

# Malpractice and Maladministration Policy



*Learning together in a changing  
world, creating success for all.*

Malpractice and Maladministration Policy

**Trinity Fields is a Rights Respecting School, a Healthy School, Investors in Families School, an ECO School, a MOVE school and an Inclusion Quality Mark (IQM) Flagship School.**

This policy should be read in conjunction with our pupil friendly and adult version of our “**Shared Values and Aims**”.

## School context

Trinity Fields is a **Rights Respecting School**; we are committed to the principles and values of the United Nations Convention on the Rights of the Child (UNCRC) across all areas of our work. We are a school where pupils are at the heart of everything we do. We successfully achieved UNICEF’s “Rights Respecting School Award” in **January 2017** and we have a well-established record of developing pupil engagement at all levels.

Refer to pupil friendly “**Pupil Participation**” policy and our whole school “**Pupil Participation**” policy for further details.

We are a **Healthy School**; we take responsibility for maintaining and promoting the health and wellbeing of the Trinity Fields team (pupils, parents/carers, staff, governors etc.). This includes teaching pupils about how to lead healthy lives by enabling them and staff to take control over aspects of the school environment that influence their health and wellbeing. We achieved the Welsh Network of Healthy School Schemes National Quality Award in **March 2018, with re-accreditation in December 2020**.

Refer to “**Health and Well-being for Pupils**” policy and our whole school “**Health and Well-being**” policy for further details.

We are an **Investors in Families School**. We are committed to developing active and effective relationships with parents/carers and families and recognise the value of close partnership working to improve outcomes for our pupils. We were the first Special School in Wales to achieve the Investors in Families Quality Mark, and regularly share our excellent practices with other settings.

We demonstrate our commitment to the Rights to Action agenda and value and support the important role that families play in the education of their child. We strive to promote social inclusion and a sense of wellbeing for families through positive participation in their child’s education.

During the re-accreditation process (2019), the school’s work was judged to be of a very high quality. Family and Community Engagement are fully embedded and it was evident that the school works hard on its journey towards excellence. The assessor was very pleased to award the school the **Diamond Standard**.

We have demonstrated through a national annual assessment that we have the capacity to play a strong leadership role in developing inclusion best practice across a network of schools; as well as being committed to extending those networks and develop classroom-based research.

Refer to “**Inclusion**” policy and to **IQM assessment reports** for further details.

In **summer 2022** we gained our **Platinum ECO Schools Award**; the Eco-Schools programme is designed to be pupil-led and looks at the impact of our actions on the environment.

Our sustained journey towards attaining the Platinum Award showcases pupils' ideas and helps to inspire others to make the right environmental choices.

More recently (2019), the school started its journey towards becoming a **MOVE school**; successfully accredited at Silver level in **December 2021**. The MOVE Programme is an activity-based practice that enables children and young people with physical disabilities to sit, stand, walk, and transition as independently as possible.

**Our overarching philosophy is summarised in the following statement:**

**“We believe that everyone at Trinity Fields is entitled to have access to the very best learning experiences. These will be provided within a safe, caring and stimulating environment that will enable all learners to achieve their full potential through learning opportunities that meet their individual needs”.**

### **Education in Wales: Our National Mission**

Our work with pupils and their families will be developed building upon Wales' National Mission. This national mission is ambitious, innovative and confident ensuring that we all take responsibility for all of our pupils to have equal opportunities to reach the highest possible standards.

Trinity Fields will continue to develop as a learning organisation to ensure it has the capacity to adapt to and explore a range of new approaches which results in improved outcomes and well-being for all of our pupils.

In order to realise our shared vision and approaches in delivering Wales' transformational curriculum that will enable all of the pupils at Trinity Fields to make the progress commensurate with their individual needs we are committed to the 4 key enabling objectives, detailed in **“Education in Wales: Our national mission (2017)**. These are:

- **Developing a high-quality education profession.**
- **Inspirational leaders working collaboratively to raise standards.**
- **Strong and inclusive schools committed to excellent, equity and well-being.**
- **Robust assessment, evaluation and accountability arrangements supporting a self-improving system.**

The core purposes and values that are associated with these prestigious national awards are encapsulated in our vision and aims:

**“We believe that everyone at Trinity Fields is entitled to have access to the very best learning opportunities. These will be provided within a safe, caring and stimulating environment that will enable all learners to achieve their full potential through learning opportunities that meet their individual needs”.**

All learners in the 14-19 Learning Pathways department have the same opportunities to achieve a qualification, so that no learner is disadvantaged on the basis of any attribute or circumstance.

All pupils are given a broad range of opportunities to gain accreditation which records their progress and achievement in recognised programmes of study from awarding bodies, such as ASDAN and AQA. The accredited schemes enrich pupils' experiences and extend their learning.

Trinity Fields is committed to providing a fair, consistent and accurate approach to the assessment and award of its qualifications and credit awards. We do not tolerate attempts or instances of malpractice by learners or staff relating to accreditation or the award of qualifications. Trinity Fields may impose sanctions on staff or learners where attempts or instances of malpractice have been confirmed or during the investigation of reported accusations of malpractice.

Trinity Fields expects to work co-operatively with Awarding Bodies to ensure that the statutory regulation of external qualifications is upheld and, through this, award appropriately the candidates who have demonstrated that they have successfully achieved the required standards.

## Aims

This policy document provides key information about:

- the procedures for dealing with staff as well as student malpractice.
- how staff and pupils are informed about the policy/procedure.
- what the centre views as malpractice, including specifically in non-exam based qualifications.
- the centre's procedures for reporting and investigating instances of malpractice.
- the sanctions in place (e.g. disciplinary action/disqualification).

## Access

Pupils are made aware of the existence of this policy and have open access to it. It can be found in the Accreditation Central File on the Schools "O" drive. Information from this policy can also be found in the '**Pupil Friendly Accreditation Policy**'.

It is important that all staff involved in the assessment and quality assurance of accredited programmes are fully aware of the contents of this policy.

## Glossary of terms

**Malpractice** means non-compliance with the regulations pertaining to the assessment procedures which may adversely affect the integrity of a qualification or award of credit.

**Maladministration** is any unintentional activity or practice that leads to non-compliance 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. Maladministration, if serious enough, may be treated as malpractice.

**Awarding Body** is an organisation issuing qualifications (certificates, diplomas or titles) formally recognising the learning outcomes (knowledge, skills and/or competences) of an individual, following assessment and validation procedures.

## Preventing malpractice and maladministration

To ensure malpractice does not occur within Trinity Fields; staff are provided with clear information about their responsibilities:

- All staff involved will be aware of the assessment requirements, administrative procedures and the terminology and definitions of malpractice and maladministration.
- All staff involved will be aware of the procedures to follow should they become aware of either centre staff or candidate malpractice or maladministration occurring.
- It must be clear to all staff what their roles and responsibilities are for the various aspects of the management, delivery and administration of assessments (assessors/tutors, internal moderator, exams officers and other administrative staff).
- Assessors must be clear over how they may “assist candidates” in relation to assessments/portfolios.
- Candidates with access arrangements must not be assisted beyond what is permitted by the regulations.
- If centre staff or candidates are suspected of engaging in any of the behaviour/actions detailed in above, then this needs to be dealt with in the appropriate manner.
- Senior leaders will ensure that they are clear over what Awarding Bodies expect when dealing with such instances. They must be aware of the processes related to dealing with malpractice and how to investigate and report instances accordingly.
- Although it is almost impossible to monitor every aspect of internal assessments, candidates will be clear over the consequences of collusion, copying or allowing their work to be copied.
- It is the responsibility of teaches/assessors to make candidates aware of these regulations.

### **Malpractice by staff**

Instances of suspected malpractice may occur. These could include:

- Failing to keep assessment papers secure prior to assessment.
- Obtaining unauthorised access to assessment materials prior to assessment.
- Failing to adequately supervise learners in external assessments.
- Failing to keep learner(s) portfolios of evidence secure.
- Failing to keep learner(s) computer files which contain coursework secure.
- Assisting or prompting learner(s) with answers.
- Failing to comply with any conditions of supervision designed to ensure the security of assessment.
- Falsifying Claims for Award of Credit (incorrect achievement of credits or falsifying signatures).

### **Malpractice by learners**

Instances of suspected malpractice may occur. These could include:

- Introduction of unauthorised materials into the assessment room (for example notes, study guides and personal organisers, calculators, dictionaries (when prohibited) or any other electronic device which could give the learner an unfair advantage).
- Being in possession of confidential material in advance of the assessment.
- Copying from another learner (including the use of ICT to aid the copying).
- The deliberate destruction of another learner’s work.
- Disruptive behaviour in the examination room or during an assessment session (including the use of offensive language).
- Plagiarism: unacknowledged copying from published sources or incomplete referencing.
- Impersonation: pretending to be someone else, arranging for another person to take one’s place in an examination or an assessment.
- Theft of another learner’s work.
- False declaration of authenticity in relation to the contents of a portfolio or coursework.

**Please note that these examples are not exhaustive.**

## **Identifying cases of alleged or actual malpractice or maladministration**

Suspected cases of malpractice or maladministration could be identified by centre staff, moderators and assessors, candidates, external agencies or individuals, whistle-blowers or anonymous informants.

Trinity Fields is aware that the reporting of malpractice or maladministration by a member of staff or candidate can potentially cause a difficult situation in the workplace or centre, and will therefore protect the identity of the informant as far as legally possible if this is asked for when a report is made. We will continue to carry out an investigation but will tell the informant that its scope may be limited.

Where the person making the allegation gives no contact information whatsoever, Trinity Fields will be unable to carry out an investigation but will log the details of the allegation. If the information is provided by telephone, the informant will usually be asked to make the allegation in writing. The 14-19 learning pathways team leader will evaluate the allegation in the light of any other available information, to see if there is cause to investigate further.

## **Responsibilities in alleged or actual cases of malpractice or maladministration**

As a requirement of registration for a qualification, a centre must:

- have in place an appropriate policy for dealing with malpractice within the centre.
- immediately report all suspected (alleged) and actual incidents of malpractice or maladministration.
- inform the person suspected of malpractice that an investigation will take place and that they have a right to reply or appeal against any sanction imposed on them.
- comply fully with the Awarding Body's requests for information in relation to the allegation.
- co-operate with the Awarding Body during the investigation, including carrying out internal investigations, using people who are not involved in the alleged maladministration or malpractice.
- provide the Awarding Body with a report of any such investigation.
- implement agreed actions as a result of the investigation, and take appropriate measures to mitigate the effect and prevent any recurrence of the maladministration or suspected or actual malpractice.
- notify the Awarding Body if any person involved in the malpractice or maladministration or in completing any actions as a result of the investigation leaves the centre.
- respect the confidentiality of information handled.
- retain records and documentation relating to the investigation for a period of time.

Failure to report malpractice or maladministration, suspected or actual, once candidates have been registered, may affect the issue of certificates, and a failure to co-operate might affect the future registration of candidates.

## **Procedures for suspected or actual malpractice or maladministration**

Trinity Fields School is vigilant about assessment malpractice and if an instance of suspected malpractice occurs, a strict step by step procedure is followed.

### **Step 1**

The individual suspecting malpractice is to complete the 'Report of Suspected Malpractice' pro-forma.

### **Step 2**

Staff members and/or learners should be informed of their individual responsibilities and rights prior to submission of this form.

The individual(s), whether a learner or a member of staff, accused of malpractice should:

- be informed of the allegation made against him/her
- know the evidence available to support the allegation
- aware of action that may be taken while the investigation is underway
- know the possible consequences if malpractice should be proven.

### **Step 3**

The 'Report of Suspected Malpractice' pro-forma must be given to the 14-19 learning pathways team leader. (See Appendix 1)

### **Step 4**

The 14-19 learning pathways team leader will investigate suspected malpractice. During the investigation, the team leader uses the evidence available to make a judgement in each case of suspected or alleged malpractice and maladministration about whether there are or there are not reasonable grounds for suspicion or allegation. If the team leader decides there is cause to believe that an occurrence of malpractice or maladministration, which could have an adverse effect, has occurred or is likely to occur, they will promptly inform the Awarding Body. It is important to note that, depending on the severity, some cases will be dealt with 'in house'. This will be decided by the team leader.

### **Step 5**

If the case is reported to the Awarding Body, the centre will work with them and follow their procedures to both investigate and address the issue.

Trinity Fields aims to prevent malpractice and maladministration occurring. If such incidents happen, we will fully investigate and work with Awarding Bodies to find a satisfactory conclusion and to minimise the effects on all parties, and we will aim to identify improvements in practice that will prevent any reoccurrence.

## **Sanctions**

The aim of applying sanctions is to:

- Minimise the risk to the integrity of all aspects of accredited learning, specifically the awarding of results and certificates
- Protect the interests of learners who may be adversely affected by a centre's action, or failure to act, in line with the requirements as set out in this policy
- Allow the team leader and/or Awarding Body, time to investigate incidences of suspected maladministration or malpractice while maintaining the integrity of the qualification involved

To ensure transparency and consistency of the application of sanctions, this policy gives examples of situations that could lead to a sanction. Please note that this is not an exhaustive list and each case will be reviewed on an individual basis.

Where there is evidence of malpractice or serious irregularity, the Awarding Body may:

- Remove Direct Certification Status for a defined period
- Disallow access to moderation
- Instigate a mandatory action plan and monitoring
- Withdraw certificates

- Remove Trinity Field’s registration status
- Notify other regulators/other Awarding Organisations
- Disqualify candidates from further moderation

Serious incidents of maladministration or malpractice are reported to the appropriate Regulator/s as soon as possible together with notification of steps taken or intended to be taken to prevent, correct or mitigate any adverse effect that may occur as a result.

Where there is an instance of malpractice involving a member of staff, the school’s disciplinary procedures will be followed, and the matter reported to the Headteacher.

### **Additional learning needs (ALN) provision**

This policy document stresses the need for pupils to be able to express their views, by whatever means appropriate. There is a need to look at alternative means of providing learners with opportunities to communicate their views about the accredited programmes through, for example, the use of computers, physical aids or support from staff.

A range of opportunities for pupils to feedback to staff, commensurate with their needs, ages and abilities should be on offer to all pupils, and their disability should not cause limitation or restriction of expression and opinion.

**See “Additional Learning Needs” policy for further details.**

### **Equal opportunities**

All pupils will be given equal access to accredited programmes, resources and lessons regardless of gender, race or sexual orientation.

**See “Equalities” policy for further details.**

This policy document should also be read in conjunction with the Policy for the **14-19 Learning Pathways Accreditation and Internal Verification**.

### **Policy review**

This policy will be reviewed by the 14-19 learning pathways team leader and headteacher as detailed in the school’s policy review cycle. It may also be necessary to review and amend it sooner to reflect both local and national changes.

<b>Signed</b>		<b>Headteacher</b>
<b>Signed</b>		<b>Chair of Governors</b>

**This policy will be reviewed in line with the school’s policy review cycle.**



As a Rights Respecting School, we are committed to embedding the principles and values of the United Nation Conventions for the Rights of the Child (UNCRC). This policy enables our pupils to access and enjoy the following articles of the convention.

**Article 12:** Every child has the right to be heard.

**Article 28:** Every child has the right to an education.

**Article 29:** Education must develop every child's personality, talents and abilities to the full.

**Article 42:** Every child has the right to know their rights.