



Beacon Academy Trust

A COMPELLING VISION FOR SUCCESS

Malpractice Policy

BMAT Malpractice Policy

1. Statement of Purpose

BMAT is committed to ensuring that standards of assessment are consistent, transparent and fair, whilst maintaining standards as a priority in line with the requirements of the Awarding Bodies.

2. Scope

2.1 This process is to:

- Minimise the risks of malpractice
- Inform procedures of how to respond to malpractice promptly and objectively
- Standardise investigation procedures with appropriate sanctions in order to protect the integrity of the qualifications offered.

2.2 Malpractice may include a range of issues this policy will cover procedures for both staff and student malpractice.

Definition: Malpractice means any act of deliberate activity, default, neglect or other practice that compromises the integrity of the assessment process highlighted by the Awarding Body.

2.3 BMAT Staff Malpractice

2.3.1 This covers malpractice committed by a member of staff or contractor (whether employed under a contract of employment or a contract for services) at the Academy, or an individual appointed in another capacity by BMAT via external agencies, for example, Interpreters, Invigilators or a scribe to a candidate.

2.3.2 Examples of staff malpractice may include but are not limited to:

Tampering with candidates' scripts or coursework after collection and before despatch to the Awarding Body

- Failure to keep evidence of student work secure
- Assisting candidates in the production of answers
- Producing falsified statements or fabricating assessment records
- Poor invigilation
- Failing to conduct a proper investigation into suspected malpractice
- Submitting fraudulent claims
- Disclosure of confidential examination material
- Offering unethical assistance to students

2.4 Student Malpractice

2.4.1 Student malpractice means malpractice by a student in the course of any examination or assessment.

2.4.2 Examples of student malpractice may include but are not limited to:

- Plagiarism of any nature
- Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work
- Copying from another candidate (including the use of ICT to aid the copying)
- Deliberate destruction of another student'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 student or arranging for another student to take one's place in an assessment /examination or test
- Disruptive behaviour in the examination room or during an assessment session (including the use of offensive language);
- The inclusion of inappropriate, offensive or obscene material in scripts, controlled assessments, coursework or portfolios;

3. Investigation

3.1.1 Stage 1

1. BMAT staff will conduct a full investigation into instances of alleged or suspected malpractice, and will take such action, with respect to the student or staff concerned, as necessary to maintain the integrity of the qualification.
2. The aim of investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias.
3. Investigations into allegations of student malpractice will be carried out by the relevant Head of Department or Subject Director or a member of the Quality Assurance team. Investigations into allegations of staff malpractice will be carried out by a member of the Senior Leadership Team within five working days of the allegation being filed.
4. Those responsible for conducting an investigation should establish the full facts and circumstances of any alleged malpractice. It should not be assumed that because an allegation has been made, it is true.
5. When the investigator deems it is necessary to interview a candidate or member of staff in connection with an alleged malpractice, the interviews must be conducted in accordance with the BMAT disciplinary policies.

3.1.2 Investigation Procedures

1. Confidentiality

Most investigations will necessitate accessing material that is deemed confidential to the individuals or organisations providing it. In many instances it will be important that the evidence or information is original. If original records cannot be retained, it may be necessary to photocopy the original and record the copy as authentic. All material collected as part of an investigation must be kept secure and not normally disclosed to a third party.

2. Retention

It is recommended that all records and original documentation concerning a completed investigation that leads to sanctions against a staff member will be retained for a period of not less than five years. If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case must be retained until the case and any appeals have been heard and for five years thereafter.

3. Secure Storage

The Academy will provide secure evidence storage for all material associated with an investigation in case of subsequent legal challenge. Integrity and continuity of evidence will be maintained.

4. Conclusions

Conclusions must be based on established evidence with a course of proposed action identified, agreed, implemented and monitored by the investigating staff member.

3.2 Stage 2

3.2.1 The report

1. After investigating any complaint or allegation of malpractice, a full written report of the case must be submitted to the relevant Awarding Body within 10 working days of completion of the investigation.
2. The report should be accompanied by the following documentation, as appropriate:
 - A statement of the facts, a detailed account of the circumstances of the alleged malpractice, and details of any investigations carried out by the Academy;
 - Written statement(s) from the invigilator(s), assessor, internal verifier(s) or other staff who are involved;
 - Written statement(s) from the candidate(s). If required, individual arrangements will be made for candidates with additional needs to help them produce these statements
 - Any mitigating factors;
 - Information about the Academy's procedures for advising candidates of the Awarding Bodies' regulations;
 - Seating plans/ relevant lesson notes or related observations

- Any unauthorised material found in the examination room;
- Any associated material, for example, source material for coursework which may be relevant to the investigation.

3.2.2 The form JCQ/M1 from the Joint Council for Qualifications should be used as the basis of the report. Reports in letter format are also accepted providing the information submitted covers all the required information.

3.3 Stage 3

3.3.1 Sanctions

Upon receipt and review of the report sanctions may be imposed by the Awarding Bodies, these will be proportionate to any levels of non-compliance identified. After the outcomes of the Awarding Bodies are imposed, BMAT reserves the right to action its own disciplinary policies.

3.3.2 BMAT is committed to safeguarding the interests of BMAT staff and students and implement the following to help facilitate this:

- Seek to avoid potential malpractice by using staff CPD and student induction periods to inform ALL of the BMAT policy on malpractice and the sanctions employed for attempted and actual incidents of malpractice.
- Show students the appropriate formats to record quoted materials or information sources.
- Request students to declare that their work is their own.
- Request students to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used.

4. Appeals

The Awarding Bodies have established procedures for considering appeals against penalties arising from malpractice decisions. Individuals have a right to appeal against decisions. These are to be conducted in accordance with the BMAT appeals policy.