

Malpractice, Maladministration and Plagiarism (AI) Policy

Ratification Date: ____20/07/21____

Signed: ____AJHawkins____

Review Date: ____12/09/25____

Date of next review: September 2027

Version Control

Version	Date	Changes
V1	20/07/21	Original
V1.1	21/07/23	Fully reformatted, section headings added; updated roles and responsibilities
V1.2	04/09/24	Section 3 change from “student handbook” to “induction”, section 4 reference to ICT updated
V1.3	12/09/25	Policy renamed added ‘AI’ to title Reviewed, updated review schedule and statement; added Appendix 1 Artificial Intelligence

Review

Approved and reviewed by The Board of Directors.

This policy will be reviewed biannually, or more frequently, if necessary, to ensure that it remains up-to-date and effective. The review will take into account changes in legislation, guidance, and best practice.



1. INTRODUCTION

Malpractice consists of those acts which undermine the integrity and validity of assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification.

Liminal Education does not tolerate actions (or attempted actions) of malpractice by learners or centre staff.

Examination Boards may impose penalties and/or sanctions on learners or centres where incidence (or attempted incidents) of malpractice have been proven.

2. AIMS

All staff at Liminal must be vigilant regarding assessment malpractice and where malpractice occurs; it must be dealt with in an open and fair manner.

This policy on malpractice aims to:

- Define malpractice in the context of assessment and certification
- Set out the rights and responsibilities, with regard to malpractice of the learner, provision and examination boards.

In the interest of learners and provision staff, Liminal needs to respond effectively and openly to all requests for an investigation into an incident of malpractice. Normally, the COO (Chief Operating Officer) or their nominees are expected to supervise investigations resulting from allegations of malpractice, COOs or their nominees are required to inform learners and provision staff suspected of malpractice of their responsibilities and rights.

In suspected cases of malpractice, examination boards reserve the right to withhold the issuing of results/certificates while an investigation is in progress.

Depending on the outcome of the investigation, results/certificates may be released or withheld.

For policy on malpractice relating to GCSE, AS, GCE, AVCE, GNVQ and Key Skills qualifications see the JCQ publication Guidance for dealing with instances of suspected malpractice in examinations (www.jcq.org.uk)

3. PREVENTING AND REDUCING MALPRACTICE

Liminal takes positive steps to prevent or reduce the occurrence of learner malpractice. These steps often include:

- Using the induction period and induction to inform learners of the provision's policy on malpractice and the penalties for attempted and actual incidents of malpractice.
- Showing learners the appropriate formats to record cited text and other materials or information sources including websites. Learners should not be discouraged from conducting research; evidence of relevant research often contributes to the achievement of higher grades. However, the submitted work must show evidence that the learner has quoted appropriate information and has acknowledged any sources used.

- Introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating, etc. These procedures may include:
 - ✓ Periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the learner.
 - ✓ Altering assessment assignments/tasks/tools on a regular basis.
 - ✓ The assessor assessing work for a single assignment/task in a single session for the complete cohort of learners.
 - ✓ Using oral questions with learners to ascertain their understanding of the concepts, application etc. within their work.
 - ✓ Assessors getting to know their learner's styles and abilities, etc.
 - ✓ Ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers.
 - ✓ Assessors planning accordingly and appropriately.

4 LEARNING MALPRACTICE

Attempting to or 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.

- plagiarism by copying and passing off as the learner's own work; including using 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 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 to 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/test.
- Fabrication of results and/or evidence.
- Failing to abide by the instructions or advice of an assessor, a supervisor, an invigilator, or exam board's 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 or other similar electronic devices.
- Obtaining, receiving, exchanging or passing of 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.
- Assessors must be vigilant when pupils access the shared areas of the ICT system.

5. PROVISION STAFF MALPRACTICE

The following are examples of malpractice by centre staff. The list is not exhaustive and other instances of malpractice may be considered.

- Failing to keep 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 work, 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 an amanuensis, 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, this is claiming for a certificate prior to the learner completing all the requirements of assessment.
- Failing to keep assessment/examinations/test papers secure prior to the assessment/examination/test.
- Obtaining unauthorised access to assessment/examination/test material prior to an assessment/examination/test.

6. INVESTIGATING ALLEGED MALPRACTICE

When dealing with alleged malpractice in a centre, examination boards will deal primarily with the COO or a nominated representative. The examination boards may require full access to the centre for investigation purposes.

As part of the investigation the examination board retains the right to:

- Involve the learner and others in the investigation process.
- Deal with the learner (if aged 18 or above) and/or the learner's representative.

This may occur, for example, when a learner's account of events is at a variance with that of the provision. Where learners aged 18 or under are involved, they may wish to be assisted by provision personnel, parents or guardians.

During the investigation period, the examination board may:



- Refuse learner registrations/entries
- Withhold the release of results/certificates
- Withhold test/examination papers if the security of a test/exam is considered a risk.
- Pending the outcome of the investigation.

If malpractice is discovered by an external representative (e.g. moderator) or has been reported directly to the examination board by a third party, the examination board will conduct an investigation in a form adequate with the nature of the malpractice allegation. Such an investigation will require the full support of the COO and all personnel linked with the allegation.

7. MALPRACTICE DISCOVERED BY THE PROVISION

Centres are required to have in place a provision policy on malpractice relating all qualifications.

For all qualification, any malpractice or attempted acts of malpractice which have influenced the assessment outcomes must be reported by the centre to the examinations board.

For all qualifications, any alleged incident of malpractice brought to the examination boards attention after the issue of certificates will result in a full investigation by the examination board. Depending on the outcome of the investigation, certificates may be recalled and declared invalid.

8. DEALING WITH MALPRACTICE

It is the responsibility of the COO and their nominees to carry out an investigation into allegations of malpractice, investigations into alleged malpractice against the COO will normally be conducted by the CEO of Liminal, or an appointed nominee. The alleged incident must be reported to the examination board at the earliest opportunity.

The examination board reserves the right to carry out an independent investigation in full under any circumstances of alleged malpractice relating to a centre and full cooperation from the provision will be expected.

If Liminal discovers or suspects anyone of malpractice, the provision must make the individual fully aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven.

If Liminal is alleging an individual may have been involved in an act of malpractice, the provision must give the individual the opportunity to respond (preferably in writing) to the allegations made.

Liminal must also inform such individuals of the avenues for appealing should a judgement be made against them.

The examination board has the right to access any documents held by the provision in relation to alleged malpractice. Also, the examination board may report certain cases to the regulatory authorities (e.g. where members of staff are found to have committed malpractice) and include details of the action taken by the COO. It may be necessary during this process to notify the funding authorities and for the examination board to share information with other awarding bodies.

The examination board may have to notify the police in some cases of malpractice.

Teachers will:

- Seek to avoid potential malpractice by informing learners of the malpractice policy and the penalties for attempted and actual incidents of malpractice.
- Teach learners the appropriate formats of how record cited texts and other materials or information sources and provide evidence that they have acknowledged any sources used.
- Ensure learners are able to declare that their work is their own.
- Conduct an investigation following the policy procedure if required to do so after seeking advice from the Leadership team and the exams officer. All stages must be recorded and kept. The procedures to be followed are outlined in the Malpractice policy.
- Make the individual fully aware at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven.
- Give the individual the opportunity to respond to the allegations made and the individual of the avenues for appealing against any judgement made.
- Ensure that any sanction awarded will be in accordance to the policy and awarding the body.

Definition of Malpractice by Learners:

- Plagiarism of any nature
- Collusion by working collaboratively with other learners to produce work that is submitted as an individual learners work.
- Copying (including the use of ICT to aid copying)
- Deliberate destruction of another's work.
- Fabrication of results.
- False declaration of authenticity in relation to the contents of a portfolio of coursework.
- 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.

Definition of Malpractice by Provision Staff:

- Improper assistance to candidates
- Inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the candidate achievement to justify the marks given or assessment decisions made.
- Failure to keep candidate coursework/portfolios of evidence secure.
- Fraudulent claims for certificates or claiming for a certificate prior to the learner completing all the requirements of assessments
- Inappropriate retention of certificates.
- 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 provision staff producing work for the learner.
- Producing falsified witness statements, for example for evidence the learner has not generated.
- Allowing evidence which does not belong to the learner to be included in a learner's assignment/task/portfolio/coursework.
- Facilitating and allowing impersonation.
- Misusing the conditions for special learner requirements, for example permissible up to the point where the support has the potential to influence the outcome of the assessment.
- Falsifying records/certificates, for example by alteration, substitution, or by fraud.



Appendix 1 – Artificial Intelligence (AI):

The following extracts are taken from the Joint Council for Qualifications guidance, “AI Use in Assessments: Protecting the Integrity of Qualifications” (2023)

<https://www.jcq.org.uk/exams-office/malpractice/artificial-intelligence/>

“AI use refers to the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications.

While the range of AI tools, and their capabilities, is likely to expand greatly in the near future, misuse of AI tools in relation to qualification assessments at any time constitutes malpractice.

Teachers and students should also be aware that AI tools are still being developed and there are often limitations to their use, such as producing inaccurate or inappropriate content.

AI chatbots [such as ChatGPT] are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided. AI chatbots respond to prompts based upon patterns in the data sets (large language model) upon which they have

been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- *Answering questions*
- *Analysing, improving, and summarising text*
- *Authoring essays, articles, fiction, and non-fiction*
- *Writing computer code*
- *Translating text from one language to another*
- *Generating new ideas, prompts, or suggestions for a given topic or theme*
- *Generating text with specific attributes, such as tone, sentiment, or formality [...]*

[...] The use of AI chatbots may pose significant risks if used by students completing qualification assessments. As noted above, they have been developed to produce responses based upon the statistical likelihood of the language selected being an appropriate response and so the responses cannot be relied upon. AI chatbots often produce answers which may seem convincing but contain incorrect or biased

information.

Some AI chatbots have been identified as providing dangerous and harmful answers to questions and some can also produce fake references to books/articles by real or fake people.” (p.2)

JCQ definition of AI misuse:

“Including, but not limited to:

- “Copying or paraphrasing sections of AI-generated content so that the work is no longer the student’s own
- Copying or paraphrasing whole responses of AI-generated content
- Using AI to complete parts of the assessment so that the work does not reflect the student’s own work, analysis, evaluation or calculations
- Failing to acknowledge use of AI tools when they have been used as a source of information
- Incomplete or poor acknowledgement of AI tools
- Submitting work with intentionally incomplete or misleading references or bibliographies.” (p.3)

AI misuse constitutes malpractice as defined in the [JCQ Suspected Malpractice: Policies and Procedures](#).

The malpractice sanctions available for the offences of ‘making a false declaration of authenticity’ and ‘plagiarism’ include disqualification and debarment from taking qualifications for a number of years.

Students’ marks may also be affected if they have relied on AI to complete an assessment and, as noted above, the attainment that they have demonstrated in relation to the requirements of the qualification does not accurately reflect their own work.”