

Candidate Malpractice Statement

Attempting to or actually carrying out any malpractice activity is not permitted. The following are examples of malpractice by learners; this list is not exhaustive and other instances of malpractice may be considered by the college at its discretion:

- plagiarism by copying and passing off, as your 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 your work. You 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 outcomes, etc are an essential part of team work and this must be noted in any work submitted.
- 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 the awarding body 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 such 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.

If malpractice is discovered, the college reserve the right to withdraw the learner from the programme and to withhold any monies already paid.

Should you have any queries relating to Vocational Qualification Learner Malpractice Statement please do not hesitate to contact:

Business Manager: ian@whyweightuk.co.uk

Malpractice/Maladministration Procedure – YMCA Awards

Malpractice procedure

This guidance is for centres on how to best prevent, investigate and deal with cases of suspected malpractice or maladministration.

YMCA Awards will investigate instances of alleged or suspected malpractice and will take appropriate action to maintain the integrity of units and qualifications.

Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises:

- the integrity of the assessment process
- the integrity of the regulated qualification
- the validity of certificates
- the reputation or credibility of the awarding body
- the qualification, or the wider qualifications community

Maladministration is any activity, neglect, default or other practice that results in the centre

not complying with the specified requirements for delivery of the units and qualifications.

YMCA Awards, via its External Quality Assurance Strategy, will sample centres' internal

Malpractice/Maladministration policies and procedures, plus the ongoing implementation

and review of these to check for compliance. This will be recorded on the EQA Risk Assessment Report.

YMCA Awards reserves the right to withdraw centre approval in the event of an alleged or suspected occurrence of malpractice/maladministration arising on the part of learners, centre staff, or others involved in providing a YMCA Awards qualification. In order to ensure that YMCA Awards is kept fully informed, centres are responsible for the following:

- complying with published awarding body malpractice procedures
- taking reasonable steps to prevent malpractice/ maladministration from arising.
- advising candidates of the awarding body's policy on malpractice/maladministration during their induction
- implementing systems and procedures for recording all suspected instances of candidate malpractice and making this information available to the awarding body during quality assurance activities on site and/or on request.
- being vigilant to possible instances of malpractice and maladministration.

- notifying the awarding body of any incidents of malpractice/maladministration as required by the awarding body policies.
- assisting with any awarding body requests for information.

- co-operating with awarding body malpractice/maladministration investigations.
- carrying out investigations of malpractice under the guidance of the awarding body.
- implementing any actions required during and after investigation into a case of malpractice.
- taking action required to prevent the recurrence of malpractice/maladministration

YMCA Awards wishes to advise centres that failure to comply with these requirements will impact on any future acceptance of registration entries and certification issue, and may result in centre approval being withdrawn.

1. Examples of learner malpractice could include:

- non-compliance in observing the mandatory rules of conduct during an assessment,
- resulting in fraudulent claims for certification
- replication of another learner's work in either the practical, theoretical or portfolio aspect
- of assessment, resulting in fraudulent claims for certification (this can include plagiarism,
- collusion, personation, copying)
- misconduct (learner behaviour such as offensive, obscene or discriminatory material;
- disruptive language or behaviour causing a disturbance; use of unauthorized aids such as mobile phones, MP3 players etc)

Where an issue of misconduct occurs and is discovered or reported the following action will be taken:

- the Invigilator/Centre Contact is empowered to expel a learner from the assessment room
- the expelled learner's assessment paper must be securely retained and a report filed to the Centre Contact
- the report and assessment record must be available for submission to YMCA Awards and the regulatory authority (Ofqual) upon request
- if any of the rules of external assessment are deemed to have been broken by a learner, Invigilator or other person involved in the assessment process, then YMCA Awards may declare the assessment void

2. Examples of centre malpractice could include:

- failure of the approved centre to report any suspected malpractice reported to YMCA Awards from other sources
- failure of the approved centre to apply the YMCA Awards recommended invigilation procedures for external assessment, thus affecting the validity of the assessment process
- failure of the approved centre to apply YMCA Awards recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process

- failure of the centre to apply the YMCA Awards recommended security procedures as identified within the Security Declaration Form
- failure on behalf of the centre to comply with YMCA Awards /FAB guidance relating to reasonable adjustments
- claims for certification being submitted by the approved centre for units and/or qualifications that have not been approved for delivery by YMCA Awards
- delivery and assessment of units and/or qualifications that have not been approved by
 - YMCA Awards
- claims for certification being submitted by the approved centre for learners that have not
 - been registered with YMCA Awards
- unauthorised replication of (or other tampering with) externally assessed theory papers
- and/or e-assessment
- payment for YMCA Awards services/accreditation is not received in accordance with the terms and conditions of payment
- the centre or any part (if a consortium group) becomes bankrupt or insolvent or goes into
 - liquidation, or undergoes a voluntary or compulsory winding up procedure
- there is any significant change in control of the centre (or a change of membership if a
 - consortium group). YMCA Awards must be informed immediately in this case

Malpractice procedures (centres)

Where an issue of malpractice occurs and is discovered or reported the following action will be taken:

- YMCA Awards will investigate the suspected case of malpractice
- YMCA Awards will report significant cases of malpractice automatically to the regulatory authorities (Ofqual) (and all other cases on request)
- YMCA Awards will inform the regulatory authorities (Ofqual), whenever it finds evidence that
 - certificates may be invalid
- YMCA Awards will assist the regulatory authorities with any further investigations of malpractice, and agree appropriate remedial action if there is evidence that certificates may be invalid
- YMCA Awards will withdraw approval from a centre that is proved guilty of malpractice and
 - automatically refuse any further certificates or accept future registrations of learners

Malpractice investigations

- the objective of an investigation is to establish the facts relating to allegation/complaints in
 - order to determine whether any irregularities have occurred
 - all relevant evidence will be considered without bias
- YMCA Awards will also investigate allegations made by whistle blowers and anonymous informants

Please note: allegations made by a whistleblower or anonymous informant must be made within 3 months of the alleged event taking place. This is to ensure the integrity of any relevant evidence is protected as far as possible, to allow for the fullest investigation to take place. Investigations will be carried out by the YMCA Awards Lead Quality Assurer, and they will liaise with the head of the centre or their nominee conclusions will be based on established evidence. A course of proposed actions will be identified, agreed, implemented and monitored

3. Withdrawal or suspension of approval

Centre approval may be suspended or withdrawn by YMCA Awards at any time if the centre has not complied with the stated terms of agreement covering all policies, regulations, requirements and procedures which are currently in force and which have been agreed with the Centre
Contact and/or guarantor signatory personnel.

Examples of non compliance which result in deficiencies in the assessment process and in inappropriate quality of assessment provision, will entitle YMCA Awards to withdraw or suspend all or some of a centre's activities for a specified period of time or indefinitely.

4. Temporary suspension

A temporary suspension will allow YMCA Awards to suggest immediate remedial action and enable the centre to rectify the situation. Temporary suspension may also be implemented to protect current cohorts of learners if the centre is the subject of investigation. YMCA Awards will discuss the problem with the centre and allow a reasonable period of notice (three months) within which to resolve the problem.

Please note: If centre approval is withdrawn YMCA Awards will individually specify the earliest date for reapplication of approval. A fee will be incurred for re-approval.

In order to assist any current learners who may be affected by the suspension or withdrawal of approval, YMCA Awards expect centres to inform those learners about completion of their unit or qualification within the specified timescale, and to offer reasonable support to assist their achievement.

Withdrawal or suspension will not affect any earlier certification claims. Any document or certificate that has been issued on the result of a voided assessment will be recalled and cancelled.

Centre sanctions - The EQA completes a risk report at each visit. This document provides

detailed information on your current status and should be reviewed carefully.

Guidance on

examples of sanctions relating to differing levels of malpractice is provided in the Sanction

Procedure guidance (see <http://www.cyq.org.uk/files/sanction-procedure-for-non-compliance.pdf>)

5. Provision for appeal

YMCA Awards provides a formal route for appeal against a decision to suspend or withdraw centre approval and encourages its centres and learners to use the enquiry service provided to formally lodge such an appeal (please refer to the Appeals Procedures).

6. Notification to other awarding bodies

Ofqual (the regulatory authority) require that an awarding body notifies other awarding bodies of cases of malpractice where these cases are likely to impact on the other awarding body(s). In dealing with cases of malpractice each awarding body must pay due regard to this requirement and notify other awarding bodies, as appropriate. This will usually be appropriate where:

- the centre where the malpractice has occurred (or is suspected) is also approved with another awarding body (for the same or different qualifications) and the (suspected) malpractice could potentially impact on the activities undertaken on behalf of that other awarding body
- the centre where the malpractice has occurred (or is suspected) is also approved with another awarding body for the same qualifications and there is the potential for the centre to move their operations to the other awarding body in an attempt to avoid sanctions and continue sub-standard practices.
- the centre where the malpractice has occurred (or is suspected) has indicated that they are seeking approval with another awarding body (for the same or different qualifications).

Please contact YMCA Awards if you require further guidance as to how to prevent, investigate and deal with malpractice and maladministration Non-compliance monitoring guidelines – malpractice Malpractice occurrence Procedure/Rationale Action and sanctions Non-compliance in observing the mandatory rules of conduct during an assessment, resulting in fraudulent claims for certification.

- learner expelled from assessment
- assessment paper retained and report filed securely
- assessment paper and report file made available to YMCA Awards and regulatory authorities(Ofqual)
- suspension of certification (tariff level 3)
- suspension of registration (tariff level 3)
- suspension of YMCA Awards approval
- possible assessment void decision

Replication of another learner's work in either the practical, theoretical or portfolio aspect of

assessment, resulting in fraudulent claims for certification (including plagiarism, copying, collusion, impersonation) Centre failure to report any suspected malpractice reported to YMCA Awards from other sources.

- YMCA Awards investigation
- YMCA Awards record evidence
- YMCA Awards report to Ofqual
- suspension of certification (tariff level 3)
- suspension of registration (tariff level 3)
- suspension of YMCA Awards approval
- possible assessment void decision
 - loss of integrity of assessment decisions - danger of invalid claims for certification (tariff level 3)
 - withdrawal of centre approval for specific units and/or qualifications (tariff level 4)
 - notification to Ofqual
 - possible notification to other awarding bodies Centre failure to apply YMCA Awards recommended, invigilation procedures for external assessment, thus affecting the validity of the assessment process.
 - YMCA Awards investigation
 - proven loss of the integrity of assessment decisions
 - irretrievable breakdown in management and
 - quality assurance of specific programmes
 - YMCA Awards report to Ofqual

Malpractice occurrence Procedure/Rationale Action and sanctions Centre failure to apply YMCA Awards recommended assessment paperwork and procedures for internal assessment, thus affecting the validity of the assessment process.

- YMCA Awards investigation
- .proven loss of the integrity of assessment decisions
- irretrievable breakdown in management and quality assurance of specific programmes YMCA Awards report to Ofqual
- suspension of certification (tariff level 3)
- suspension of registration (tariff level 3)
- suspension of YMCA Awards approval
- possible assessment void decision
- loss of integrity of assessment decisions - danger of invalid claims for certification (tariff level 3)
- withdrawal of centre approval for specific units and/or qualifications (tariff level 4)
- notification to Ofqual
- possible notification to other awarding bodies
- Centre claims for certification being submitted for units and/or qualifications that have not been
- approved for delivery by YMCA Awards

Centre claims for certification being submitted for learners that have not been registered with YMCA Awards (where applicable).

Unauthorised replication of (or other tampering with) externally assessed theory papers and/or e-assessment.

Payment for YMCA Awards accreditation is not received in accordance with the payment terms (see terms and conditions).

non-compliance with contracted agreement but no threat to the integrity of the assessment decisions

- suspension of certification (tariff level 3)
- suspension of registration (tariff level 3)
- suspension of YMCA Awards approval - until resolution achieved
- withdrawal of centre approval for all programmes (tariff level 5)– if no resolution achieved

Malpractice Occurrence Procedure/Rationale

Action and Sanctions

The centre or any part (if a consortium group) becomes bankrupt or insolvent or goes into liquidation, or undergoes a voluntary or compulsory winding up procedure.

Management and quality assurance of all units and qualifications run by the centre threat to learner completion of certification. learner support/guidance required -suspension of centre approval for all units and qualifications

Centre begins delivery/assessment of a YMCA Awards unit/qualification that has not been approved.

- YMCA Awards investigation
- proven loss of the integrity of assessment decisions – danger of invalid claims for certification
- suspension of certification (tariff level 3)
- suspension of registration (tariff level 3)
- suspension of YMCA Awards approval
- possible assessment void decision