



<b><u>Policy Title</u></b>	<b>NCG Malpractice Policy</b>
<b><u>Policy Category</u></b>	Compliant
<b><u>Owner</u></b>	Assistant Director of Quality
<b><u>Group Executive Lead</u></b>	Executive Director for Quality
<b><u>Date Written</u></b>	September 2023
<b><u>Considered By</u></b>	Policy Review Council
<b><u>Approved By</u></b>	Executive Board
<b><u>Date Approved</u></b>	September 2023
<b><u>Equality Impact Assessment</u></b>	The implementation of this policy is not considered to have a negative impact on protected characteristics
<b><u>Freedom of Information</u></b>	This document will be publicly available through the Group's Publication Scheme.
<b><u>Review Date</u></b>	September 2026
<b><u>Policy Summary</u></b>	<p>The NCG Malpractice Policy applies to all learners on Further Education and Training learning programmes. It also applies to all employees that have a teaching, learning or assessment role or are involved in the associated supporting services.</p> <p>The policy is written in line with the JCQ guidelines. This policy defines malpractice, maladministration and conflicts of interest, providing examples and guidance on the processes that must be put in place to ensure that college managers (and NCG) can manage and monitor potential risks.</p>

<b><u>Applicability of Policy</u></b>	<b><u>Consultation Undertaken</u></b>	<b><u>Applicable To</u></b>
Newcastle	Yes	Yes
Newcastle Sixth Form	Yes	Yes
Carlisle	Yes	Yes
Kidderminster	Yes	Yes
Lewisham	Yes	Yes
Southwark	Yes	Yes
West Lancashire	Yes	Yes
Professional Services	Yes	Yes

<b><u>Changes to Earlier Versions</u></b>	
<b><u>Previous Approval Date</u></b>	<b><u>Summarise Changes Made Here</u></b>
February 2018	Update to new policy format. Inclusion of new process for employees to report members of their family or household who are taking qualifications at other centres. Clarification of college responsibilities.
September 2021	Document updated to align to NCG people and development policy and procedures. Staff referred to employees. EIA included. Linked policies updated.
September 2021 - Reviewed September 2023	Inclusion of the potential misuse of artificial intelligence by learners. Link to guide from JCQ in section 2 and referenced in section 4 and 5.



<u>Document Title</u>	<u>Relevance</u>
NCG Code of Conduct Policy	Sets out the principals, values and standards governing the professional behaviour of all colleagues when following this policy
NCG Performance Policy	This links to the performance management process for all NCG colleagues and assist and encourage the development of colleagues to achieve, maintain and exceed satisfactory standards of work in accordance with the annual performance review process.
NCG Disciplinary Policy	Provides a framework for potential for which potential misconduct in managed fairly, consistently and promptly
NCG Assessment and Internal Quality Assurance and Moderation Policy	This policy details the reporting process where potential employees' malpractice or maladministration is identified.
NCG Student Positive Behaviour Policy	If malpractice is confirmed and disciplinary action is taken, the policy will set out the options for the student appeals process.
NCG Non-Examination Assessment Policy	The purpose of the policy is to ensure that all JCQ and awarding body guidelines are clearly understood and followed in the completion of non-examination assessments and links to this policy in terms of potential malpractice and maladministration
NCG HE Assessment Policy	To ensure the assessment policy and procedures are consistently applied across the group and are fully informed by the Quality Assurance Agency (QAA)



**Equality Impact Assessment**

	Judgement	Explanatory Note if required
<b>EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in 2.0?</b>	Yes	
<b>EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?</b>	No	
<b>Age</b>	No	
<b>Disability / Difficulty</b>	No	
<b>Gender Reassignment</b>	No	
<b>Marriage and Civil Partnership</b>	No	
<b>Race</b>	No	
<b>Religion or Belief</b>	No	
<b>Sex</b>	No	
<b>Sexual Orientation</b>	No	
<b>EIA3 - Does the proposed policy/processes contain any language/terms/references/phrasing that could cause offence to any specific groups of people or individuals?</b>	No	
<b>EIA4 - Does the policy/process discriminate or victimise any groups or individuals?</b>	No	
<b>EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?</b>	No	
<b>EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?</b>	No	
<b>EIA 6 - How do you know that the above is correct?</b>	<p>This policy has been reviewed by the QTLA forum and NCG Executive NCG, prior to approval by NCG Corporation.</p> <p>The membership of these groups is indicative of the wider population within NCG.</p>	



## 1. Purpose

The aims of this policy are indicated below:

- To ensure that learners and employees are aware of what constitutes malpractice and maladministration and the procedures that will be implemented in suspected cases.
- To ensure that NCG and its colleges have appropriate processes in place to manage and monitor potential risks that might occur with regards to examinations and assessments and the associated administration processes.
- To protect the integrity of qualifications being delivered within the organisation and as such the reputation of NCG.
- To ensure that principles of equity and fairness are followed in dealing with any allegations of malpractice.
- To comply with the external regulations of the Joint Council for Qualifications (JCQ) and awarding bodies.

## 2. Scope

This policy applies to all learners on Further Education and Training learning programmes regardless of mode or location of study. It also applies to all employees that have a teaching, learning or assessment role or are involved in the associated supporting services, such as learning support and examination administration.

All employees whose responsibilities include assessing and/or internal verification on Further Education or Training courses must have a working knowledge of the Joint Council for Qualifications (JCQ) guidance document [Suspected Malpractice Policies and Procedures](#) and Artificial Intelligence (AI) Use in Assessments: Protecting the Integrity of Qualifications. For awarding bodies that are not a member of the JCQ, employees are to refer to the awarding body's specific guidance.



For learners studying on Higher Education programmes leading to NCG Awards, academic misconduct / malpractice is covered in the NCG HE Academic Regulations, 'The College regards any attempt by a student to gain an unfair advantage in assessment as a serious academic offence that undermines the academic standards of the College.' Section C16 NCG Academic Regulations. Further guidance for employees is provided in the NCG HE Regulatory Documents (<https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/he-regulatory-document/>) and for students stored in their VEL under the 'Academic Integrity' section of the Higher Education Student Handbook.

For learners studying Higher Education which has been validated by other HEIs, the appropriate HEI / Awarding Body policy and process for Academic Misconduct/ Malpractice will be followed.

### **3. Definition**

Malpractice, which includes maladministration and non-compliance, means any act, default or practice which is a breach of the regulations. Learners and employees must be aware of what constitutes malpractice and maladministration and the procedures that must be implemented in suspected cases.

Assessment and assessment activities referred to in this policy include any internally or externally set coursework, non-examination assessments and examinations where the result contributes to the overall qualification grade/ outcome.

### **4. Procedures to identify and prevent learner malpractice**

Under the terms of the awarding body regulations, learners who breach the regulations may be disqualified from subjects for which they have been entered. Learners must be made aware of the potential penalties before any assessment activities commence.



All learners are expected to act with integrity and honesty when producing and presenting work for assessment and not undertake any form of cheating or seek to gain an unfair advantage during any assessment activity.

#### **4.1 Course Information**

All learners will receive guidance as to what constitutes plagiarism and other instances of malpractice via their Course Handbook, the Student Handbook, their induction programme and / or via their VLE (MS Teams page). This will include the possible consequences of using AI inappropriately in a qualification assessment. All learners should be issued with a copy of or have access via their VLE (MS Teams), the appropriate JCQ Information for Candidates ([www.jcq.org.uk/exams-office/information-for-candidates-documents](http://www.jcq.org.uk/exams-office/information-for-candidates-documents)); The examples of malpractice given in Appendix 1 to this policy will be included in all course or student handbooks. Colleges may adapt wording where appropriate to ensure learners fully understand their responsibilities.

The above information requirements will be reinforced by teaching, learning and assessment employees during the learners' induction programmes and prior to assessment tasks commencing. Learners on Level 3 programmes will be made aware of the role of Turnitin software in detecting plagiarism.

#### **4.2 Assessment Work (Non-examination)**

##### Pre-task information

The colleges must have in place processes to provide learners with information on how to prepare and present coursework and submitting their own independent work for assessment and for identifying potential malpractice. This will include how to provide full citation of all sources used (including websites), using a recognised referencing system, prior to assessment activities commencing.

### Turnitin Software

NCG has invested in Turnitin Plagiarism Detection software to support the detection of plagiarism from on-line sources. This software is used by employees assessing Level 3 to Level 7 work that requires independent research. Where appropriate, Level 3 full time and substantive part time courses will use Turnitin to evaluate a proportion (determined by the college) of submitted work. Where it is not appropriate to use Turnitin, colleges will have clear procedures which follow appropriate awarding body guidelines.

For learners studying on higher education programmes colleges are responsible for ensuring a standardised approach to using the current NCG plagiarism checking software tool is adhered to and that this is clearly communicated to students before assessments are set. Further guidance is provided in the NCG Academic Regulations Section C3.7 Submission of Assessment.

### Authentication statements

An authentication sheet must be used on all learner work submitted for assessment, which requires the learner to declare that the work is their own. Where awarding bodies do not provide their own authentication statement, assessment front sheets will include the following statement which learners will sign and date when submitting any work for marking, including resubmissions/upgrades:

***‘This assignment is my own work. If I have worked with someone else or have received help I have shown this clearly in my work. I have given references for all quotations and materials from the work of other people.’***

## **5. Reporting suspected malpractice**

NCG through all of its colleges will follow the definitions and examples of malpractice described in Annex 1 and 3 to this policy in addition to any guidance provided by awarding bodies.



## 5.1 Learner Malpractice

For cases of learner malpractice in examinations / controlled assessments/ coursework or non-examination assessments, employees must follow the relevant awarding body's process, and liaise with the examinations lead within the college, to ensure compliance with the relevant awarding body regulations. With specific reference to AI, please see the JCQ guide on AI Use in Assessments: Protecting the Integrity of Qualifications and the potential indicators of AI use.

For cases of learner malpractice where an authentication statement has been signed and submitted for marking, and the work represents a significant contribution to the assessment outcomes of a particular qualification, there is a requirement to make a report to the relevant awarding body, according to their published procedures, with a notification to the college Quality Unit.

Guidance on dealing with cases of malpractice is included in Annex 2.

## 5.2 Employees Malpractice

Allegations of malpractice / maladministration on the part of employees must be reported to the college Quality lead who will inform the college principal and relevant awarding body as per the guidance in appendix 4 and as given by the Joint Council for Qualifications and the awarding body's own procedures. The Quality lead for the college must inform the Group Executive Director for Quality of all instances of suspected employees malpractice/ maladministration. Examples of employees' malpractice are included in Appendix 3.

Initially only information gathering is permitted by the College Quality lead, to provide enough detail to report the incident to the awarding body. The awarding body will then provide guidance on the next steps to follow and any investigation which is required to be undertaken. A full investigation must not commence before the awarding body has been informed.

Any allegations or potential misconduct against employees must be investigated in line with the NCG Disciplinary Policy, which may run alongside



the awarding body investigation. Where there are concerns with the standard of performance, this will be managed in line with the NCG Performance Management Policy. Please note, allegations of malpractice are not only managed in line with NCG policy and procedures but are also subject to the awarding body's specific procedures.

Failure to follow the correct procedures (detailed in appendix 4) for reporting allegations may itself be viewed as malpractice and the NCG disciplinary policy may be invoked for any employees' member(s) who is/ are aware of the allegations, or witnessed the malpractice and do not report it.

## **6. Conflict of Interest in Assessment**

### **6.1 Definition**

A conflict of interest is a situation that has the potential to undermine the impartiality of an individual or organisation because of the possibility of a clash between personal interest and their professional position.

It is possible that employees working in any assessment-related role might encounter potential conflicts of interest. It is important to manage such situations carefully to ensure that any conflict of interest does not impact on the standards and integrity of NCG's educational and training provision or the reputation of partner awarding bodies.

The following are examples of conflicts of interest in the context of examinations/ assessments. This list is not exhaustive and other instances may be considered by NCG and its colleges at their discretion:

- Examinations employees or a member of their family or household, a friend or colleague taking a qualification within the centre.
- An individual undertaking a qualification in their own workplace (e.g. within their college or training centre).
- An individual who has access to examination or assessment work (including pre-release materials which must be kept confidential) for a



qualification which a family member or member of their household is undertaking at a different centre.

- An individual who has been involved in the preparation of assessments or examination questions (e.g. employees working as examiners for awarding bodies) where the same qualifications are being taken in centre.

## 6.2 Roles and responsibilities

Working in partnership with a range of awarding bodies, NCG and its associated colleges are required to identify and manage all conflicts of interest that might detrimentally impact on standards of, or public confidence in, the organisation's educational and training provision or the reputation of external awarding bodies with whom they work.

All employees have a responsibility to be aware of the potential for a conflict of interest. Individuals must disclose an activity if they are in doubt about whether it represents a conflict of interest. It is the duty of all tutors, assessors and employees that have a teaching, learning or assessment role, or are involved in the associated supporting services, to disclose any actual or potential conflict of interest.

Employees can find themselves in potential conflicts of interest situations because they are not clear what the correct processes and procedures are. It is the responsibility of the colleges to provide training/ information to employees, informing them of the requirement to disclose any potential conflict of interest.

It is the responsibility of the college to establish a process for collecting information regarding potential conflicts of interest from employee's members which should be appended to this document for reference.

## 6.3 Procedures to identify potential conflicts of interest

Collecting conflict of interest information



Conflict of interest, alongside malpractice and maladministration, is a topic that must be covered in the induction of all new tutors, assessors, invigilators, internal verifiers and assessment-related administration employees.

Line managers must ensure that the 'Declaration of Interest Form' (Appendix 5) is completed and reviewed by the Head of Department/ Curriculum/ Programme Lead, if a employees member discloses a potential conflict of interest.

The Quality Lead, or their nominated representative within the college, must report any conflicts of interest to the relevant awarding body.

Employees are required to complete and return a 'Declaration of Interest Form' on commencement of employment with the organisation and update it on an annual basis. It is the responsibility of the college to establish a process for collecting this information.

Should an individual's circumstances change, which leads to a conflict of interest, they are required to declare this immediately to their line manager. A reminder for updates must be issued to employees on an annual basis. The information submitted will then be evaluated by the Head of Department/ Curriculum/ Programme Leader within the college to identify if any further action is required and a written record of the outcome of the evaluation must be retained with the original form.

#### Employees taking qualifications within the centre

Employees wishing to undertake a qualification within the centre (whether financed fully/ partly by a college of NCG or personally financed by the employee) must follow the college's process to ensure that the examination department, or employees responsible for the registration of learners with the awarding body, is/ are aware so that they can ensure compliance with the awarding body's regulations. For example, by completing a employees development form or, if the qualification is being completed for personal interest, by informing the relevant college contact. See Appendix 6 for a summary on awarding body guidance on employees completing qualifications in centre.

#### 6.4 **Actions to take when a potential conflict of interest is declared/ identified**

Where a declaration of an actual or a potential conflict of interest is identified then advice will be sought from the relevant employee in order to ensure the correct course of action is undertaken. If a potential conflict of interest is not declared then this will be managed in line with NCG policy and procedures.

##### Examination employees

Examination employees with a family member, member of their household or someone of a similar close relationship, such as a friend or partner, taking qualifications within the centre must not be permitted to access examination material unaccompanied. Measures must also be put in place to prevent them from disclosing results to any party in advance of the official public release date.

Examination employees taking qualifications within the centre must not be allowed access to any of the restricted access assessment/ examination material in advance of the assessment/ examination date or receive any preferential treatment.

Examination invigilators must be subject to the same checks on conflicts of interest. Potential conflicts of interest must be identified on induction and checked each year. Invigilators must not oversee any examinations or assessments being taken by a family member, member of their household or friend.

An employee must not invigilate an examination or assessment being taken by a family member, member of their household, friend or colleague. A tutor must not invigilate learners that they have directly prepared for the examination. A tutor who teaches the subject being examined must not act as an invigilator. Entry Level assessments are the only exception to this rule. The examinations lead within the college will make the final decision on any requests for exceptions to this after consulting the relevant awarding body regulations.



For any employee undertaking qualifications within the centre where they work, upon notification, it is the responsibility of the examination employee/ employees within the college who register learners with the awarding bodies, to check that the relevant awarding body permits an employee member to undertake the qualification. They must then check the process which must be followed in order to be compliant with the awarding body regulations. A process for identifying employees taking qualifications within the centre must be established by the college.

### Tutors/ Assessors

For tutors and assessors, a conflict of interest will be referred to the Head of Department/Curriculum Leader who will work with the Quality Lead within the college to deal with the conflict.

The conflict will then be reviewed and either removed or managed. Where the conflict is to be managed, the Quality Lead within the college will liaise with the relevant responsible line manager to discuss the necessary actions/controls to manage the conflict, mitigate any impact on the organisation and ultimately ensure that learners are not adversely affected.

Examples of actions that could be taken:

- The individual not taking part in discussions or decisions on certain matters.
- Referring assessment, verification and recommendations for credit to other employees with no vested interest.
- Agreeing not to be involved in a particular area of work or;
- When unsure of the appropriate action to take, refer the matter to the awarding body for guidance.

### Declaring conflicts of interest to the awarding body

Conflicts of interest will be declared to the awarding body by the Quality Lead within the college.



Should an individual's circumstances change, that leads to a potential conflict of interest, they are required to declare this immediately to their line manager.

## **7. Publication**

Group Policy Statements are held centrally on the Group intranet.

[http://intranet.ncgrp.co.uk/groupservices/Group\\_Policies/SitePages/Policies.aspx](http://intranet.ncgrp.co.uk/groupservices/Group_Policies/SitePages/Policies.aspx)

## **8. Policy Assurance**

Group Business Assurance will carry out periodic testing to ensure compliance with this policy.

## Appendix 1

### **Examples of Learner Malpractice**

The following are examples of malpractice by learners; this list is not exhaustive and other instances of malpractice may be considered by NCG and its colleges at its discretion.

#### **Plagiarism**

Plagiarism is the presentation of someone else's work, words, images, ideas, opinions or discoveries, whether published or unpublished, as one's own. This includes using the artwork, images or computer-generated work of others without properly acknowledging the source, with or without their permission.

Examples of plagiarism include:

- Directly copying from written physical, pictorial or computer-generated (AI) material without crediting the source.
- Paraphrasing someone else's work without crediting the source.
- Copying class notes and handouts provided by teaching, learning and assessment employees.
- Re-submission of work previously submitted for another assignment.
- *See also the 'Collusion' section.*

#### **Misconduct in examinations/ assessments**

- Impersonating a learner in an examination.
- Disruptive behaviour in the examination room or during an assessment session.
- Any form of communication with another learner during an examination/ assessment (written, verbal, gestures, expressions, pointing etc.).
- Copying from another learner's work.
- Introducing unauthorised materials into the examination room (regardless of the learner's intent or whether the learner uses them during the examination).



- The unauthorised use of a memory stick or similar device where a learner uses a word processor to complete an examination.
- Obtaining access to confidential examination material before the official examination/ assessment date.
- Failing to abide by instructions given by an invigilator, assessor or the awarding body in relation to examination or assessment rules and regulations.
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments.
- Exchanging, receiving, discussing or passing on the confidential content of examinations e.g. on internet forums, social media, text or in person, even if the candidate was not the person who originally obtained the information.
- The inclusion of inappropriate, offensive or obscene material in scripts, controlled assessment, non-examination assessment, coursework or portfolios.
- The deliberate destruction of another candidate's work or assessment records.
- Bribery
- The unauthorised possession and/or use of smart phones, smart watches and other electronic communication devices in an examination.

### **Collusion**

Where learners are required to work with others on an assessment, this will be clearly stated in the assessment guidelines and constitutes approved collaboration. Unless otherwise stated, work is to be undertaken by one individual and collaboration is not permitted. A learner who works with others to produce work that is then submitted as their own unaided work may be found to have colluded.

Examples of collusion include:

- Working with one or more people to produce a piece of work and submitting it individually as one's own.
- Getting someone else to produce part or all of the work submitted as one's own.
- Copying the work of another learner, with or without their permission.



- Allowing another learner to copy one's own work.

**Fabrication, falsification or misrepresentation**

The presentation of fabricated data, results, references, evidence or other material or the misrepresentation of the same. For example:

- Claiming to have carried out experiments, interviews, observations or other forms of research which a learner did not complete.
- Falsely claiming to have obtained results or other evidence.
- The falsification of references, including the invention of references and/or false claims.

The falsification of any information with a view to gaining an unfair advantage

## Appendix 2

### Guidelines for dealing with learner malpractice

It is the responsibility of the colleges to have processes in place to manage learner malpractice.

1. Any employee who suspects or discovers malpractice has taken place must report the matter immediately to their line manager and the Head of Performance/ Quality or their nominated representative (e.g. the examinations lead for the college). The incident must be reported at the earliest opportunity to the awarding body.
2. The Head of Performance/ Quality or their nominated representative within the college is responsible for reporting any suspicions of malpractice to the Group Executive Director for Quality which has the potential to negatively affect the reputation of NCG. For example, widespread learner malpractice or incidents which may highlight significant inefficiencies in processes.
3. Learners suspected of malpractice must be made fully aware, in writing, at the earliest opportunity, of the nature of the alleged malpractice and the possible consequences in accordance with the NCG Student Positive Behaviour Policy.
4. The investigating manager must carry out the investigation in accordance with appropriate awarding body guidelines on malpractice.
5. A report must be produced and submitted to the awarding body and will include:
  - A clear account, as detailed as necessary, of the circumstances;
  - Details of the investigations carried out by the centre;
  - Written statements from any teachers, invigilators or other employees concerned, which must be signed and dated;
  - Written statements from the learners concerned, which must be signed and dated.

Where appropriate:



- Information about how the centre makes learners aware of the awarding body regulations;
- Seating plans;
- Any unauthorised material found in the examination room;
- Photographic evidence of any material written on hands/ clothing etc.;
- Any candidate work/ associated material which is relevant to the investigation;
- Any other relevant evidence.

## Appendix 3

### Examples of Employee Malpractice

The following examples of employee malpractice are not an exhaustive list and other instances of malpractice may be considered by NCG at its discretion.

#### Breach of security

Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidate's scripts or their electronic equivalents.

It could involve:

- Failing to keep examination material secure prior to an examination;
- Permitting, facilitating or obtaining unauthorised access to examination material prior to an examination;
- Failing to retain and secure examination question papers after an examination in cases where the life of the paper extends beyond the particular session. For example, where an examination is to be sat in a later session by one or more candidates due to a timetable variation, or the paper is being taken at various times during an assessment window;
- Providing advance information to learners on the content of examinations/ assessments;
- Discussing or otherwise revealing secure information in public, e.g. internet forums or on social media;
- Moving the time or date of a fixed examination beyond the arrangements permitted within the JCQ publication 'Instructions for conducting examinations' or other awarding body guidance. Conducting an examination before the published date constitutes centre employee malpractice and a clear breach of security;
- Failing to supervise adequately candidates who have been affected by a timetable variation; (This would apply to candidates' subject to overnight

supervision or where an examination is to be sat in an earlier or later session on the scheduled day);

- Tampering with completed learner scripts or assessment work after collection and before dispatch to the awarding body/examiner/moderator. E.g. changing answers on completed examination or assessment scripts before or during marking or before the dispatch of the script (s) to the awarding body;
- Reading completed learner scripts or photocopying learner scripts prior to dispatch to the awarding body/examiner. The only instance where photocopying a learner's script is permissible is where he/she has been granted the use of a transcript;
- Failing to keep learner's computer files which contain controlled assessments or coursework secure;
- Employees members undertaking examinations for qualifications that they are teaching or assessing on.

### **Deception**

Any act of dishonesty in relation to an examination or assessment, including but not limited to:

- Inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of the learners' achievement to justify the marks awarded;
- Manufacturing evidence of competence against national standards;
- Fabricating assessment and/or internal verification records or authentication statements;
- Entering fictitious learners for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud);
- Substituting one learner's-controlled assessment/ non-examination assessment or coursework for another.



- Impersonating or allowing impersonation of a learner during assessments/ examinations.
- Deliberately claiming for certificates where there is no evidence to support the certification.
- Manipulating learner samples for the purpose of external quality assurance/ moderation. The sample must be representative of the standard of work across the rest of the cohort/ qualification.
- Failure to report any incidents, allegations of malpractice or suspected malpractice.
- Failure to comply with awarding body requests for information. E.g. learner work samples, arrangement of EV/ quality assurance visits or information requested as part of a malpractice/ maladministration investigation.

### **Improper assistance to learners**

Any act where assistance is given beyond that permitted by the specification or regulations to a candidate or group of learners, which results in a potential or actual advantage in an examination or assessment.

For example:

- Assisting learners in the production of controlled assessments/ non-examination assessments or coursework, or evidence of achievement, beyond that permitted by the regulations;
- Sharing or lending learners'-controlled assessments/ non-examination assessments or coursework with other candidates in a way which allows malpractice to take place;
- Assisting or prompting learners with the production of answers;
- Permitting learners in an examination to access prohibited materials (dictionaries, calculators, mobile phones, smart watches etc.);
- Prompting candidates in an examination/assessment by means of signs, or verbal or written prompts;

- Assisting candidates granted the use of an Oral Language Modifier, a practical assistant, a prompter, a reader, a scribe or a Sign Language Interpreter beyond that permitted by the regulations.

### **Maladministration**

This includes failure to adhere to the regulations regarding the conduct of controlled assessments, non-examination assessments, coursework or examinations.

It can also include malpractice in the conduct of the examinations/assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc. This may be an unintentional practice; however awarding bodies may consider persistent errors or non-compliance as malpractice and deal with it as they would cases of intentional malpractice.

Examples include:

- Failure to use current assignments or assessment materials for assessments;
- Failure to train invigilators adequately, leading to non-compliance with the JCQ publication 'Instructions for conducting examinations' or other awarding body regulations;
- Failing to issue to candidates the appropriate notices and warnings, e.g. JCQ Information for candidates documents or those specified by the awarding body;
- Failure to inform the JCQ Centre Inspection Service or relevant awarding body of alternative sites for examinations;
- Failure to inform the awarding body of dates and times of examinations for on-demand examinations where this is a requirement specified by the awarding body;
- Failing to post notices relating to the examination or assessment outside all rooms (including music and art rooms) where examinations and assessments are held;
- Failure to supervise effectively the printing of computer-based assignments/examination work when this is required by the awarding body;



- Not ensuring that the examination venue conforms to the requirements as stipulated in the JCQ publication Instructions for conducting examinations or other awarding body regulations;
- The introduction of unauthorised material into the examination room, either prior to or during the examination; (N.B. this precludes the use of the examination room to coach candidates or give subject-specific presentations, including power-point presentations, prior to the start of the examination.);
- Failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting;
- Failure to invigilate examinations in accordance with the JCQ publication Instructions for conducting examinations for the current year or other awarding body guidance for the current year;
- Failure to keep accurate records of assessments/ examinations which have taken place e.g. register of attendees, seating plan, invigilation report;
- Failure to keep accurate records in relation to very late arrivals and overnight supervision arrangements;
- Failure to keep accurate and up to date records in respect of access arrangements which have been processed electronically;
- Inappropriate employees assessing candidates for access arrangements who do not meet the criteria as detailed within the JCQ publication Access Arrangements and Reasonable Adjustments or other awarding body regulations;
- Granting access arrangements to candidates who do not meet the requirements of the JCQ publication Access Arrangements and Reasonable Adjustments/ other awarding body access arrangement guidance;
- Granting access arrangements to candidates where prior approval has not been obtained from the Access arrangements online system or, in the case of



a more complex arrangement, from an awarding body or without having the relevant supporting evidence in place prior to the examination/ assessment;

- Failing to ensure that candidates' coursework or work to be completed under controlled conditions is adequately monitored and supervised;
- Failing to retain candidates'-controlled assessments, non-examination assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked;
- Failing to maintain the security of candidate scripts prior to dispatch to the awarding body or examiner;
- Failing to dispatch candidate scripts / controlled assessments / non-examination assessments/ coursework to the awarding bodies or examiners or moderators in a timely way;
- Failing to notify the appropriate awarding body of an instance of suspected malpractice in examinations or assessments, as soon as possible, after such an instance occurs or is discovered;
- Failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding body;
- The inappropriate retention or destruction of certificates.



## Appendix 4

### **Guidelines for dealing with Employees Malpractice**

1. Any member of employees who is suspected of any form of malpractice will be investigated under the NCG Disciplinary Policy. The matter must be reported immediately to the Head of Performance/ Quality or their nominated representative within the college.
2. The Head of Performance/ Quality, or their nominated representative within the college, is responsible for reporting any suspicions of malpractice to the college principal, and ensuring that the Group Executive Director for Quality is copied in.
3. A notification to the awarding body must then be made by the Head of Performance/ Quality or their nominated representative. A full investigation must not take place until after the awarding body has been informed and instructions have been provided on the required actions to take.
4. Employees suspected of malpractice must be made fully aware at the earliest opportunity, of the nature of the alleged malpractice and the investigation should be carried out as soon as possible. ,
5. The investigating manager must be impartial and not associated with the area that the employee member works in e.g. the nominated investigating manager must be from a different section. In the NCG disciplinary policy it is normally the line manager who carries out the investigation, but for this policy it is a independent investigation manager.
6. The independent investigating manager must carry out the investigation in accordance with the NCG disciplinary policy and appropriate awarding body guidelines on malpractice.
7. A report must be produced and submitted to the awarding body and include the following detail below. This report could also be used (if sufficient) as the investigation report, which is then submitted to the disciplinary manager.



- A clear account, as detailed as necessary, of the circumstances, outlining the suspected malpractice, the people involved and how it was identified.
- Information about how the centre makes employees aware of the awarding body's regulations;

If relating to examinations or assessment the following will also be required:

- Seating plans
- Any unauthorised material found in the examination room;
- Any candidate work/ associated material which is relevant to the investigation;
- Invigilator report from the exam room;
- Any other relevant evidence.



## Appendix 5 Declaration of Interest Form

To be completed annually by all employees involved in teaching and assessment related activities of qualifications (including administrative support employees who deal with examination material, the processing of marks/ claims and those with access to secure storage and confidential materials).

### Section 1- Identifying Information

Employees Member Name	
Employees ID	
Position	
Department/ Centre Name	
Line Manager Name	

### Section 2- Details of Potential Conflict of Interest

a. Are you completing a qualification? *(Put a cross in the relevant box)*

Within the college/ training centre      Yes       No

At another college/ training centre      Yes       No

*If yes to either of the above, please provide details of the qualification below:*

Awarding body	
Title of qualification/ subject(s):	
Level:	
Name of centre <i>(if taking at a different centre to where you work):</i>	

b. Is any member of your family or household (or someone of similar close relationship) completing a qualification which you could potentially be involved with? *(Put a cross in the relevant box)*

E.g. The setting of tasks for assessment purposes, marking/ assessing/ internal verification or standardisation of work, invigilation of examinations or assessments or access to assessment material/ early release of examination results, pre-release materials or internal assessments.

Within the college/ training centre      Yes       No

At another college/ training centre      Yes       No



*If yes to either of the above, please provide the details requested below:*

<b>Name of learner:</b>	
<b>Learner ID</b> <i>(when learner is studying at same centre):</i>	
<b>Relationship</b> (e.g. parent/ guardian/ partner):	
<b>Title of qualification/ subject(s) learner is completing:</b>	
<b>Are you involved in the teaching or assessment of this learner? Detail your involvement</b> (when learner is studying at same centre):	
<b>Are you involved in the teaching or assessment of a subject that the learner is studying? Detail your involvement in the subject</b> (when not directly teaching the learner either within the centre or at another centre):	
<b>Name of centre</b> <i>(if learner taking qualification at a different centre to where you work):</i>	

Please provide any other relevant details which could lead to a potential conflict of interest:

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### Section 3- Declaration

I have read the NCG Conflict of Interest guidance and understand that as an employee it is my obligation to act in a manner which promotes the best interests of NCG. I must act to avoid conflicts of interest when making decisions and taking actions on behalf of NCG, which could affect the integrity of the qualification delivered and the reputation of NCG.
My answers on this form are correctly stated, to the best of my knowledge and belief. Should a possible conflict of interest in my responsibilities to NCG arise, I recognise that I have the obligation to notify my line manager, and to abstain from any participation in the matter until it is possible to determine whether a conflict exists and how that conflict shall be resolved.
<b>Employee Signature:</b>
<b>Print Name:</b>
<b>Date:</b>



**Section 4- Evaluation and Feedback**

This form must be reviewed by the Head of Department/ Curriculum Leader and where necessary consulted on with the Quality Lead within the college.

<b>Form reviewed by (Print Name):</b>	
<b>Position:</b>	
<b>Action(s) required:</b>	
<b>Reviewer signature:</b>	
<b>Date:</b>	

### Guidance for the completion of the Declaration of Interest form

Declarations of Interest are required from any member of centre employees, in particular teaching employees and exams office employees, who are either taking qualifications themselves or will have family members or members from their household, or persons of a similar close relationship sitting examinations and assessments this academic year, whether at your centre or another centre.

For the purposes of this requirement, 'any member of centre employees' means anyone who has access to confidential materials, the disclosure of which would represent a breach of security. Due to the very nature of their position within the centre, such employees could be viewed as being able to use that access to the advantage of themselves, or people close to them, and as such could be subject to allegations of malpractice. It is, therefore, important for such members of employees to declare any interest in advance of the examination series commencing.

The following centre employees are likely to fall into this category:

- **Exams Office employees** - who have access to all secure examinations material and must declare a connection with anyone who is taking examinations either at their own centre or elsewhere, across all examinations.
- **Teaching employees** - where they are teaching their own family/household or partner or friends at the same centre.
- **Teaching employees or teaching support employees** - who have connections with people taking the same subject and specification that they are teaching, but at another centre, where that subject involves them having access to confidential material before its official release date and time for candidates.
- **Employees who have involvement in the development of examination or assessment questions** e.g. acting as examiners for awarding bodies where those qualifications are being written within their own centre.
- **Invigilation employees** - who will have access to question papers, completed candidate examination scripts and non-examination assessments. A connection with anyone who is taking examinations either at their own centre



or elsewhere, must be declared so that employees can allocate work accordingly.

We do not normally require declarations in relation to:

- Ancillary employees
- Contractors
- Teaching/teaching support employees who have relatives or friends taking qualifications at another centre for subjects and specifications that they do not teach or have involvement with.
- Teaching/ teaching support employees who have relatives or friends taking qualifications at another centre for subjects that they teach, but which do not have any non-examined assessment or pre-release of confidential material.

**UNLESS** that individual is likely, in the normal course of their duties at the centre, to have sight of confidential examinations and assessment materials.

## Appendix 6

## Employees Taking Qualifications in Centre

Awarding Body	Permitted	Action Required
AQA	No	“In order to protect the integrity of the examinations, it is AQA’s view that it is not appropriate for centre employees to sit exams within their own centre. This measure is in place to ensure that AQA and its examinations are seen as being conducted in accordance with the JCQ regulations and are clear and transparent to all parties, including other candidates, their parents and the general public.”
City & Guilds	Yes- <i>however, employees must not be an assessor on the qualification.</i>	Email your local City & Guilds office prior to registering employees onto the qualification.
OCR	Yes	Submit the declaration at point of registration on centre headed paper either scanned and by email to <a href="mailto:compliance@ocr.org.uk">compliance@ocr.org.uk</a> or by post to Compliance, OCR, Progress House, Westwood Way, Coventry, CV4 8JQ. Include the following details: <ul style="list-style-type: none"> <li>• <b>Who the employee is</b></li> <li>• <b>What their role in the centre is</b></li> <li>• <b>If they would have any access to examination materials</b></li> <li>• <b>Which assessment they are sitting and when</b></li> <li>• <b>Any other information you think is relevant to the situation</b></li> </ul>
Pearson Edexcel (Academic and Vocational)	Yes	Complete online centre declaration of interest form or for more than 3 declarations, email <a href="mailto:declarations@pearson.com">declarations@pearson.com</a> with the following details: <ul style="list-style-type: none"> <li>• <b>Name</b></li> <li>• <b>Date of birth</b></li> <li>• <b>Registration number for vocational qualifications</b></li> <li>• <b>UCI and candidate numbers for academic qualifications</b></li> <li>• <b>Details of entries for exams/external assessments</b></li> </ul>
WJEC	Yes	Inform in writing, on centre letter headed paper, detailing names of employees and examinations to be taken. Submit a scanned copy via email to <a href="mailto:exams@wjec.co.uk">exams@wjec.co.uk</a> or send a hard copy to: <p><b>Centre Support, WJEC, 245 Western Avenue, Cardiff CF5 2YX</b></p> <p>This information must be submitted for every examination series and would not be an arrangement that would carry over to the following academic year.</p>

**\*\* All other awarding bodies must be contacted to check if employees are permitted to complete a qualification through their own centre and to request the correct procedure to follow.**