Policy on the administration of awards (including malpractice and conflicts of interest)

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<th>Responsibility of</th>
<th>University Secretary</th>
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1 Aims of this Policy

1.1 The University aims to ensure high standards of administration of awards both in terms of effectiveness and standards of behaviour. This policy sets out the requirements for such behaviour and the steps that will be taken to deal with conflicts of interest.

1.2 It is our aim to prevent malpractice and maladministration or adverse effects through a conflict of interest. We will ensure that all staff are aware of this policy and that they understand what constitutes conflicts of interest, malpractice and maladministration and what their role is in preventing it.

2 Scope

2.1 This policy applies to all University awards, apprenticeships and external awards regulated by Ofqual or other external bodies.

3 Definitions

‘Adverse effect’ An act, omission, event, incident, or circumstance which adversely affects:

(i) the ability of the University to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition;

(ii) the standards of qualifications which the awarding organisation makes available or proposes to make available; or

(iii) public confidence in qualifications.

‘Conflict of interest’ Actions or situations which could lead to an individual’s obligations to the University being influenced or affected by that individual’s considerations of personal gain, or gain to the individual’s family members or friends, whether financially or otherwise. For this purpose, the obligations to the University extend to the University’s own obligations to the regulator and its ability to meet its conditions of registration.

‘Malpractice’ a deliberate act or action, neglect, or default that could compromise or is noncompliant with the regulations pertaining to the assessment process, including examinations, which may adversely affect the integrity of a qualification, its assessment and validity of a student’s result or certification.

‘Maladministration’ is any activity, neglect, default or other act or action which results in a staff member or associate or student not complying with the specified requirements for the delivery of qualifications, as set out in relevant codes of practice.

4 Responsibilities

4.1 All staff administering, delivering and assessing awards are responsible for ensuring the high standards of work and behaviour. All staff and associated staff are expected to uphold this policy, report any incidents and cooperate fully with any suspected or actual cases of malpractice.

4.2 Staff are responsible for declaring any conflicts of interest through the Declaration of Interest Policy.

4.3 Heads of School are responsible for monitoring the policy and taking appropriate action. In respect of conflicts of interest, they will be required to put in appropriate controls to mitigate or remove the
conflict. For maladministration or malpractice, they will be required to investigate and again mitigate or remove the reason for it.

4.4 The VCE member with overall responsibility for the provision will be required to review any conflicts of interest with the Head of School and ensure that appropriate actions are taken in respect of these and any instances of maladministration or malpractice.

5 Conflicts of interest

5.1 Staff are required to declare a conflict of interest where it has the potential to lead to an

(a) gives rise to prejudice to Students or potential Students: or

(b) will lead to adverse effects on the award.

5.2 Where a member of staff has declared such an interest, the VCE member responsible will work with the Head of School to ensure that appropriate measures are put in place to mitigate any adverse effects.

6 End Point Assessment for apprenticeships

6.1 For degree apprenticeships that follow an integrated approach, the University/Higher Education Institution (HEI) delivering the degree will also be the End Point Assessment Organisation and must be on the Register of End Point Assessment Organisations.

6.2 The End Point Assessment must deliver an impartial result. The assessor must be independent of the apprentice and their employer and, wherever possible, the assessor must come from a third party organisation, for example, a professional body or another employer. If this is not possible, they may be sourced from within the University but must be occupationally competent, meet any other conditions for assessors and not have been involved in the on-programme delivery.

7 Malpractice and maladministration

7.1 If a member of staff identifies or is notified of a suspected case or an actual case of malpractice or maladministration, they should immediately inform their Head of School who will then contact the Head of Quality Assurance (HQA). The HQA shall then set up an initial internal investigation of the suspected or actual malpractice/ maladministration incident. Appendix 1 outlines examples of malpractice.

8 Investigation into incidences of malpractice, maladministration or adverse effects from a conflict of interest

8.1 On being notified, the HQA shall order an investigation and either undertake the investigation themselves or liaise with an independent member of staff to investigate (usually an independent Head of School).

8.2 The University would aim to complete the investigation, including the report, within 30 working days of being requested to undertake it, in accordance with the Awarding Organisation (AO) procedures

For an investigation into actual or suspected incidents maladministration, the University will:

- Establish the facts, circumstances and scale in regards to the malpractice allegations/complaint in order to establish if a malpractice issue/irregularity has occurred;
• Identify the cause of the irregularities and those involved;
• Identify and if necessary, take action to minimise the risk to current students and requests for certification;
• Determine if any or what remedial action is required to reduce the risk to current students and to preserve the integrity of the award;
• Ascertain if any action is required in regard to any certificates issued.
• Obtain evidence to support any action/sanctions to be applied to any member of staff or student (where it is an external award this should be in accordance with the awarding organisation’s (AO)procedures)
• Identify any patterns or trends;
• Identify any changes to policy or procedure required to be made;
• Refer the case to the Staff Disciplinary Procedures where appropriate.

With regard to malpractice in examinations, the University will:

• The invigilator shall expel the student from the examination room when their continuing presence would hinder other students in accordance with University guidelines.
• If any rules of the examination conduct are broken by a student, an invigilator or other person required for the conduct of the examination, the HQO may declare the examination void
• Refer the case under the Academic Offences Regulations.

9 Report of Investigation

9.1 Where the award is an external one, the report produced can either be on forms provided by the AO concerned, or in a letter format provided that this contains the information points as detailed on the AO forms. The report shall need to include:

• A detailed account of the circumstances of the alleged malpractice and of the investigation carried out by the centre
• Written statement(s) from the invigilator(s), assessor(s), internal verifier(s) or other staff involved
• Written statements from any students who are involved
• Any work of the student(s) involved and any associated material, if relevant
• Any mitigating factors.

10 Appeals against Malpractice/Maladministration decisions

10.1 If a staff member disagrees with any resulting disciplinary action, he/she may appeal through the Disciplinary Process.
10.2 A student may appeal any decision of the Academic Offences Panel through the Appeals Regulations.
Appendix 1  Examples of Malpractice

Please note the examples below are not intended to be exhaustive:

**Student Malpractice: Assessment**
- Plagiarism of any nature
- Collusion with others
- Copying (including the use of ICT to aid copying)
- Deliberate destruction of another’s work
- False declaration of authenticity in relation to the contents of a portfolio or coursework
- Impersonation.

**Student Malpractice: Inappropriate conduct during an examination**
- Introduction of unauthorised material into the examination room
- Mobile phone/smart watch in the examination room
- Disruptive or offensive behaviour
- Passing information to other students
- Wearing headgear apart from for religion reasons
- Failure to abide by the instructions of an invigilator.

**Influencing the assessment or certification process**
- Improper assistance to students
- Inappropriate signing
- Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the students’ achievements to justify the marks given or assessment decisions made
- Fraudulent claims for certificates
- Inappropriate retention of certificates.

**Failure to meet with an AO centre and qualification approval requirements**
- Failure to continually meet an AO centre and qualification approval requirements e.g. failure to advise an AO of centre changes related to the delivery of an AO qualifications; external verifier action plans not implemented within agreed timescales; repeated short-notice cancellation of external verifier visits by a centre; postponement by a centre of an external verifier visit
- Failure to meet an AO’s requirements for assessment, internal moderation or internal verification
- Failure to keep students’ portfolios of evidence secure
- Failure to adhere to an AO procedure for student registration and certification.

**Failure to meet the requirements of an AO regulation for the conduct of examinations**
- Breaches of security of examination papers
- Unauthorised changes to examination timetables
- Unjustifiable support of students during examinations
- Failure to issue students with appropriate notices and warnings
- Non-adherence to an AO’s invigilation requirements by centre staff
- Failure to dispatch scripts to examiners promptly and efficiently
- Amendment of examination materials without permission
- Failure to provide access arrangements in accordance with an AO requirement.

**Failure to meet the requirements of End Point Assessment for Apprentices**
- End point assessor has delivered parts of the programme
- End point assessor does not have sufficient independence
- End point assessor is not professionally competent to undertake the assessment.