

# Malpractice policy for STA:

## *Skills Training and Assessment Malpractice Policy and Procedure*

STA treats all cases of suspected malpractice\* very seriously and will investigate all suspected and reported incidents of possible malpractice. The purpose of this Policy is to set out how allegations of malpractice in relation to all qualifications are dealt with. The scope of the policy is to provide:

- a definition of malpractice
- examples of learner and centre malpractice and maladministration;
- possible sanctions that may be imposed in cases of malpractice.

\*The term 'malpractice' in this policy is used for both malpractice and maladministration.

### **1. Introduction**

1.1. For the purpose of this document 'malpractice' is defined as:

Any act, or failure to act, that threatens or compromises the integrity of the assessment process or the validity of qualifications and their certification.

This includes:

- maladministration and the failure to maintain appropriate records or systems;
- the deliberate falsification of records or documents for any reason connected to the award of qualifications;
- acts of plagiarism or other academic misconduct;
- and/or actions that compromise the reputation or authority of STA, its centres, officers and employees.

1.2. STA will report all relevant cases of suspected malpractice to an Awarding Organisation, accepting that in certain circumstances may take action of its own, including imposing sanctions.

### **2. Malpractice by learners**

2.1 Some examples of learner malpractice are described below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

- 2.1.1 Obtaining examination or assessment material without authorization.
- 2.1.2 Arranging for an individual other than the learner to sit an assessment or to submit an assignment not undertaken by the learner.
- 2.1.3 Impersonating another learner to sit an assessment or to submit an assignment on their behalf.
- 2.1.4 Collaborating with another learner or individual, by any means, to complete a coursework assignment or assessment, unless it has been clearly stated that such collaboration is permitted.
- 2.1.5 Damaging another learner's work.
- 2.1.6 Inclusion of inappropriate or offensive material in coursework assignments or assessment scripts.

- 2.1.7 Failure to comply with published examination regulations.
- 2.1.8 Disruptive behaviour or unacceptable conduct, including the use of offensive language, at centre or assessment venue (including aggressive or offensive language or behaviour).
- 2.1.9 Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
  - a) personal identification;
  - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
  - c) results documentation, including certificates.
- 2.1.10 Falsely obtaining, by any means, a certificate.
- 2.1.11 Misrepresentation or plagiarism
- 2.1.12 Fraudulent claims for special consideration while studying.
- 2.1.13 Possession of any materials not permitted in the assessment room, regardless of whether or not they are relevant to the assessment, or whether or not the learner refers to them during the assessment process, for example notes, blank paper, electronic devices including mobile phones, personal organisers, books, dictionaries / calculators (when prohibited).
- 2.1.14 Communicating in any form, for example verbally or electronically, with other learners in the assessment room when it is prohibited.
- 2.1.15 Copying the work of another learner or knowingly allowing another learner to copy from their own work.
- 2.1.16 Failure to comply with instructions given by the assessment invigilator, ie, working beyond the allocated time; refusing to hand in assessment script / paper when requested; not adhering to warnings relating to conduct during the assessment.
- 2.1.17 Notification to an employer, regulator or the police.

### **3. Maladministration by centre employees and stakeholders**

3.1. Examples of maladministration by, teachers, tutors and other officers, are listed below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

- 3.1.1. Failure to adhere to the relevant regulations and procedures, including those relating to centre approval, security undertaking and monitoring requirements as set out by .
- 3.1.2. Knowingly allowing an individual to impersonate a learner.
- 3.1.3. Allowing a learner to copy another learner's assignment work; or allowing a learner to let their own work be copied.
- 3.1.4. Allowing learners to work collaboratively during an assignment assessment, unless specified in the assignment brief.
- 3.1.5. Completing an assessed assignment for a learner or providing them with assistance beyond that 'normally' expected.
- 3.1.6. Damaging a learner's work.
- 3.1.7. Disruptive behaviour or unacceptable conduct, including the use of offensive language (including aggressive or offensive language or behaviour).
- 3.1.8. Allowing disruptive behaviour or unacceptable conduct at the centre to go unchallenged, for example, aggressive or offensive language or behaviour.
- 3.1.9. Divulging any information relating to learner performance and / or results to anyone other than the learner.

- 3.1.10. Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
  - a) personal identification;
  - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
  - c) results documentation, including certificates
- 3.1.11. Falsely obtaining by any means a certificate.
- 3.1.12. Failing to report a suspected case of learner malpractice, including plagiarism.
- 3.1.13. Moving the time or date of a fixed examination.
- 3.1.14. Failure to keep examination question papers, examination scripts or other assessment materials secure, before during or after an examination.
- 3.1.15. Allowing a learner to possess and / or use material or electronic devices that are not permitted in the examination room.
- 3.1.16. Allowing learners to communicate by any means during an examination in breach of regulations.
- 3.1.17. Allowing a learner to work beyond the allotted examination time.
- 3.1.18. Leaving learners unsupervised during an examination.
- 3.1.19. Assisting or prompting candidates with the production of answers.

#### **4. Possible maladministration sanctions**

- 4.1. Following an investigation, if a case of malpractice is upheld, STA may impose sanctions or other penalties on the individual(s) concerned. Where relevant we will report the matter to , and may impose one or more sanctions upon the individual(s) concerned. Any sanctions imposed will reflect the seriousness of the malpractice that has occurred.
- 4.2. Listed below are examples of sanctions that may be applied to a learner, or to a teacher, tutor, invigilator or other officer who has had a case of malpractice upheld against them. Please note that
  - i) this list is not exhaustive and other sanctions may be applied on a case-by-case basis.
  - ii) where the malpractice affects examination performance, Awarding Organisations may impose sanctions of its own.

##### **Possible study centre sanctions that may be applied to learners**

- a) A written warning about future conduct.
- b) Removal from the course.

##### **Possible sanctions that may be applied to teachers, tutors invigilators, and other officers**

- a) A written warning about future conduct.
- b) Imposition of special conditions for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of learners and/or examinations.
- c) Informing any other organisation known to employ the individual in relation to courses or examinations of the outcome of the case.
- d) STA may carry out unannounced monitoring of the working practices of the individual(s) concerned.
- e) Dismissal.

## Procedure

### 5. Reporting a suspected case of maladministration

- 5.1. This process applies to, teachers, tutors, invigilators learners and other centre staff, and to any reporting of malpractice by a third party or individual who wishes to remain anonymous.
- 5.2. Any case of suspected malpractice should be reported in the first instance to Andy Day, Director, STA.
- 5.3. A written report should then be sent to the person identified in 5.2, clearly identifying the factual information, including statements from other individuals involved and / or affected, any evidence obtained, and the actions that have been taken in relation to the incident.
- 5.4. Suspected malpractice must be reported as soon as possible to the person identified in 5.2, and at the latest within two working days from its discovery. Where the suspected malpractice has taken place in an examination, the incident be reported urgently and the appropriate steps taken as specified by the Awarding Organisation.
- 5.5. Wherever possible, and provided other learners are not disrupted by doing so, a learner suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the centre.
- 5.6. In cases of suspected malpractice by centre teachers, tutors invigilators and other officers, and any reporting of malpractice by a third party or individual who wishes to remain anonymous, the report made to the person in 5.2 should include as much information as possible, including the following:
  - a) the date time and place the alleged malpractice took place, if known.
  - b) the name of the centre teacher/tutor, invigilator or other person(s) involved
  - c) a description of the suspected malpractice; and
  - d) any available supporting evidence.
- 5.7. In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous, STA will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

### 6. Administering suspected cases of malpractice

- 6.1. STA will investigate each case of suspected or reported malpractice relating to qualifications, to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. We will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of qualifications and reputation is taken.
- 6.2. STA will acknowledge all reports of suspected malpractice within five working days. All of the parties involved in the case will then be contacted within 10 working days of receipt of the report detailing the suspected malpractice. We may also contact other individuals who may be able to provide evidence relevant to the case.

- 6.3. The individual(s) concerned will be informed of the following:
- a) that an investigation is going to take place, and the grounds for that investigation;
  - b) details of all the relevant timescales, and dates, where known;
  - c) that they have a right to respond by providing a personal written response relating to the suspected malpractice (within 15 working days of the date of that letter);
  - d) that, if malpractice is considered proven, sanctions may be imposed either by STA or by the Awarding Organisation, (see section 6, below) reflecting the seriousness of the case;
  - e) that, if they are found guilty, they have the right to appeal.
  - f) that STA has a duty to inform the Awarding Organisation and other relevant authorities / regulators, but only after time for the appeal has passed or the appeal process has been completed. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.
- 6.4. Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.
- 6.5. The individual has a right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.
- 6.6. Records of all malpractice cases and their outcomes are maintained by STA for a period of at least five years, and are subject to regular monitoring and review.

# COMPLAINTS PROCEDURE

A complaint is an expression of dissatisfaction, made either verbally or in writing, about the standard of service, actions or lack of action by the STA or its staff, affecting an individual customer or group of customers.

## The following will not be registered as complaints:

- A request for service
- A request for information
- The lodgement of an appeal in accordance with Awarding Body Policy.

## PROCEDURE

### *Responsibilities*

The QAC is responsible for the coordination of the complaints policy and procedure, including the analysis of data.

The QAC is also responsible for overseeing the process of monitoring and reporting the progress of the complaint and any responses made.

Managers and Directors are responsible for the investigation of complaints directly related to their areas of operation.

### *The System*

1st Tier Front Line Administration Staff <b>Actioning Officer</b>
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2nd Tier <b>Responsible Officer</b> Section Manager
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3rd Tier including SMT *
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\* could include the implementation of STA's Internal Review of STA Decisions

### *Process for complaint handling*

Complaints should preferably be in writing, addressed to a Director and signed by the complainant, complete with address.

Telephone and verbal complaints will be entered into the complaints system, but wherever possible, should be confirmed in writing.

Anonymous complaints should also be recorded and assessed and action taken where necessary.

In order to deal with complaints effectively and efficiently in order to resolve the problem, they will be dealt with in the following manner:

1. Front line staff (1st Tier) will handle straightforward, minor complaints. Where these minor complaints cannot be dealt with immediately, they will be acknowledged in writing within 5 working days. The letter will detail what action will be taken, who the responsible officer will be and a contact number, and the anticipated time for a response where this is known.
2. Complaints which cannot be handled by front line staff should be referred to the officer responsible for resolution i.e. the Actioning Officer (1st Tier), in conjunction with other supervisory staff in that work area, if required. It is expected that the Actioning Officer will acknowledge the complaint and will liaise with the complainant, in order to keep him/her informed of the progress of the action being taken.
3. Any follow up complaint to an original request/complaint will progress immediately to the 2nd Tier and be handled by the Responsible Officer
4. Where a complaint involves a number of different issues which require action by different members of staff, the QAC will send a letter of acknowledgement and then enter each complaint as a separate CARS (Customer Action Request System) entry to be forwarded to each relevant officer who will follow up on each complaint until its completion.
5. All written complaints will first be registered by the administrator, which will then refer the complaints on to the QAC for acknowledgement and entry into CARS.
6. Serious complaints involving inappropriate behaviour or staff (e.g. rudeness, discrimination or harassment) will be directed to the relevant Director. As in (1), the initial acknowledgement by the responsible officer, detailing the likely action to be taken, will occur within 5 working days.
7. Serious complaints involving personal injury, a breach of the law or financial implications, an STA decision, and complaints which involve the need for a detailed knowledge of STA's operations and procedures, will be directed to the responsible Manager in the first instance (i.e. 2nd Tier), followed by the SMT (3rd Tier) where necessary. Once again, the initial acknowledgement should be made within 5 working days by the responsible officer. The Procedure for the internal review of STA decisions should be followed.
8. Any appeal against a response from 1st Tier staff can be referred to a 2nd Tier manager, director or the SMT for resolution. Any appeal against a response from 2nd Tier staff should be referred to SMT for resolution and the Procedure for the internal review of STA decisions should be followed.
9. Should the SMT consider that a complaint is of a nature that requires the involvement of an independent mediator/facilitator, this process could be employed to assist in a 3rd Tier review.
10. In cases where the customer does not accept the outcome achieved by STA as a result of following its complaints procedure, the complainant should be advised of alternative options open to them. These include approaching the Ombudsman, Office of Local Government etc as per the Procedure for the internal review of STA decisions.

### ***Staff support***

Customer service training will be provided to all staff in the first instance. Front line staff will receive additional training in complaint handling and complaint resolution. If required, specialised training in conciliation and mediation could be provided to those staff involved in more serious complaints.

## **Appeals Procedure**

The appeals procedure should include three internal stages, indicate the grounds for an assessment decision appeal and how the appeal will be handled

### **Appeals Policy**

Aim:

To enable the learner to enquire, question or appeal against an assessment decision

To attempt to reach agreement between the learner and the assessor at the earliest opportunity

To standardise and record any appeal to ensure openness and fairness

To facilitate a learner's ultimate right of appeal to the awarding body, where appropriate

To protect the interests of all learners and the integrity of the qualification.

In order to do this, STA will:

- Inform the learner at induction, of the Appeals Policy and procedure
- Record, track and validate any appeal
- Forward the appeal to the awarding body when a learner considers that a decision continues to disadvantage her/him after the internal appeals process has been exhausted
- Keep appeals records for inspection by the awarding body for a minimum of 18 months
- Have a staged appeals procedure
- Take appropriate action to protect the interests of other learners and the integrity of the qualification, when the outcome of an appeal questions the validity of other results
- Monitor appeals to inform quality improvement.

This policy will be reviewed every 12 months by Andy Day.



You are entitled to appeal against an assessment decision if you feel that the work has not been accurately assessed. Wherever an assessment appeal is lodged the QAC will be notified. Any appeal should be lodged within 21 working days of the notification of the assessment decision.

## **NVQ Assessment Appeals Procedure**

### **Stage 1**

Discuss the assessment decision with your Assessor who will explain the decision made



### **Stage 2**

If you are still unhappy or you are unable/unwilling to talk to your Assessor, complete parts A, B, & C of the Assessment Appeals form (provided online) and discuss the issue with your Internal Quality Assurer (IQA) who will arrange for your work to be reassessed, and provide you with written feedback within 10 working days.

Your IQA is Andy Day, Telephone Number: 07985376873

Appeal form: [www.stalimited.co.uk/appeals](http://www.stalimited.co.uk/appeals)



### **Stage 3**

If you are still unhappy STA will submit the work to the External Verifier, a representative of the Awarding Body who will reassess the work under dispute

Your Awarding Body is:

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**Stage 4**

The final appeals route is the Appeals Tribunal of your Awarding Body. Their decision is final.

**Please sign and date below to show that you have read and understood this Assessment Appeals Procedure**

**Name**

**Signature**

**Date**

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## Appeals Stage 2

### Learner Appeal: to be completed by learner

Learner Name: .....

Assessor Name: .....

Qualification Title: .....

Unit/Module Title: .....

### Nature of Appeal

Please use the space below to summarise the grounds on which you are making this appeal (you may attach any relevant documentation).

Learner's Signature..... Date: .....

**When completed please send or give this form to your assessor, or to the IQA, or to an STA director at the site where you are based.**

**Learner Appeal: to be completed by IQA**

Learner Name:.....

Assessor Name:.....

Qualification Title:

Unit/Module Title:.....

**IQA's Report**

**This appeal is Upheld/Denied\*** (\*please delete as appropriate)

Revised grade ( where applicable):

**Action(s) to be taken:**

IQA's signature.....Date:.....

Learner sent copy of this report on.....

Copy to Assessor and Course Director.