

 EMS Cognito Competitive Edge Consulting	06-03-03_EMS Cognito Malpractice Policy v2.1	Written	MG
		Approved	RK
		Date	23-May-19
		Review	18-Mar-22

Change Summary

Updated to new template

23/05/19 – Updates post SQA Systems Audit

Roles and Responsibilities

All EMS Cognito Policies are to be read and understood by all staff.

Policy Overview

This document sets out EMS Cognito's policy for dealing with suspected cases of malpractice. This will be disseminated to candidates during course induction.

EMS Cognito is committed to safeguarding its reputation for the quality and credibility of its assessments, all allegations of malpractice should be investigated consistently, fairly and impartially.

Definition of Malpractice in Internal Assessment

The term 'malpractice' covers any deliberate actions, neglect, default or other practice that compromises the assessment process or the integrity of an SQA qualification delivered by EMS Cognito, the validity of an SQA certificate, or the reputation and credibility of EMS Cognito and SQA.

Malpractice by a candidate in internal assessment can occur in:

- the preparation and authentication of coursework
- the presentation of practical work
- the compilation of portfolios of internal assessment evidence
- conduct during an internal assessment

Examples of Candidate Malpractice may include:

- Plagiarism — failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own.
- Collusion with others when an assessment must be completed by individual candidates.
- Copying from another candidate (including using ICT to do so).
- Personation — pretending to be someone else. Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence.
- Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language

Examples of Centre Malpractice may include:

- Misuse of assessments, including inappropriate adjustments to assessment decisions.
- Insecure storage of assessment instruments and marking guidance.
- Failure to comply with requirements for accurate and safe retention of candidate evidence, assessment and internal verification records.

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- Failure to comply with SQA's procedures for managing and transferring accurate candidate data.
- Excessive direction from assessors to candidates on how to meet national standards.
- Deliberate falsification of records in order to claim certificates

Definition of Collusion in Internal Assessment

Collusion involves two people working together on a task that should have been done by the candidate. This could be:

- Two candidates working together on their respective assessments;
- A line manager acting as mentor for a candidate working towards their award;
- The assessor providing too much support and disempowering the candidate.

EMS Cognito encourage the excellent support that candidates can give to each other, and the crucial support that candidates get from their line manager, however, there is a very definite difference between providing support, and disempowering a candidate.

Reporting Suspected Malpractice

Candidates should report any suspected malpractice by other candidates immediately to the assessor who will pass this to the Centre Manager. Any suspected malpractice by a member of the centre staff should be reported to the Centre manager,
richard.kelly@emscognito.co.uk.

Centre staff should report suspected malpractice by candidates or by other staff members to the Centre manager, richard.kelly@emscognito.co.uk.

Investigating and Reporting Outcomes of Suspected Malpractice

All cases of suspected malpractice will be investigated by the Centre Manager. Investigations will include reviewing assessment evidence and discussions with candidates and staff members as appropriate.

Communication of the outcome to the candidate or member of staff will be done by the Centre Manager in writing within 14 days of the initial reporting. Reporting to SQA, or police if a criminal matter, will also be done by the Centre Manager if necessary.

Actions and Sanction if Malpractice is Proven

Any actions to be taken as a result of malpractice being proven through investigation will be specified clearly in the written feedback on the outcome of the investigation. Staff disciplinary procedures may be required and candidates may be reported to their managers.

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Candidates involved in an investigation of malpractice (whether candidate or centre malpractice) will not be resulted for the assessments in question until the investigation is completed, the outcome decided and any appeal concluded.

Examples of potential sanctions....

Where Plagiarism or Collusion is identified, the following courses of action may be taken:

1. In the case of proven Plagiarism or Collusion by a candidate the candidate concerned may be withdrawn from completing the award with EMS Cognito immediately, and SQA notified of the reasons for this;
2. On suspicion of Plagiarism or Collusion the candidate concerned may be issued with a warning and asked to resubmit the piece of work in full.

The Internal Verifier will make a decision on which penalty is appropriate, based on the severity of the malpractice. For example, verbatim copying of another candidates' work and presenting this as your own work will be viewed with much more severity than, for example, failing to acknowledge a source or theorist in a piece of written work.

Appeals against malpractice decisions

Candidates and staff have the right to appeal any malpractice decision against them by the Centre. Appeals should be submitted to the centre manager within 7 days. Appeals will be handled in conjunction with independent centre management and the outcome communicated within 14 days.

In addition, where malpractice is investigated by SQA, decisions can be appealed. Centres have the right to appeal a decision where a case of reported malpractice by the centre has been confirmed through investigation by SQA.

Centres also have the right to appeal a decision in the case of suspected malpractice by a candidate reported by the centre to SQA.

Candidates have the right to appeal to SQA where:

- ◆ the centre has conducted an investigation, the candidate disagrees with the outcome and has exhausted the centre's appeals process
- ◆ SQA has conducted an investigation and the candidate disagrees with the decision

Record retention

Where an investigation of suspected malpractice is carried out, the centre must retain related records and documentation for three years for non-regulated qualifications and six years for regulated qualifications. Records should include any work of the candidate and assessment or verification records relevant to the investigation.

In the case of an appeal to SQA against the outcome of a malpractice investigation, assessment records must be retained for six years.

In an investigation involving a potential criminal prosecution or civil claim, records and documentation should be retained for six years after the case and any appeal has been heard. If the

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centre is in any doubt about whether criminal or civil proceedings will take place, it should keep records for the full six year period.