

# Loughborough College

## FE Malpractice and Maladministration Policy

### 1. Scope and Purpose

The Loughborough College Group aims to minimise the risk of malpractice / maladministration by staff and students through a robust policy and mandatory annual training. The college will:

- Respond to any incident of alleged malpractice / maladministration promptly and objectively
- Standardise and record any investigation of malpractice / maladministration, ensuring openness and fairness
- Impose appropriate penalties and/or sanctions on students or staff where incidents (or attempted incidents) of malpractice / maladministration are proven
- Protect the integrity of the centre and all awarding body qualifications
- Enable the student to enquire, question or appeal against a malpractice/ maladministration decision.

This procedure applies specifically to those students who undertake an assessment of any prescribed qualification at The Loughborough College Group.

It is the responsibility of all staff delivering assessments to ensure that the procedures are adhered to.

Students who have had their studies terminated or suspended are excluded from appealing against **all** assessment decisions.

### Definitions

‘Malpractice’ is any act, default or practice which is:

- A breach of JCQ regulations
- A breach of awarding body requirements about how a qualification should be delivered
- A failure to follow established procedures for a qualification, which gives rise to prejudice to candidates, compromises public confidence in qualifications, attempts or succeeds to compromise the process of assessment, the integrity of qualifications or the validity of results/certificates, damages the authority, reputation, or credibility of any awarding body

‘Maladministration’ is any action, neglect, default, or other practice that compromises the accreditation or quality assurance process, the validity of any certificates, or the reputation and credibility of accreditation.

### Definition of Malpractice / maladministration by Students:

This list is not exhaustive and other instances of malpractice / maladministration may be considered by the college at its discretion:

- Plagiarism.
- Overuse and persistent use of Artificial Intelligence (AI)

Name:	Malpractice and Maladministration Policy		Owner:	Quality
Document Reference:	QU-PCG- 051		Last Review:	July 2025
Version:	1.0		Next Review:	August 2026
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- Collusion by working collaboratively with other students to produce work that is submitted as individual student work.
- Copying (including the use of ICT to aid copying).
- Deliberate destruction of another'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 or arranging for another to take one's place in an assessment/examination/test

#### **Definition of Malpractice / maladministration by Centre Staff:**

- Improper assistance to candidates
- Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the student's achievement to justify the marks given or assessment decisions made.
- Failure to keep candidate coursework/portfolios of evidence secure.
- Fraudulent claims for certificates.
- Inappropriate retention of certificates.
- Assisting students in the production of work for assessment, where the support has the potential to influence the outcomes of assessment. For example, where the assistance involves centre staff producing work for the student.
- Concerns that students have used artificial intelligence (AI) websites to produce their assignment work and submit it as their own work that is not acted upon.
- Producing falsified witness statements. For example, evidence that the student has not generated.
- Allowing evidence, which is known by the staff member not to be the student's own, to be included in a student's assignment/task/portfolio/coursework.
- Facilitation and allowing for impersonation.
- Misusing the conditions for special learner requirements, for example where students are permitted support, such as an amanuensis, is permissible up to the point where the support has the potential to influence the outcome of the assessment.
- Falsifying records/certificates. For example, alteration, substitution, or fraud.
- Fraudulent certificate claims. For example, claiming a certificate prior to the student completing all requirements of the assessment.

## 2. Policy/Procedure

The Loughborough College Group will:

- Seek to avoid potential malpractice / maladministration by using the induction period to inform students of the centre's policy on malpractice / maladministration and the penalties for attempted and actual incidents of malpractice / maladministration
- Show students the appropriate formats to record cited texts and other materials or information resources
- Explain to students how to use appropriately so that they do not use AI in a way that would be classed as plagiarism
- Ensure that all submitted work is signed by students as their own work, is not plagiarised and

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they have not used AI to generate their submission

- Investigate any malpractice / maladministration allegations.

### Process for identifying malpractice / maladministration

The Loughborough College Group identifies malpractice / maladministration or maladministration through internal monitoring systems or through the qualifying body's own quality assurance procedures. Incidents are occasionally reported to an awarding body by a third party. Below is an indication of some of the trigger points for the identification of malpractice / maladministration:

- At college level through on-going quality assurance activity and monitoring e.g., assessors, internal verification / IQA activity
- At college level through intelligence, complaints or feedback received e.g., from college staff, learners etc.
- At qualifying body level through scheduled quality assurance activity and monitoring e.g. verification / IQA activity
- At qualifying body level through intelligence, complaints or feedback received e.g. from students, college staff, whistle blowers or other stakeholders
- At qualifying body, level through information from other organisations e.g. other qualifying bodies, sector skills councils or funding agencies.
- At regulatory level through intelligence, complaints or feedback received
- Investigation of an examination

Where malpractice / maladministration is proven, The Loughborough College Group will follow the appropriate procedure in line with the college's Behaviour Management Policy, JCQ and awarding organisation guidelines.

### Investigation Process

Instances of suspected malpractice and maladministration will proceed through the following stages:

All malpractice / maladministration is reported in the first instance to the Exams Manager / Head of Quality / Quality Nominee.

- The individual will be made fully aware at the earliest opportunity of the nature of the alleged malpractice / maladministration and the possible consequences should malpractice / maladministration be proven.
- An investigation will be carried out to determine if there is evidence of maladministration and malpractice. This will comply with awarding body requirements and relevant personnel such as HR to record investigation meetings. The Exams Manager will work with the Head of MIS and the Head of Quality/Quality Nominee to report and resolve issues. All malpractice / maladministration of a serious nature is also reported to the CEO. The Exams Manager is not always the lead investigator. Where the Exams Manager is not the Lead investigator, the Head of MIS/ Head of Quality will appoint one
- The investigation will follow the procedures set out by relevant awarding bodies depending on the nature of the maladministration and malpractice and type of qualification.

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- Individual contact and meetings will take place with all staff and students involved in the incident to ascertain the detail of the malpractice / maladministration and to gather information
- The student will be informed of the processes that will be followed and methods of appeal against any outcomes made.
- Written statements will be sought from all staff and students involved in the incident and any other relevant information documented.
- Following the investigation, sanctions may or may not be recommended. Please note, if sanctions are recommended, they may be given by both the Loughborough College Group and/or the awarding body.

#### Curriculum staff supporting students during and after the investigation

- Curriculum staff with responsibility for the students are also included in the investigation and asked to make a statement if necessary
- Curriculum staff are responsible for informing parents of any student aged under 18 or 25 with an EHCP with a malpractice / maladministration suspicion reported against them
- Curriculum staff must carry out any actions required as an outcome from the investigation

#### Communication

- The Exams Manager or lead investigator will ensure students and staff are kept up to date with progress of the investigation, and outcomes.
- All JCQ/awarding body timescales are adhered to wherever possible, or extensions applied appropriately.
- All documents relating to incidents of malpractice / maladministration are stored in the exams team secure drive.

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#### Appeals and complaints

- Appeals may be made to the college or to the awarding body should the college/staff/students/employers and parents be unhappy with the outcome of an investigation.
- The college will inform the student of the method of appeal against any outcomes made.
- The college will consider every request for an appeal; where this is an external investigation, the college reserves the right not to pursue. This will be done at the highest appropriate level.

### 3. Impact Assessments

- 3.1 This policy/procedure has been assessed for its impact on equal opportunities and will be informed by the aim to eliminate all forms of discrimination in all strands of the equal opportunities' legislation.
- 3.2 This policy/procedure has been assessed for potential risk on data subjects due to the processing of personally identifiable information. All processing has been reviewed and is in line with all current Data protection laws and appropriate safeguards implemented to ensure that the policy has privacy by design as its underlying approach.

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#### 4. Location and Access to the Policy/Procedure

- College website
- Student Dashboard / Helpdesk

#### 5. Persons Responsible for the Policy/Procedure

- Vice Principal Learner Services and Quality
- Head of Quality
- Senior Exams Manager

#### 6. Linked Policies and Procedures

- FE Plagiarism Policy
- FE Assessment, marking and Feedback policy
- FE Plagiarism Policy
- Academic Appeals Policy
- AI policy
- Exams Policy

#### Change log

Date	Version	Details of change	Review / Revision by	
			Name	Title
18/8/2025	V1.	Initial Amends	Zena Aherne	Learning Support Manager

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