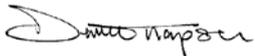


# ETT Malpractice Policy

**Signed:** A handwritten signature in black ink, appearing to read 'D. Waples'.

**Date:** November 2020

**Position:** Chief Executive

**Review Date:** November 2021

## Introduction

This policy is for customers who are registered on ETT courses and who may be involved in suspected or actual malpractice. The document is also used by ETT staff to ensure they deal with all malpractice investigations in a consistent and appropriate manner.

It sets out the steps centres, associated with third parties and learners or other personnel must follow when reporting suspected or actual cases of malpractice and ETT's responsibilities in dealing with such cases. This policy should be used along with the **JCQ Suspected Malpractice in Examinations and Assessments: Policies and Procedures** which can be found on the JCQ website - <http://www.jcq.org.uk/exams-office/malpractice>

## Centre & Associated Third Party Responsibility

It is important that anyone involved in the management, assessment and quality assurance of ETT qualifications, and learners, are fully aware of the contents of the policy and that appropriate arrangements are in place to prevent and/or investigate instances of malpractice.

## Types of Malpractice

Centre staff who discover or suspect malpractice must immediately report this to the Head of Centre. The Head of Centre is required to notify the awarding body, at the earliest opportunity, for all suspect or actual incidents of malpractice.

Malpractice by learners may take place:

a) During the Learning Event & Assessment e.g.

- deliberate destruction of another's work
- impersonation
- inappropriate behaviour
- disruptive and/or offensive behaviour

b) During the Assessment e.g.

- plagiarism of any nature
- collusion with others
- copying
- introduction of unauthorised material into the examination room
- passing information to other learners

- failure to abide by the instructions of an invigilator

With regards to suspect or actual **malpractice during examinations/assessments**, the following steps will be taken:

- The trainer/invigilator/assessor will obliged the candidate/s to leave the room if their continuing presence is likely to hinder others.
- If any of the rules of examination conduct are broken by a candidate, trainer, invigilator or assessor the examination/ assessment may be declared void.

### **Discovering Malpractice**

Anyone who identifies or is made aware of suspected or actual malpractice **must notify the Head of Centre for C&G qualifications. For EAL qualifications**, all suspected or alleged instances of malpractice/maladministration must be reported **directly to EAL** through the Customer Services team by phone, email or letter including details of the findings or suspicions. All allegations must be made in writing/email and where possible include:

- Centre's or associated third parties name, address and number
- Learner's name and registration number
- Details of the course/qualification affected or nature of the service affected
- Nature of the suspected or actual malpractice and associated dates
- Details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances
- Any supporting evidence

### **City & Guilds Qualiifications**

Once an incident of malpractice has been reported for C&G qualifications, the Head of Centre must **complete Form JCQ/M1** (suspected candidate malpractice) or **Form JCQ/M2A** (suspected malpractice/maladministration involving centre staff) to notify the awarding body of the incident of malpractice. Each form is available from the JCQ website <http://www.icq.org.uk/exams-office/malpractice>

If a centre has conducted an initial investigation prior to formally notifying the awarding body, the centre should ensure that staff involved in the initial investigation are competent and have no personal interest in the outcome of the investigation. However, it is important to note that in all instances, the centre must immediately notify the awarding body if malpractice is suspected.

## Responsibility for the Investigation

The Head of Centre is responsible for dealing with all cases of malpractice. This must be dealt with in an effective manner and in accordance with the procedures in this policy and the **JCQ Suspected Malpractice in Examinations and Assessments Policies and Procedures booklet**. The Head of Centre will lead the investigation and establish whether or not the malpractice has occurred, and review any supporting evidence received.

At all times ETT will ensure that personnel assigned to the investigation have the appropriate level of training and competence and that they have had no previous involvement or personal interest in the matter.

The handling of malpractice complaints and allegations involves the following phases,

- The allegation
- The awarding body's response
- The investigation
- The report
- The decision
- The appeal

## Rights of the Accused Individuals

When, in the view of the investigator, there is sufficient evidence to implicate an individual in malpractice, that individual whether a candidate or a member of staff, accused of malpractice **must**:

- be informed (preferably in writing) of the allegation made against him or her;
- be advised that a copy of the JCQ publication Suspected Malpractice in Examinations and Assessments: Policies and Procedures can be found on the JCQ website - <http://www.jcq.org.uk/exams-office/malpractice>
- know what evidence there is to support that allegation;
- know the possible consequences should malpractice be proven;
- have the opportunity to consider their response to the allegations (if required);
- have an opportunity to submit a written statement;
- be informed that he/she will have the opportunity to read the submission and make an additional statement in response, should the case be put to the 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, the Police

### **EAL Qualifications**

EAL will acknowledge all allegations within 2 working days and aim to action and resolve all stages of the investigation within 20 working days of receipt. We will communicate our findings and outcome within a further 10 working days. Please note that in some cases the investigation may take longer; for example, if a centre visit is required. In such instances, we'll advise all parties concerned of the likely revised timescale.

All suspected cases of malpractice will be examined in accordance with EAL procedures and regulatory requirements, ensuring the investigation is carried out in a prompt and effective manner and in accordance with this policy. All reasonable steps will be taken to prevent an adverse effect from occurring.

After an initial investigation, cases of malpractice which have a potential or proven Adverse Effect will be submitted to our Malpractice and Maladministration Panel. At all times we will ensure that EAL personnel assigned to the investigation have the appropriate level of investigation training and competence, and they have had no previous involvement or personal interest in the matter.

### **Review Arrangements**

ETT will review this policy annually as part of our annual self-evaluation arrangements and revise it when necessary in response to customer and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous allegations.