



Special Partnership Trust



MALPRACTICE AND MALADMINISTRATION POLICY

Date Last Reviewed: February 2024

Review Date: February 2026



Special Partnership Trust

Malpractice and Maladministration Policy

Introduction

This policy sets out to define the procedures each school within the Special Partnership Trust will follow in the event of any dispute or allegation regarding staff malpractice in the assessment of internally marked qualifications and regarding examinations invigilated by staff at the school and marked externally. This also covers maladministration and student malpractice.

Examples of Staff Malpractice

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by staff with regards to portfolio-based qualifications. This list is not exhaustive:

- Tampering with candidates work prior to external moderation/verification
- Assisting candidates with the production of work outside of the awarding body guidance
- Fabricating assessment and/or internal verification records or authentication statements
- The following are examples of malpractice by staff with regard to examinations:
- Assisting candidates with exam questions outside of the awarding body guidance
- Allowing candidates to talk, use a mobile phone or go to the toilet unsupervised
- Tampering with scripts prior to external marking taking place.

Staff Malpractice Procedure

Investigations into allegations will be coordinated by the Headteacher or appointed person (this may be the Deputy/ Assistant Headteacher), who will ensure the initial investigation is carried out within ten working days. The person responsible for coordinating the investigation will depend on the qualification being investigated. The investigation will involve establishing the full facts and circumstances of any alleged malpractice. It should not be assumed that because an allegation has been made, it is true. Where appropriate, the staff member concerned, and any potential witnesses will be interviewed and their version of events recorded on paper.

The member of staff will be:

- informed in writing of the allegation made against him/ her and informed what evidence there is to support the allegation
- informed of the possible consequences, should malpractice be proven given the opportunity to consider their response to the allegations
- given the opportunity to submit a written statement
- given the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- informed of the applicable appeals procedure, should a decision be made against him/her
- informed of the possibility that information relating to a serious case of malpractice will be shared with the relevant awarding body and may be shared with other awarding bodies, the regulators Ofqual, the police and/or professional bodies

If work is submitted for moderation/verification or for marking which is not the candidate's own work, the awarding body may not be able to give that candidate a result.

Staff Malpractice Sanctions

Where a member of staff is found guilty of malpractice, the Special Partnership Trust may impose the following sanctions:

Written warning: Issue the member of staff with a written warning stating that if the offence is repeated within a set period of time, further specified sanctions will be applied

Training: Require the member of staff, as a condition of future involvement in both internal and external assessments to undertake specific training or mentoring, within a particular period of time, including a review process at the end of the training

Special conditions: Impose special conditions on the future involvement in assessments by the member of staff

Suspension: Bar the member of staff in all involvement in the administration of assessments for a set period of time

Dismissal: Should the degree of malpractice be deemed gross professional misconduct; the member of staff could face dismissal from his/her post

Appeals

The member of staff may appeal against sanctions imposed on them. Appeals will be conducted in line with the organisations Appeals Policy.



Examples of student Malpractice

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by candidates with regards to portfolio-based qualifications. This list is not exhaustive:

Plagiarism: the copying and passing of as the candidate's own work, the whole or part of another person's work

Collusion: working collaboratively with other learners to produce work that is submitted as the candidate's only

Failing to abide by the instructions of an assessor – This may refer to the use of resources which the candidate have been specifically told not to use

The alteration of any results document

Malpractice Procedure

Any suspected/ actual malpractice will immediately be reported to the relevant awarding body. Investigations into allegations will be coordinated by the Headteacher, who will ensure the initial investigation is carried out within ten working days. The investigation will involve establishing the full facts and circumstances of any alleged malpractice. Should an incident of malpractice be proven then staff may face disciplinary action and pupils may be disqualified from accredited courses. If work is submitted for moderation/verification or for marking which is not the candidate's own work, the awarding body may not be able to give that candidate a result.

Maladministration

Maladministration is any unintentional activity or practice that leads to noncompliance with awarding body requirements. In most cases, maladministration will relate to administrative or quality assurance procedures, and may involve any or all of the following: candidates, centre staff, awarding organisation staff. To mitigate against errors in administration, or maladministration, the entry record will be created by the exams officer and checked by the Education Manager before and after entry of candidates to any specified award.

Examples of maladministration:

- Incorrect registering of units
- Incorrect candidate names

In the event of an error occurring, the awarding body will be notified immediately by the Head Teacher of the school.



Student Appeals Policy

Introduction

This policy addresses the situation where pupils may wish to appeal against a grade, he/ she has received for a qualification.

Access

Pupils are made aware of the existence of this policy and have open access to it. It can be found online on all Special Partnership Trusts schools web sites.

www.curnow.cornwall.sch.uk
www.nancealverne.org.uk
www.doubletrees.org.uk
www.pencalenick.org
www.orchardmanor.devon.sch.uk
www.specialpartnership.org

All staff are made aware of this policy and how to access it in order that pupils can be supported. This policy is reviewed biannually and may be amended in response to feedback from pupils, staff, parents and external organisations.

Policy Statement

All pupils within the Special Partnership Trust have the right to make an appeal about any of the marks received for the qualifications they are undertaking. If any student wishes to appeal a decision, they should follow the following procedure within 10 working days of receiving the disputed decision.

- If possible, speak to the member of staff responsible for teaching the qualification in the first instance about the reason they wish to appeal.
- The member of staff has a responsibility to explain to the candidate why he/she received the grade/mark.
- If the student is not satisfied with the explanation, the piece of work will be re-marked by another member of staff also involved with that qualification.
- The student will be informed of the outcome of the re-marking by letter within 2 weeks of their original appeal. If the student wants to continue the appeal, he/she

needs to contact the exams officer, who will provide the student with information about the appeals procedure for the relevant awarding body and explain what is involved. The exams officer will assist with the completion of any forms and will correspond with the awarding body on behalf of the student.

Please note: a student must have the support of the centre to be able to appeal against a result.

Conflicts of Interest Statement

A conflict of interest in this context can be defined as a situation that has the potential to undermine the impartiality of a tutor, assessor, and internal moderator because of a person's self-interest, professional interest or public interest.

Each awarding body is required under its Conditions of Recognition to be aware of any potential conflicts of interest that may impact on the outcomes of internal assessment and ultimately the award of a qualification.

All staff will be made aware of the following examples of potential conflicts of interest, though this list is not exhaustive:

- A member of staff works for a centre and a family member takes a qualification at the same centre
- A member of staff at the centre is completing a qualification delivered and assessed by the centre
- Tutor, assessor or internal moderator working with more than one centre or private training provider
- Tutor, assessor or internal moderator partaking in the appointment, promotion, supervision or evaluation of a person with whom they have family connections with
- A member of centre staff involved in the delivery or outcome of a qualification having a family connection with the awarding body's registered learner or learner's family

If aware of a conflict of interest, or the potential for there to be one, staff must make this known as soon as possible to the Head Teacher, appointed person (this may be the Deputy Headteacher or Assistant Head Teacher). This will be dealt with on an individual basis, seeking to remove the conflict of interest and to ensure fair assessment for all candidates.