

Malpractice Policy and Procedure

Malpractice consists of acts that undermine the integrity and validity of the assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification.

OMG Education (OMG) has a public duty to ensure that the highest standards are maintained in the conduct of the assessment. The proper discharge of this duty is essential to safeguard the legitimate interests of its students and the organisation's reputation. Malpractice is taken very seriously - OMG will take action against any student who contravenes the policy through negligence, recklessness or deliberate intent. Furthermore, OMG does not tolerate actions (or attempted actions) of malpractice by:

- Learners
- Staff Members

Guidance to prevent or reduce learner malpractice

As an organisation, we always aim to take positive steps to prevent or reduce the occurrence of learner malpractice. Below are examples of good practices that could be followed:

- Using the induction period and the student handbook to inform learners of the centre's policy on malpractice and the penalties for attempted and actual incidents of malpractice
- Showing learners the appropriate formats to record cited texts and other materials or information sources, including websites. Learners should not be discouraged from conducting research; evidence of relevant research often contributes to achieving higher grades. However, the submitted work must show evidence that the learner has interpreted and synthesised appropriate information and has acknowledged any sources used.
- Introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating, etc. These procedures may include:
 - periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the learner
 - altering assessment assignments/tasks/tools on a regular basis
 - the assessor assessing work for a single assignment/task in a single session for the complete cohort of learners
 - using oral questions with learners to ascertain their understanding of the concepts, applications, etc., within their work
 - assessors are getting to know their learners' styles and abilities, etc.
 - Ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers.

Learner malpractice

Attempting to or actually carrying out any malpractice activity is not permitted by the organisation. The following are examples of malpractice by learners; this list is not exhaustive, and other instances of malpractice may be considered by the organisation in consultation with any of the awarding bodies:

- Plagiarism by copying and passing off, as the learner's own, the whole or part(s) of another person's work, including artwork, images, words, computer-generated work (including Internet sources), thoughts, inventions and/or discoveries, whether published or not, with or without the originator's permission and without appropriately acknowledging the source
- Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work. Learners should not be discouraged from teamwork, as this is an essential key skill for many sectors and subject areas, but the use of minutes, allocating tasks, agreeing on outcomes, etc., is an essential part of teamwork, and this must be made clear to the learners.
- 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
- Fabrication of results and/or evidence
- Failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator, or Edexcel conditions in relation to the assessment/examination/test rules, regulations and security
- Misuse of assessment/examination material
- Introduction and/or use of unauthorised material contra to the requirements of supervised assessment/examination/test conditions, for example, notes, study guides, personal organisers, calculators, dictionaries (when prohibited), personal stereos, mobile phones or other similar electronic devices
- Obtaining, receiving, exchanging or passing on information which could be assessment/examination/test related (or the attempt to) by means of talking or written papers/notes during supervised assessment/examination/test conditions
- Behaving in a way as to undermine the integrity of the assessment/examination/test
- The alteration of any results document, including certificates
- Cheating to gain an unfair advantage.

(All forms of serious malpractice will be reported to the relevant awarding body. For example, Pearson, OCR, SQA, NOCN, AQA, NCFE etc. The outcomes of this report will be left to and decided by the relevant awarding body, which will determine and have the final judgement. This could mean a suspension from the individual qualification or a possible total ban from all qualifications with the awarding body.)

Centre staff malpractice

The following are examples of malpractice by OMG staff. The list is not exhaustive, and other instances of malpractice may be considered in consultation with any of the appropriate awarding bodies:

- Alteration of assessment and grading criteria
- Assisting learners 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 learner
- Producing falsified witness statements, for example, for evidence the learner has not generated.
- Allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework
- Facilitating and allowing impersonation

- Misusing the conditions for special learner requirements, for example, where learners 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.
- Failing to keep learner computer files secure
- Falsifying records/certificates, for example, by alteration, substitution, or by fraud
- Fraudulent certificate claims that are claiming for a certificate prior to the learner completing all the requirements of the assessment
- Failing to keep assessment/examination/test papers secure prior to the assessment/examination/test

Dealing with Malpractice:

The overall responsibility of dealing with malpractice lies with the Director at OMG. It could also, under some circumstances, be dealt with by a person nominated by the Director, e.g. Exams Officer. As a part of the procedure, the alleged malpractice incident has to be reported to the appropriate awarding body in the case where the awarding body is external. Once the alleged malpractice is suspected, the alleged person involved in the activity has to be informed in writing of the following:

1. Nature of alleged malpractice.
2. Possible consequences if malpractice is proven.

As a second step, the individual is given a chance to explain their point of view and the appeals procedure where the decision is against them. The investigation is to be conducted in a fair and appropriate manner. Appropriate sanctions have to be levied according to the nature of the incident. Malpractice has to be dealt with through disciplinary procedures.

Investigations:

OMG will conduct an investigation in a predefined and structured way into the alleged incidents of malpractice. These investigations are supported by the Director at OMG and conducted by the person nominated by the Director. The structure of the investigation is as follows:

- The report of the alleged incident is documented
- The alleged individual is informed about the allegation of malpractice in writing.
- This individual may be a learner or staff at OMG.
- The alleged individual is then explained the right and procedures regarding an appeal in case the incident is proven to be true.
- The individual is then given time and opportunity to respond to the incident; this has to be done in writing.
- The response of the individual is then considered thoroughly.
- The investigation is then completed, and a decision is then passed on to the individual in writing.
- All stages of this investigation are to be documented, and the records are kept for 3 years after the decision.

Penalties

There is a variety of sanctions and/or penalties that could be applied to learners and/or staff. These sanctions totally depend upon the intensity of the incident and therefore vary in nature. Following are the few sanctions that could be applied if the malpractice is proven:

- The staff or learner is issued with a written warning about future assessment conduct. The learner involved in the malpractice, for the second time, could be refused by the assessor to assess their course work.

(In the case mentioned above, the learner would have to resubmit their coursework in order to meet the pass criteria.)

- In the case where there is repetitive conduct of malpractice by a learner, they may be refused to pass that particular unit and hence not receive the certificate.
- In the case where malpractice is proven against a member of staff, they will be subject to an immediate decline in their access to records and authority to assess or certify.

(The staff may also be barred from the use of certain administrative tools depending upon the nature of malpractice and may be reprimanded or terminated from the job.)