

MALPRACTICE & ADMINISTRATION POLICY

HMFS Consultants (HMFS) treats all cases of suspected malpractice and maladministration very seriously and will investigate all suspected and reported incidents of possible malpractice. The purpose of this Policy is to set out how allegations of malpractice in relation to all HMFS qualifications are dealt with. The scope of the policy is to provide:

- a definition of malpractice
- examples of student and centre malpractice and maladministration;
- possible sanctions that may be imposed in cases of malpractice.

*The term 'malpractice' in this policy is used for both malpractice and maladministration.

1. INTRODUCTION

1.1 For the purpose of this document 'malpractice' and maladministration are defined as:

Malpractice

Any act, or failure to act, that threatens or compromises the integrity of the assessment process or the validity of the Awarding Body qualifications and their certification.

Maladministration

Any activity, neglect, default or other practice that results in the centre or learner not complying with the regulatory principles/general conditions of the regulators and any other requirements as may be set from time to time.

Maladministration and the failure to maintain appropriate records or systems; the deliberate falsification of records or documents for any reason connected to the award of any Awarding Organisation; acts of plagiarism or other academic misconduct; and/or actions that compromise the reputation or authority of HMFS or any HMFS satellite centres, officers and employees.

HMFS will report all relevant cases of suspected malpractice to the Awarding Body and recognizes the right of the Awarding Body to take action of its own, including imposing sanctions.

2. MALPRACTICE BY STUDENTS

2.1 Some examples of student malpractice are described below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

2.1.1 Obtaining examination or assessment material without authorisation

2.1.2 Arranging for an individual other than the student to sit an assessment or to submit an assignment not undertaken by the student

- 2.1.3 Impersonating another student to sit an assessment or to submit an assignment on their behalf
- 2.1.4 Collaborating with another student or individual, by any means, to complete a coursework assignment or assessment, unless it has been clearly stated that such collaboration is permitted
- 2.1.5 Damaging another student's work
- 2.1.6 Inclusion of inappropriate or offensive material in coursework assignments or assessment scripts
- 2.1.7 Failure to comply with published HMFSC examination regulations. Disruptive behaviour or unacceptable conduct, including the use of offensive language, at centre or assessment venue (including aggressive or offensive language or behaviour).
- 2.1.8 Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
 - a) personal identification.
 - b) supporting evidence provided for reasonable adjustment or special consideration applications;
 - c) the HMFSC results documentation, including certificates.
- 2.1.9 Falsely obtaining, by any means, an Awarding Body certificate.
- 2.1.10 Misrepresentation or plagiarism.
- 2.1.11 Fraudulent claims for special consideration while studying.
- 2.1.12 Possession of any materials not permitted in the assessment room, regardless of whether or not they are relevant to the assessment, or whether or not the student refers to them during the assessment process, for example notes, blank paper, electronic devices including mobile phones, personal organisers, books, dictionaries / calculators (when prohibited).
- 2.1.13 Communicating in any form, for example verbally or electronically, with other students in the assessment room when it is prohibited.
- 2.1.14 Copying the work of another student or knowingly allowing another student to copy from their own work.
- 2.1.15 Failure to comply with instructions given by the assessment invigilator, i.e., working beyond the allocated time; refusing to hand in assessment script / paper when requested; not adhering to warnings relating to conduct during the assessment.

3. MALPRACTICE BY CENTRE EMPLOYEES AND STAKEHOLDERS

- 3.1 Examples of malpractice by, faculty, invigilators and other officers, invigilators are listed below. These examples are not exhaustive and all incidents of suspected

malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

- 3.1.1 Failure to adhere to the relevant the Awarding Body regulations and procedures, including those relating to centre approval, security undertaking and monitoring requirements as set out by the Awarding Body.
- 3.1.2 Knowingly allowing an individual to impersonate a student.
- 3.1.3 Allowing a student to copy another student's assignment work or allowing a student to let their own work be copied.
- 3.1.4 Allowing students to work collaboratively during an assignment assessment, unless specified in the assignment brief.
- 3.1.5 Completing an assessed assignment for a student or providing them with assistance beyond that 'normally' expected.
- 3.1.6 Damaging a student's work.
- 3.1.7 Disruptive behaviour or unacceptable conduct, including the use of offensive language (including aggressive or offensive language or behaviour).
- 3.1.8 Allowing disruptive behaviour or unacceptable conduct at the centre to go unchallenged, for example, aggressive or offensive language behaviour.
- 3.1.9 Divulging any information relating to student performance and / or results to anyone other than the student.
- 3.1.10 Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
 - a) personal identification;
 - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
 - c) The Awarding Body results documentation, including certificates
- 3.1.11 Falsely obtaining by any means an Awarding Body certificate.
- 3.1.12 Failing to report a suspected case of student malpractice, including plagiarism, to the Awarding Body Moving the time or date of a fixed examination.
- 3.1.13 Failure to keep examination question papers, examination scripts or other assessment materials secure, before during or after an examination
- 3.1.14 Allowing a student to possess and / or use material or electronic devices that are not permitted in the examination room.
- 3.1.15 Allowing student to communicate by any means during an examination in breach of regulations.

3.1.16 Allowing a student to work beyond the allotted examination time.

3.1.17 Leaving students unsupervised during an examination.

3.1.18 Assisting or prompting candidates with the production of answers.

4. MALADMINISTRATION EXAMPLES

- Avoidable delay e.g., in the processing of registration and certification data
- Mistakes arising from inattention or poor focus
- Faulty Procedures
- Failure to follow correct procedures
- Inadequate Training and Updating of Staff
- Poor, shoddy record keeping
- Lack of correlation between data on records and as allocated to students e.g. in relation to mark recording
- Lack of Policies to guide consistent follow up to identified issues
- Provision of misleading/inaccurate information

POSSIBLE MALPRACTICE SANCTIONS

4.1 Following an investigation, if a case of malpractice is upheld, HMFSC may impose sanctions or other penalties on the individual(s) concerned. In most cases we will report the matter to the Awarding Body, and the Awarding Body may impose one or more sanctions upon the individual(s) concerned. Any sanctions imposed will reflect the seriousness of the malpractice that has occurred.

4.2 Listed below are examples of sanctions that may be applied to a student or faculty, invigilator or other officer who has had a case of malpractice upheld against them.

Please note that

- i. this list is not exhaustive and other sanctions may be applied on a case-by-case basis.
- ii. where the malpractice affects examination performance, the Awarding Body may impose sanctions of its own.

POSSIBLE STUDY CENTRE SANCTIONS THAT MAY BE APPLIED TO STUDENTS

- a) A written warning about future conduct.
- b) Notification to an employer, regulator or the police.
- c) Removal from the course.

POSSIBLE SANCTIONS THAT MAY BE APPLIED TO FACULTY, INVIGILATORS, AND OTHER OFFICERS

- a) A written warning about future conduct.
- b) Imposition of special conditions for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of students and/or examinations.

- c) Informing any other organisation known to employ the individual in relation to the HMFSC courses or examinations of the outcome of the case.
- d) HMFSC may carry out unannounced monitoring of the working practices of the individual(s) concerned.
- e) Dismissal.

5. REPORTING A SUSPECTED CASE OF MALPRACTICE

- 5.1 This process applies to faculty, invigilators, students and other centre staff, and to any reporting of malpractice by a third party or individual who wishes to remain anonymous.
- 5.2 Any case of suspected malpractice should be reported in the first instance to The Internal Verifier and Clinical Lead at HMFSC or Diane Irvine (CEO of HMFSC), if during a course and neither are present then the course manager should be the initial contact.
- 5.3 A written report should then be sent to the person identified in 5.2, clearly identifying the factual information, including statements from other individuals involved and/ or affected, any evidence obtained, and the actions that have been taken in relation to the incident.
- 5.4 Suspected malpractice must be reported as soon as possible to the Awarding body and person identified in 5.2, and at the latest within two working days from its discovery. Where the suspected malpractice has taken place in an examination, the incident be reported urgently, and the appropriate steps taken.
- 5.5 Wherever possible, and provided other students are not disrupted by doing so, a student suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the centre.
- 5.6 In cases of suspected malpractice by centre faculty, invigilators and other officers, and any reporting of malpractice by a third party or individual who wishes to remain anonymous, the report made to the person in 5.2 should include as much information as possible, including the following:
 - a) the date time and place the alleged malpractice took place, if known.
 - b) the name of the centre teacher/tutor, invigilator or other person(s) involved
 - c) a description of the suspected malpractice; and
 - d) any available supporting evidence.
- 5.7 In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous, HMFSC will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

6. ADMINISTERING SUSPECTED CASES OF MALPRACTICE

- 6.1 HMFSC will investigate each case of suspected or reported malpractice relating to HMFSC qualifications, to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. HMFSC will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of HMFSC qualifications and reputation is taken.
- 6.2 HMFSC will acknowledge all reports of suspected malpractice within five working days. All of the parties involved in the case will then be contacted within 10 working days of receipt of the report detailing the suspected malpractice. We may also contact other individuals who may be able to provide evidence relevant to the case.
- 6.3 The individual(s) concerned will be informed of the following:
 - a) an investigation is going to take place, and grounds for the investigation;
 - b) details of all the relevant timescales, and dates, where known;
 - c) they have a right to respond by providing a personal written response relating to the suspected malpractice (within 15 working days of the date of that letter);
 - d) if malpractice is considered proven, sanctions may be imposed either by HMFSC or by the Awarding Body, reflecting the seriousness of the case;
 - e) if they are found guilty, they have the right to appeal.
 - f) HMFSC will inform the Awarding Body and other relevant authorities/ regulators, while the investigation is carried out by HMFSC. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.
- 6.4 Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.
- 6.5 The individual has a right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.
- 6.6 Records of all malpractice cases and their outcomes are maintained by HMFSC for a period of at least five years and are subject to regular monitoring and review.