



## Malpractice Policy

ELT manager	Director of Academic Affairs
Responsible officer	Head of Student Experience & Performance /Head of Centre
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Equality impact assessment	Completed.
Further information (where relevant)	

Reviewer	Date	Review Action/Impact	BoM approval
TK/AC	03/02/2021	Updated as per Awarding Body Updates: <ul style="list-style-type: none"> <li>• Terminology changed throughout document.</li> <li>• Appendix 1 Investigation Statement of Facts for Student suspected Malpractice changed from Head of Centre to Head of Curriculum or nominated Curriculum Area Lead</li> <li>• Split document into 2 documents Policy and Procedure</li> </ul>	
TM/AC	09/07/2019	Updated as per Awarding Body Updates: <ul style="list-style-type: none"> <li>5 Definitions – enhanced definition of malpractice and maladministration</li> <li>6: Student Malpractice – enhanced examples of malpractice</li> <li>9: Centre Malpractice – enhanced examples of malpractice</li> </ul>	
TM/AC	29/10/2018	Updated: Links to UHI Regulations and WHC Policies reinstated as per C&G Systems Visit	
TM/AC	28/03/2017	Updated: Meet new criteria implemented by SQA	
TM/AC	27/07/2016	Updated: Responsibilities of staff and Student Updated: Actions and Sanctions if Malpractice Proven	
FF/AC	16/06/2015	New Policy implemented to meet the requirements of SQA Criteria 1.5 as identified by the SQA systems audit	

# MALPRACTICE

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## 1 Purpose

This Policy is necessary for maintaining the integrity of qualifications.

This policy sets out how UHI West Highland will deal with suspected cases of malpractice in internally-assessed Further Education qualifications up to SCQF Level 6. All Higher Education programs from SCQF Level 7 and above please refer to UHI [Policies and regulations - Regulations \(uhi.ac.uk\)](http://uhi.ac.uk)

## 2 Scope

The policy applies to all staff and students of UHI West Highland. The policy explains the systems and procedures that will be implemented and followed to prevent malpractice and handle allegations of malpractice appropriately.

## 3 Policy

This policy:

- Defines student malpractice and centre malpractice in the context of internally assessed qualifications.
- Sets out the responsibilities of UHI West Highland in relation to malpractice.
- The policy sets out and refers to the standards and requirements of all awarding bodies.
- Describes how to proceed in cases where there is reason to suspect malpractice

The procedures apply to all Awarding Bodies qualifications (including those that are subject to statutory regulation by SQA Accreditation Ofqual)

## 4 Responsibilities

The Head of Student Experience & Performance /Head of Centre is responsible for managing and updating this policy.

It is the responsibility of all UHI West Highland staff and students to ensure the integrity of any qualification being delivered at the college and to follow the procedures if it is suspected that there has been **student malpractice**.

It is the responsibility of all UHI West Highland staff and students to ensure the integrity of any qualification being delivered at the college and to follow the procedures if it is suspected that there has been **centre malpractice**.

All UHI West Highland staff and students are responsible for following these policy guidelines.

## 5 Definition

Malpractice means any act, default or practice (whether deliberate or resulting from neglect or default) which is a breach of SQA assessment requirements including any act, default or practice which:

- compromises, attempts to compromise or may compromise, the process of assessment, the integrity of any SQA qualification, or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility of SQA or any officer, employee or agent of SQA.

Malpractice can arise for a variety of reasons:

- Some incidents are intentional and aim to give an unfair advantage or disadvantage in an examination or assessment (deliberate non-compliance).
  - Completing assessment work on behalf of learners; or
  - Falsification of information leading to certification
- Some incidents of malpractice are unintentional. Unintentional malpractice is defined as 'maladministration' which includes incidents that arise due to ignorance of SQA requirements, carelessness or neglect in applying the requirements. Examples might include:
  - Seeking approval to offer a new qualification after the deadline for new approval applications has passed; or
  - Requesting late certification of learners after a regulated qualification's certification end date

Malpractice can include both deliberate non-compliance with SQA requirements and maladministration in the assessment and delivery of SQA qualifications.

Whether intentional or not, it is necessary to investigate and act upon any suspected instances of malpractice, to protect the integrity of the qualification and to identify any wider lessons to be learned.

## 6 Student Malpractice

Student malpractice means any type of [malpractice](#) by a student which threatens the integrity of an examination or assessment.

Malpractice by a candidate can occur, for example, in:

- the preparation and authentication of coursework
- the preparation or presentation of practical work
- the compilation of a portfolio of assessment evidence
- the completion of an examination paper, or the controlled write-up stage of externally assessed coursework; and
- conduct during or after an assessment

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The following are examples of student malpractice, but you should be vigilant to other instances of suspected malpractice that may undermine the integrity of qualifications. Examples could include:

- ❖ Breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment — including the early and unauthorised removal of a question paper or answer booklet from the examination room.
- ❖ Breaching the defined conditions of an assessment (eg completing work outside of controlled conditions)
- ❖ Collusion – working collaboratively with other students beyond what is permitted.
- ❖ Copying from another student.
- ❖ Misconduct — inappropriate behaviour in an assessment room that is disruptive and/or disrespectful to others. This includes talking, shouting and/or aggressive behaviour or language, and having a prohibited electronic device that emits any kind of sound in the assessment room.
- ❖ Frivolous content — producing content that is unrelated to the assessment.
- ❖ Offensive content — content in assessment materials that includes vulgarity and swearing that is out with the context of the assessment, or any material that is discriminatory in nature (including discrimination in relation to the protected characteristics identified in the Equality Act 2010). This should not be read as inhibiting students' rights to freedom of expression.
- ❖ Personation — assuming the identity of another student or a candidate having someone assume their identity during an assessment.
- ❖ Plagiarism — failure to acknowledge sources properly and/or the submission of another person's work as if it were the student's own.
- ❖ Prohibited items — items that students must not have with them at their allocated seat in the exam room because they can give an unfair advantage, including: mobile phones; electronic devices such as an MP3 player, iPod, tablet, smartwatch or any other device that is web-enabled or stores information; books, notes, sketches or paper; pencil case; calculator case; calculator or dictionary (except in specified subjects) — unless any of these things have been approved by SQA as part of an assessment arrangement.

### Types of Assessment

#### **Internal assessment:**

An assessment for an SQA qualification where the assessment judgement is made within the centre. Internal assessments are subject to both internal verification by the centre and external verification by SQA. This includes assessments which are externally set, but internally marked. Procedures for dealing with malpractice in internal assessments apply where the assessment is set by SQA but marked by the centre (including e-marking of online assessments).

Refer to the SQA Malpractice: Information for Centres – Appendix 1 SQA Standards for Devolved Investigations

#### **External assessment:**

An assessment set and marked by SQA examiners. Most SQA external assessments relate to our National Qualifications. These procedures will rarely apply to our vocational qualifications as very few of these have externally marked elements.

### Responsibilities – Reporting Suspected Student Malpractice

Students and staff will be made aware at induction of the Malpractice Policy and Procedure. It is the responsibility of all staff and students to ensure the integrity of any qualification being delivered at the college and to follow the procedures if it is suspected that there has been student malpractice.

In cases of suspected student malpractice, a student or a member of staff suspecting malpractice must inform the Head of Curriculum or the nominated Curriculum Area Lead immediately. This will then be followed by the completion of the Statement of Facts form stage 1 (Appendix 1) in the Malpractice Procedure Document which must then be emailed to the Head of Curriculum or nominated Curriculum Area Lead.

Head of Curriculum must inform the Head of Centre.

In addition, for those qualifications that are subject to statutory regulation by SQA Accreditation, Ofqual or Qualifications Wales, Head of Centre will report any suspected case of student malpractice to SQA.

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Head of Centre will inform SQA in the first instance of any suspected case of student malpractice that involves a criminal act and then report it to the police.

### External Assessments for National Qualifications

The Head of Centre will inform SQA of any student malpractice concerns for external assessments after affected materials have been submitted to SQA in writing or by telephone:

E-mail: [Investigation.enquiries@sqa.org.uk](mailto:Investigation.enquiries@sqa.org.uk)  
Tel: 0345 213 6741

### Regulated Qualifications by SQA Accreditation or Ofqual

The Head of Centre will inform SQA of any suspected cases of student malpractice promptly, in writing to:

[gav@sqa.org.uk](mailto:gav@sqa.org.uk)

WHC UHI must provide a report of its investigation findings to [qa.whc@uhi.ac.uk](mailto:qa.whc@uhi.ac.uk) and any recommended actions, supported by relevant documentation, which may be sent to SQA if applicable.

## 7 Centre Malpractice

Centre malpractice means any type of [malpractice](#) by a centre, or someone acting on its behalf (for example an assessor), Centre malpractice does not need to be intentional malpractice, and may take place unintentionally by centres (which is sometimes known as maladministration)

Malpractice can include both maladministration in the assessment and delivery of SQA qualifications and deliberate non-compliance with SQA requirements.

Whether intentional or not, it is necessary to investigate and act upon any suspected instances of malpractice, to protect the integrity of the qualification and to identify any wider lessons to be learned.

Examples of centre malpractice include (but are not limited to):

- ❖ Managers or others exerting undue pressure on staff to pass candidates who have not met the requirements for an award.
- ❖ Deliberate falsification of records in order to claim certificates.
- ❖ Excessive direction from assessors to candidates on how to meet national standards.
- ❖ Failure to assess internally assessed unit or course assessment work fairly, consistently and in line with national standards.
- ❖ Failure to comply with SQA requirements in the preparations, quality assurance and submission of estimated grade information.
- ❖ Failure to apply specified SQA assessment conditions in assessments, such as limits on resources or time available to candidates to complete their assessments, including any amendments to permitted conditions.
- ❖ Misuse of assessments, including repeated re-assessment contrary to requirements, or inappropriate adjustments to assessment decisions.
- ❖ Failure to recognise apply appropriate measures to manage potential conflict of interest

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- ❖ in assessment or quality assurance.
- ❖ Failure to apply appropriate processes to ensure fairness in the provision of assessment arrangements.
- ❖ Failure to comply with SQA requirements in relation to appeal processes.
- ❖ Insecure storage, transmission or use of assessment instruments, materials and marking instructions, resulting in a breach of assessment security.
- ❖ Failure to comply with requirements for safe retention of candidate evidence, and safe and accurate maintenance of assessment and internal verification records.
- ❖ Failure to comply with SQA's procedures for managing and transferring accurate candidate data
- ❖ Failing to register candidates within a qualification's accreditation period.
- ❖ Making late registrations to the awarding body for qualifications in their lapsing period
- ❖ Requesting late certification of learners after the certification end date
- ❖ For all SQA qualifications, failure by a centre to notify, investigate and report concerns of potential centre malpractice to SQA.
- ❖ Failure to promptly notify SQA of a finding of centre malpractice, maladministration or an equivalent or similar finding by another awarding organization.
- ❖ Withholding information about circumstances that may compromise the integrity of any SQA qualification or the credibility of SQA.
- ❖ Failure to take action as required by SQA or to co-operate with an SQA investigation in relation to concerns of malpractice.
- ❖ For qualifications subject to regulation by SQA Accreditation, Ofqual or Qualifications Wales, failure by a centre to notify, investigate and report to SQA concerns of potential student malpractice.

### **Responsibilities – Reporting Suspected Centre Malpractice**

Students and staff will be made aware at induction of the Malpractice Policy and Procedure. It is the responsibility of all staff and students to ensure the integrity of any qualification being delivered at the college and to follow the procedures if it is suspected that there has been centre malpractice.

In cases of suspected centre malpractice, a student or a member of staff suspecting malpractice must inform the Head of Centre immediately.

This will then be followed by the completion of the Statement of Facts form stage 1 (Appendix 1) which must then be emailed to the Head of Centre [ga.whc@uhi.ac.uk](mailto:ga.whc@uhi.ac.uk)

Head of Centre will inform SQA in the first instance of any suspected cases of centre malpractice.

Head of Centre will inform SQA in the first instance of any suspected cases of centre malpractice that involves a criminal act and then report it to the police.