proven.

1. Learners must submit a written request to the Chief Executive for an appeal within 20 working days of the date of ADC's decision.
2. The request for appeal must be forwarded to the Chief Executive of the Projcon, who will consider the request and make a decision within 30 working days of the date of receiving the written request from the learner.
3. The Chief Executive will consider only credible evidence that could not reasonably have been provided for the consideration of the ADC or that has the capability of affecting the decision of the ADC.

When the Chief Executive has concluded his consideration of the appeal, he may decide to confirm or vary the decision of the ADC or in the alternative; he may request the ADC to reconsider their decision.