

**MALPRACTICE,  
MALADMINISTRATION,  
PLAGIARISM,  
COLLUSION AND  
CHEATING POLICY**

**The**  
**Link**

T R A I N I N G

## **MALPRACTICE, PLAGIARISM, COLLUSION AND CHEATING POLICY**

All Awarding Organisation are held accountable to The Office of Qualifications and Examinations Regulation (Ofqual) against the 'General Conditions of Recognition' in order to maintain the integrity of the qualifications and the credibility of the organisations involved in development, delivery and award of those qualifications.

"Malpractice" means any act, default or practice which is a breach of the Regulations or which:

Compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of an examination result or certificate; and/or damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

The General/Standard Conditions of Recognition (Ofqual, Qualifications Wales and CCEA) includes two conditions which are particularly relevant to investigative activity:

- A8 - Malpractice and Maladministration and
- B3 - Notification to Ofqual of certain events.

The SQA Accreditation's Regulatory Principles document (Principle 14) gives guidance on managing and preventing malpractice.

<https://www.gov.uk/government/publications/dao-policies/dao-malpractice-and-maladministration-policy-and-procedure>

Condition A8 sets out the requirements and procedures for preventing, investigating, managing the effects of and dealing with malpractice and maladministration.

Condition B3 specifies the circumstances in which an awarding organisation must notify Ofqual of events which could have an 'adverse effect', it provides examples of adverse effects (see B3.2 (g) in particular) and it gives further information about the timing of notifications to Ofqual.

Regulatory Principle 14 states that it is the awarding bodies' responsibility to ensure it and its providers have safeguards to prevent and manage cases of malpractice and maladministration

In accordance with this requirement, The Link Training will:

- oversee all investigations into suspected or alleged malpractice;
- withhold the issuing of certificates until the conclusion of the investigation
- report the matter to The relevant awarding body if any findings evidence that certificates may be invalid;

Investigations will normally be led by the director of the academy acting on behalf of the awarding body

**Any assessor/IQA or candidate found to have breached the integrity of the organisations values will be subject to disciplinary in line with the awarding body recommendations.**

## Examples of Malpractice

The following are examples of malpractice. It is not an exhaustive list and as such does not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

### Part 1 Centre Staff Malpractice

#### Breach of security

Breaking the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents.

#### It could involve:

Failing to keep student computer files which contain coursework secure.

#### Deception

Any act of dishonesty in relation to any examination or assessment, but not limited to: inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of the candidates' achievement to justify the marks being given; manufacturing evidence of competence against national standards; fabricating assessment and/or internal verification records or authentication statements; **Assessors guilty of deception will be removed from their assessment duties and the awarding body notified**

### Part 2 Candidate Malpractice

#### For example:

The alteration of any results document, including certificates; a breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination or assessment rules and regulations; failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments; collusion: working collaboratively with other candidates, beyond what is permitted; copying from another candidate (including the use of ICT to aid the copying); allowing work to be copied; the deliberate destruction of another candidate's work; disruptive behaviour in the examination room or during an assessment session (including the use of offensive language); exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication; making a false declaration of authenticity in relation to the authorship of coursework or the contents of a portfolio; allowing others to assist in the production of course

Type of offence - Candidate	Warning	Loss of marks	Loss of aggregation or certification opportunity
Plagiarism:  (See Plagiarism, Collusion and Cheating policy) unacknowledged copying from published sources (including the internet or use of AI); incomplete referencing.		Plagiarism from published work listed in the bibliography.  Minor amount of plagiarism from a source not listed in the bibliography	Plagiarism from published work not listed in the bibliography Plagiarised text consists of the substance of the work submitted and the source is listed in the bibliography

Making a false declaration of authenticity		Sections of work done by others, but most still the work of the candidate.	Most or all the work is not that of the Candidate.
Mobile phone or other electronic communicating devices	Not in the candidate's possession but makes a noise in the examination room.	In the candidate's possession but no evidence of being used by the candidate.	in the candidate's possession and evidence of it being used by the candidate.

## Maladministration

**Definition:** Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

Examples of maladministration

- Persistent failure to adhere to our learner registration and certification procedures.
- Persistent failure to adhere to our center recognition and/or qualification requirements and/or associated actions assigned to the center
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from The Link Training
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding of information, by deliberate act or omission, from us which is required to assure Active

Investigations of any Malpractice, Maladministration, Plagiarism, Collusion or Cheating will normally be carried out by Amanda Lodge-Stewart - head of centre, acting on behalf of the awarding body.

Where there has been a breach of the Awarding Body rules, these must be reported with any supporting evidence to the awarding body Regulation and Quality Improvement Manager (RQIM) by emailing within 20 working days of the incident being identified.

**Any administrator/assessor/IQA or candidate found to have breached the integrity of the organisations values will be subject to disciplinary in line with the awarding body recommendations.**

## Plagiarism, Collusion and Cheating

### Plagiarism

#### Definition

Plagiarism is a specific form of cheating which applies to all assessment. There are many definitions but they all have in common the idea of taking someone else's intellectual effort and presenting it as one's own.

Definition is that plagiarism is the unacknowledged incorporation into a learner's work of materials derived from published or unpublished work by another person and presented as if it were the

learner's own work. A strict interpretation could include the original ideas, as well as the actual words, produced by another.

**Examples of plagiarism include:**

- Extracts from another person's work, published or unpublished, without using quotation marks and/or an acknowledgement of the source
- Summarising the work of another or using their ideas without an acknowledgement of the source
- Copying or using the work of another learner (past or present) without that person's knowledge or agreement
- Purchasing assignments or downloading them from the internet to submit them as your own work.

This policy therefore applies to assessments submitted for all Qualifications. The policy also applies to examinations and online tests, as well as assignment tasks that are completed independently by the learner in their own time.

**Preventing plagiarism**

This formal identification of the learner will be made prior to registration to avoid the possibility of a substitute. This ensures that the person named on the certificate is the person who did the work. To avoid learners unwittingly finding themselves guilty of plagiarism without knowing the implications, how to avoid Plagiarism will be included in the induction and included in the Candidate Handbook, an explanation to learners what plagiarism is, how we will deal with it and the possible sanctions and also how they should acknowledge someone else's work. This will be reinforced through assignment briefings. (See appendix 1)

On submission of the assignment the learner will make a formal declaration of authenticity (Appendix 2)

Final assignments will not be submitted for certification without a formal declaration of authenticity, which shall also include the learners name and registration number, centre name 'The Link Training' and centre number

## **Collusion**

**Definition**

Collusion is a form of plagiarism that involves unauthorised co-operation between at least two people with the intent to deliberately mislead or deceive. Collusion can take the following forms:

- Two or more learners conspiring to produce a piece work together with the intention that it is submitted as his/her own, individual work. Or with the intention of at least one learner submitting it as his/her own, individual work
- A learner submitting the work of another learner (with their consent) as his/her own, individual work. In such cases, both learners would be deemed to be guilty of collusion
- Although also an example of plagiarism, the submission of a piece of work that is not the learners own individual work that has been purchased from a third party. For example, from an essay or assignment writing service or by soliciting another individual to produce a piece or work on their behalf
- Unauthorised co-operation between a learner and a third party in the production of a piece of work that will be submitted as the learners own

## **Preventing Collusion**

It is acceptable to discuss ideas, talk about books, articles, online material and strategies for example with other learners. However, it is not acceptable to help a fellow learner to produce work that will be submitted as their own and an individual piece of work. Learners should never lend their work to another learner under any circumstance as it may be copied or reproduced. This example would leave both learners vulnerable to an accusation of collusion.

Learners should leave themselves enough time to check their work thoroughly before submitting it for marking or evaluation. Keeping to strict deadlines will limit the temptation of colluding with another learner or third party or purchasing work with the intention of submitting it as their own.

Learners should make sure that if they use a shared or public computer that they protect their work by saving it to their own personal drive, USB or memory stick. If a learner uses a shared or public printer to print hard copy versions of work they should ensure that any work is collected promptly from the printer and that any additional copies are securely destroyed.

## **Cheating**

Cheating is an attempt to deceive assessors, examiners and/or external verifiers and includes:

- Providing or receiving information about the content of an examination before it takes place, except when allowed (e.g. case study materials issued before an examination)
- Centres giving excessive help to learners in writing assignments, or writing any of it for them
- Impersonating or trying to impersonate a learner, or attempting to procure a third party to impersonate oneself
- Learners using books, notes, instruments, computer files or other materials or aids that are not permitted (usually relevant only to examinations and online tests)
- Assistance or the communication of information by one learner to another in an assessment where this is not permitted (usually relevant only to examinations and online tests)
- Copying or reading from the work of another learner or from another learner's books, notes, instruments, computer files or other materials or aids, unless expressly permitted
- Offering a bribe of any kind to an invigilator, examiner or other person connected with assessment
- Any attempt to tamper with assignment or examination scripts after they have been submitted by learners
- Fabricating or falsifying data or results by individual learners or groups of learners

Because of the nature of cheating, this mainly applies to examinations and online tests. The Centre should bear in mind that cheating may involve any member of staff (e.g. tampering with assessment or examination scripts or results after learners have submitted them), which would be a case of centre malpractice (see Malpractice and Maladministration policy).

## **Preventing cheating**

It is important that the centre check the instructions awarding bodies provide for assessments, examinations or online tests and complies with them, especially regarding materials which can and

cannot be used in the examination and the required arrangements for invigilation. Learners and others connected with the test or examination shall be made aware of the consequences of cheating. The Instructions for Conducting Examinations specify announcements that must be made at the beginning of every exam or online test

Staff administering exams shall be responsible for the supervision of examinations and the provision of appropriate invigilation in accord with regulations. Staff shall familiarise themselves with the Instructions for Conducting Examinations.

Awarding Organisations have a zero tolerance approach to all incidents of plagiarism, collusion or cheating, especially those incidents that are an attempt by the learner to gain marks without having completed the work themselves. Plagiarism, collusion or cheating can reflect badly on both the learner and the centre and both can be sanctioned.

### **Originality checking services**

Where appropriate, Awarding Organisations may request that centres, along with formal declarations of authenticity, use an online originality checking service to ensure the work that is presented is the learners. If an originality check is requested, a copy of the originality report shall be attached to all learner work at external verification or on submission of a learners work to the

## **AI Policy**

### **What is AI:**

AI use refers to the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications.

While the range of AI tools, and their capabilities, is likely to expand greatly in the near future, misuse of AI tools in relation to qualification assessments at any time constitutes malpractice.

Teachers and students should also be aware that AI tools are still being developed and there are often limitations to their use, such as producing inaccurate or inappropriate content.

AI chatbots are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided. AI chatbots respond to prompts based upon patterns in the data sets (large language model) upon which they have been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- Answering questions
- Analysing, improving, and summarising text
- Authoring essays, articles, fiction, and non-fiction
- Writing computer code
- Translating text from one language to another
- Generating new ideas, prompts, or suggestions for a given topic or theme
- Generating text with specific attributes, such as tone, sentiment, or formality

### **The Risks Associated with Using AI:**

The use of AI chatbots may pose significant risks if used by students completing qualification assessments. As noted above, they have been developed to produce responses based upon the statistical likelihood of the language selected being an appropriate response and so the responses cannot be relied upon. AI chatbots often produce answers which may seem convincing but contain

incorrect or biased information. Some AI chatbots have been identified as providing dangerous and harmful answers to questions and some can also produce fake references to books/ articles by real or fake people.

### **What is AI Misuse?**

As has always been the case, and in accordance with section 5.3(j) of the *JCQ General Regulations for Approved Centres* (<https://www.jcq.org.uk/exams-office/general-regulations/>), students must submit work for assessments which is their own. This means both ensuring that the final product is in their own words, and isn't copied or paraphrased from another source such as an AI tool, and that the content reflects their own independent work. Students are expected to demonstrate their own knowledge, skills and understanding as required for the qualification in question and set out in the qualification specification. This includes demonstrating their performance in relation to the assessment objectives for the subject relevant to the question/s or other tasks students have been set. Any use of AI which means students have not independently demonstrated their own attainment is likely to be considered malpractice. While AI may become an established tool at the workplace in the future, for the purposes of demonstrating knowledge, understanding and skills for qualifications, it's important for students' progression that they do not rely on tools such as AI. Students should develop the knowledge, skills and understanding of the subjects they are studying.

AI tools must only be used when the conditions of the assessment permit the use of the internet and where the student is able to demonstrate that the final submission is the product of their own independent work and independent thinking.

Examples of AI misuse include, but are not limited to, the following:

- Copying or paraphrasing sections of AI-generated content so that the work is no longer the student's own
- Copying or paraphrasing whole responses of AI-generated content
- Using AI to complete parts of the assessment so that the work does not reflect the student's own work, analysis, evaluation or calculations
- Failing to acknowledge use of AI tools when they have been used as a source of information
- Incomplete or poor acknowledgement of AI tools
- Submitting work with intentionally incomplete or misleading references or bibliographies.

AI misuse constitutes malpractice as defined in the *JCQ Suspected Malpractice: Policies and Procedures* (<https://www.jcq.org.uk/exams-office/malpractice/>). The malpractice sanctions available for the offences of 'making a false declaration of authenticity' and 'plagiarism' include disqualification and debarment from taking qualifications for a number of years. Students' marks may also be affected if they have relied on AI to complete an assessment and, as noted above, the attainment that they have demonstrated in relation to the requirements of the qualification does not accurately reflect their own work.

### **Acknowledging AI Use:**

It remains essential that students are clear about the importance of referencing the sources they have used when producing work for an assessment, and that they know how to do this. Appropriate referencing is a means of demonstrating academic integrity and is key to maintaining the integrity of assessments. If a student uses an AI tool which provides details of the sources it has used in generating content, these sources must be verified by the student and referenced in their work in the normal way. Where an AI tool does not provide such details, students should ensure that they independently verify the AI-generated content – and then reference the sources they have used.



In addition to the above, where students use AI, they must acknowledge its use and show clearly how they have used it. This allows teachers and assessors to review how AI has been used and whether that use was appropriate in the context of the particular assessment. This is particularly important given that AI-generated content is not subject to the same academic scrutiny as other published sources.

Where AI tools have been used as a source of information, a student's acknowledgement must show the name of the AI source used and should show the date the content was generated. For example: ChatGPT 3.5 (<https://openai.com/blog/chatgpt/>), 25/01/2023. The student must, retain a copy of the question(s) and computer-generated content for reference and authentication purposes, in a non-editable format (such as a screenshot) and provide a brief explanation of how it has been used.

This must be submitted with the work so the teacher/assessor is able to review the work, the AI-generated content and how it has been used. Where this is not submitted, and the teacher/assessor suspects that the student has used AI tools, the teacher/assessor will need to consult the centre's malpractice policy for appropriate next steps and should take action to assure themselves that the work is the student's own.

**Instances where AI is misused will be treated as plagiarism and/or Cheating and will be dealt with accordingly.**

## Consequences

Where we suspect that academic misconduct has occurred, we will proceed with an investigation. The investigation may include:

- Reviewing the piece of work you have submitted.
- Considering your conduct in an assessment.
- Looking at any relevant source materials.
- Talking to witnesses.
- Asking you to demonstrate your knowledge in relation to the work you have submitted.

Potential Outcomes of Investigations where plagiarism, collusion or cheating is found to have happened could be:

### **1. Warning**

The candidate is issued with a warning that if he/she commits malpractice within a set period of time, further specified sanctions will be applied.

### **2. Loss of all marks for a section**

The candidate loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of nonexamination assessment if this consists of several items.

### **3. Loss of all marks for a component**

The candidate loses all the marks gained for a component. A component is more often a feature of a linear qualification than a unitised qualification, and so this sanction can be regarded as an alternative to sanction 4. Some units also have components, in which case a level of sanction between numbers 2 and 4 is possible.

#### 4. Loss of all marks for a unit

The candidate loses all the marks gained for a unit. This sanction can only be applied to qualifications which are unitised. For linear qualifications, the option is sanction 3. This sanction usually allows the candidate to aggregate or request certification in that series, albeit with a reduced mark or grade.

#### 5. Disqualification from a unit

The candidate is disqualified from the unit. This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 7. The effect of this sanction is to prevent the candidate aggregating or requesting certification in that series, if the candidate has applied for it.

#### 6. Disqualification from all units in one or more qualifications

If circumstances justify, sanction 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous examination series are retained.) This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 8

#### 7. Disqualification from a whole qualification

The candidate is disqualified from the whole qualification taken in that series or academic year. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications

Investigations in to Malpractice will be handled in accordance with the Plagiarism, Collusion and Cheating Policies of the relevant awarding body. See below for further details:

**City and Guilds** – Embed here (<https://www.cityandguilds.com/-/media/cityandguilds-site/documents/delivering-our-qualifications/cdl/malpractice/managing-cases-of-suspected-malpractice-in-examinations-and-assessments.ashx>)

**VTCT** – Embed here ([https://www.vtct.org.uk/wp-content/uploads/2018/10/Plagiarism-Collusion-and-Cheating-Policy\\_v6-January-2023.pdf](https://www.vtct.org.uk/wp-content/uploads/2018/10/Plagiarism-Collusion-and-Cheating-Policy_v6-January-2023.pdf))

### Appendix 2

#### Formal Declaration of Authenticity

It is a regulatory requirement that every assessment submission is authenticated as the work of the named learner whether submitted to the centre). Therefore this cover sheet, must be completed with each of your assignments is are submitted.

Any submission that does not carry a cover sheet or a formal declaration of authenticity will not be verified.

Centre Name	
Centre Number	
Candidate Name	
Candidate Registration Number	

Assignment Title	
<p><b>Statement of confirmation of authenticity</b>          By the act of making this submission I am declaring that this is all my own work and that:  <i>The work has not, in whole or in part, been knowingly submitted elsewhere for assessment</i>  <i>Where submission includes work from a previous assessment, this has been identified</i>  <i>Where materials have been used from other sources it has been properly acknowledged</i>  <i>If this statement is untrue, I acknowledge that an assessment offence has been committed.</i></p>	
Signature	
Date	

<p><b>Permission to use this script</b>          Learners' submissions – on an anonymous basis – for assessment standardisation. By submitting, both the center and the learner agree that The Link Training may use this script on condition that identifying information is removed.</p> <p><b>However, if you are unwilling to allow The Link Training to use this script, please refuse by ticking the box</b></p>	
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Attention is drawn to the plagiarism, collusion and cheating policies of both the centre and the awarding bodies. Proven incidents of plagiarism, collusion or cheating can result in a learner being withdrawn from a qualification.

Version control			
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