

Construction Helpline

10 – Malpractice and Maladministration Policy

Version 4

Policy Statement

The term “malpractice” covers any deliberate actions, neglect, default or other practice that compromises the assessment process or the integrity of a qualification, the validity of a certificate, or the reputation of the center.

Some instances occur because of ignorance of the center’s criteria and procedures, and or because of carelessness or forgetfulness in applying them. This may itself constitute malpractice, misconduct and maladministration.

Construction Helpline Ltd (CHL) will, at all times, be vigilant regarding assessment malpractice and maladministration and where this occurs it will be dealt with in an open and fair manner. The company encourages any staff who suspects assessment malpractice/maladministration taking place to report this, in confidence, to the Head of Quality Operations (for students) and the Director of Delivery (for staff).

Any learner or staff member suspected of being involved in assessment malpractice/maladministration will, in all cases, be suspended following investigation and the appropriate disciplinary procedure will be invoked. Where malpractice occurs for formative assessment, formal warnings will be issued. Where malpractice occurs for summative assessments/exams CHL will consider termination on training/contract in line with disciplinary procedures. Learners and staff who are subject to this process and wish to appeal can do, in writing, to either the Head of Quality Assurance Operations or the Director of Director of within 7 working days. The company’s appeals procedures will then be followed.

Use of Artificial Intelligence (AI)

In accordance with Ofqual’s regulatory objectives—ensuring fairness, maintaining validity, protecting assessment security, and upholding public confidence—the use of Artificial Intelligence (AI) in assessments must be transparent, ethical, and appropriately supervised. Any use of AI that compromises the authenticity of a learner’s work, misrepresents their knowledge or skills, or undermines the integrity of the assessment process will be treated as malpractice or maladministration. Learners and staff must adhere to CHL and awarding organisation guidelines on acceptable AI use.

Preventing Malpractice

CHL will aim to prevent and discourage malpractice in assessment and maladministration in the following ways:

- Include discussion at all inductions of malpractice/maladministration policy and consequences of malpractice/maladministration including the Disciplinary Procedure
- Include references in learner and staff handbooks
- Ensure full exam conditions are met and followed for tests
- Ensure full implementation of the internal verification strategy
- Ensure 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. 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:

Minor acts of learner malpractice: Handled by the assessor by, for example, refusal to accept work for marking and learner being made aware of malpractice policy. Learner resubmits work in question.

Major acts of learner malpractice: Extensive copying/plagiarism, 2nd or subsequent offence, inappropriate for the assessor to deal with.

- 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 such as AI generated responses), 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 outcomes, etc are an essential part of team work 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 Construction Helpline Ltd 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

Staff Malpractice

The following are examples of malpractice by centre staff. The list is not exhaustive and other instances of malpractice may be considered by the company at its discretion:

- Failing to keep any mark schemes secure
- Alteration of any mark schemes
- 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 a scribe, this 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 is claiming for a certificate prior to the learner completing all the requirements of assessment
- Failing to keep assessment/examination/test papers secure prior to the assessment/examination/test

Definition of Maladministration

Maladministration is essentially any activity or practice, which results in noncompliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate candidate records).

Examples of Maladministration

The categories listed below are examples of centre and learner maladministration. Please note that these examples are not exhaustive and are only intended as guidance on our definition of maladministration:

- Failure to adhere to candidate registration and certification procedures.
- Failure to adhere to centre approval requirements and/or associated actions assigned to the centre.
- Failure to adhere to qualification or accreditation requirements.
- Late candidate registrations (both infrequent and persistent).
- Unreasonable delays in responding to requests and/or communications from awarding organisations.
- Inaccurate claims for certificates (including certificates claimed, 'in error').
- Failure to maintain appropriate auditable records (e.g. certification claims).
- Withholding of information from awarding organisations which is required to assure them of the centre's ability to deliver qualifications appropriately.
- Misuse of awarding organisation's logo or misrepresentation of a centre's relationship with them and/or its approval status.
- Failure to adhere to, or to circumnavigate, the requirements of awarding organisation's Reasonable Adjustments and Special Considerations Policy.

Dealing with Incidents of Malpractice and Maladministration

All incidents of malpractice by learners or staff will be dealt with through the Construction Helpline learner and staff discipline procedures as appropriate.

Major acts of malpractice and maladministration will be reported to the Awarding/Examining organisation following awarding organisation protocols by the Head of Quality Assurance at CHL