

NCA Malpractice / Maladministration and Plagiarism Policy

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1. Malpractice / Maladministration and Plagiarism Policy

Malpractice / Maladministration, including plagiarism and non-compliance involves any deliberate action, neglect, default, or other practice that compromises the assessment process or the integrity of an awarding body qualification, or damages the reputation and credibility of the Nishkam Civic Association (NCA).

Malpractice incidents may be intentional and aim to give unfair advantage in an exam or assessment situation (deliberate non-compliance). Some may result due to ignorance of awarding body requirements, carelessness, or forgetfulness in applying exam or assessment requirements (maladministration). Staff and students should refer to relevant awarding body policy, procedures, or guidance on dealing with the malpractice/maladministration/plagiarism of internally assessed qualifications.

If malpractice occurs this could lead to disciplinary action being taken. This Malpractice Policy and Procedures should therefore be read in conjunction with the Organisation's Disciplinary Policies.

2. Awarding Body Requirements

To comply with awarding body requirements a system and procedures for recording suspected instances of malpractice and plagiarism must be in place.

This information will be available for awarding body quality assurance activities on request. In addition, for those qualifications that are subject to statutory regulation by Ofqual, NCA is required to report any suspected case of malpractice to the relevant awarding body.

2.1 Reporting malpractice/maladministration and plagiarism to awarding bodies

Following an investigation by a curriculum area into alleged malpractice/maladministration, the Operations Manager or a nominated Senior Manager will submit a written report to the awarding body accompanied by the following documentation:

- A detailed account of the circumstances of the alleged malpractice and details of any investigations carried out
- Written statements from relevant centre staff, candidates or third parties
- Any work of the student(s) and internal assessment or verification records relevant to the investigation
- The investigation findings identifying the nature and implications of any malpractice identified
- Any remedial action being taken by the NCA to ensure integrity of certification now and in the future

2.2 Student Malpractice

Malpractice by a student in internal assessment could take place during the:

- preparation and authentication of coursework
- presentation of practical work
- compilation of portfolios of internal assessment evidence
- internal assessment

The following examples of student malpractice are not exhaustive. Staff should be vigilant to other forms of suspected malpractice that could affect the integrity of qualifications. These can include:

- Impersonation – pretending to be someone else
- Plagiarism – failure to acknowledge sources and/or the submission by a student, of another person’s work, claiming it to be their own
- Collusion with others when an assessment has to be completed individually
- Copying from another student
- Presenting inappropriate, offensive, discriminatory, or obscene materials as assessment evidence
- Inappropriate behaviour during an internal assessment that causes disruption to others
- Interference with or destruction of another student’s work
- Use of unauthorised items. Physical possession of unauthorised mobile devices, MP 3 players, digital watches, notes etc

2.3 Artificial Intelligence (AI)

This is defined as artificial intelligence (AI) use which signifies a lack of independence – for example, using AI to generate or significantly change work where a learner is required to submit their own independent work and thinking.

This includes:

Direct copying – submitting work which is copied or paraphrased from AI-generated content without adequate personal input.

Unauthorised assistance – using AI tools to help with tasks which are directly related to assessment objectives. For example, if a learner is being assessed on structure of an essay, then AI must not be used to help structure the essay. Assessments objectives must be demonstrated independently by the learner.

Disclosure – Not accurately disclosing the use of AI tools in the creation of submitted work.

Referencing – When generating information or creative media from a generative AI source, learners must understand that outputs are based upon an individual’s original work. This should be appropriately credited by full and accurate referencing.

Verification – Information gathered from generative AI being used without checking sources are accurate or do not accurately reflect the content/intent of the referenced material.

Learners must submit work which is their own, and that submitting work which is not their own, and/or which shows other AI misuse, will be investigated for potential malpractice and could result in disqualification from an assessment, or qualification overall.

2.4 NCA Malpractice/Maladministration

NCA Malpractice, Maladministration, and non-compliance in relation to internal assessments can include:

- Unfair discrimination in assessment on grounds of: Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion and belief, Sex (Gender) or Sexual orientation and failure to make reasonable adjustments for access to assessment
- Misuse of assessments, including inappropriate adjustments to assessment materials, processes, or assessment decisions
- Excessive over-direction or collusion with students on how to meet national standards
- Insecure storage of assessment instruments and specimen answers
- Unauthorised copying or distributing of exams or assessments
- Failure to assess or internally verify in accordance with awarding body requirements
- Failure to record results on completion of assessments
- Failure to comply with the internal Retention of Evidence and Assessment

2.5 Records Policy

- Failure to comply with awarding body procedures for maintenance of accurate assessment records
- Failure to comply with awarding body procedures for managing and transferring accurate student data
- Deliberate falsification of the NCA’s Records of Achievement (RoA) or results data

2.6 Retention of Malpractice/Maladministration records

Normally records and documentation of Malpractice/Maladministration must be retained for three years. However, where there is an appeal to an Awarding Body the timescale is extended to five years. Records must include:

- A report containing a statement of the facts, a detailed account of the circumstances of the alleged malpractice, maladministration or non-compliance and details of any investigations carried out by the Academic Director, Senior Manager or Curriculum Manager
- Written statements from staff and students involved
- Internal assessment and verification records related to the investigation
- Details of any actions NCA will take to prevent similar instances occurring in the future

Where the alleged malpractice/maladministration may have involved any criminal activity, the Police should be informed, and they may conduct their own investigations. A decision to contact the Police will be made by the NCA's Senior Leadership. However, if an internal investigation involves a criminal prosecution or civil claim all records and documentation should be retained for five years after the case and any appeal has been heard.

Procedures for Dealing with Allegations of Student Malpractice

The procedures for handling student malpractice allegations involve the following stages:

Stage 1 – Allegation and NCA response

If a staff member suspects student malpractice, they must:

- Bring it to the attention of the Apprenticeship Lead
- Provide a full account of the allegation of malpractice in written report
- Pass the completed Student Assessment Malpractice report with accompanying evidence to the relevant Manager or Director

The completed report and the evidence of suspected student malpractice will be reviewed by the Academic Director who will decide on the appropriate course of action and if required will appoint an investigating Manager.

The review must be concluded, and the review decision conveyed to all parties involved in the allegation within 2 working days of receipt of the student malpractice allegation.

In the case of an investigation taking place the relevant Curriculum Manager will:

- Confirm students are aware of NCA policies on malpractice and student discipline, their responsibilities, and their rights during any investigation into alleged malpractice
- Ensure student results are not processed during the course of any investigation and possible appeal
- Apply appropriate action when a case of suspected student malpractice has been upheld
- Review future practice of internal quality assurance procedures to minimise the risk of further malpractice taking place

Stage 2 – Investigation

Any investigation of an alleged student malpractice should:

- Be carried out by the investigating Manager within 5 working days of receipt of the NCA Director's decision to investigate the alleged malpractice
- Identify and, if necessary, take action to minimise the risk to current students and requests for certification
- Complete the Student Malpractice Investigation Report including:
 - A detailed account of the circumstances of the alleged malpractice; a record of discussions conducted with students and/or staff, details of how the investigation was conducted; the findings of the investigation and recommendations including any remedial action taken to protect the integrity of the Company
 - Attach any written statements gathered from staff and students
 - Attach any work of the students and internal assessment or verification records relevant to the investigation
 - Identify evidence to support any recommended actions
 - Pass the completed Student Malpractice Investigation Report and supporting evidence to the NCA Director

Stage 3 – Report and decision

Within 5 working days of receipt of the completed Student Malpractice Investigation Report the NCA Director will record their decision on the Student Malpractice Investigation Report identifying any:

- remedial action, or
- disciplinary action as outlined in the Student Disciplinary Policy and Procedures

Stage 4 – Communicating the decision

Within 5 working days of making a decision on the findings of the investigation the Operations Manager will inform all parties involved including Director of the outcome in writing.

Stage 5 – Appeals against student malpractice decisions

All appeals against malpractice decisions will be conducted through the Student Disciplinary Policy and Procedures.

3. Procedures for Dealing with Allegations of the Malpractice

The procedures for handling NCA malpractice or maladministration allegations involve the following stages:

Stage 1 – Allegation and NCA response

If a staff member suspects NCA malpractice/maladministration they must:

- Bring it to the attention of Operations Manager
- Provide a full account of the allegation of malpractice/maladministration in a report
- Pass the completed report with accompanying evidence to the NCA Director

The completed report and the evidence of suspected centre malpractice/maladministration will be reviewed by the Academic Director who will decide on the appropriate course of action. The NCA Director may:

- Initiate an investigation in accordance with the NCA malpractice procedures, ensuring the investigation is independent and avoids any conflicts of interest
- Withhold the issuing of certificates until the outcome of the investigation has been completed

The review must be concluded, and the review decision conveyed to all parties involved in the allegation within 2 working days of receipt of the centre malpractice allegation.

Stage 2 – Investigation

Any investigation of an alleged centre malpractice/maladministration should:

- Be carried out by the NCA Director within 5 working days of the decision to investigate the alleged Centre malpractice
- Identify and, if necessary, take action to minimise the risk to current students and requests for certification

Complete the Centre Malpractice/Maladministration Investigation Report including:

- A detailed account of the circumstances of the alleged malpractice; a record of discussions conducted with students and/or staff, details of how the investigation was conducted; the findings of the investigation and recommendations including any remedial action taken to protect the integrity of the NCA
- Attach any written statements gathered from personnel relevant to the investigation
- Identify and attach any further evidence relevant to the investigation
- Identify and attach evidence to support any recommended actions

Stage 3 – Report and decision

Within 5 working days of concluding the investigation of alleged the NCA malpractice/maladministration, the Operations Manager will:

- Determine appropriate action to be taken

If a recommendation is to consider staff discipline the NCA Director will:

- Pass the completed Centre Malpractice/Maladministration Investigation Report and supporting evidence to the Operations Manager for action

Stage 4 – Communicating the Decision

Within 5 working days of making a decision on the findings from their investigation the Manager will inform all parties including the Director of the outcome in writing.

Stage 5 – Appeals against Malpractice Decisions

All appeals against centre malpractice decisions will be conducted through the Staff Disciplinary Policy and Procedures.

3.1 Summary Timeline

Stage		Next Stage	
1.	Allegation and NCA response	A review resulting in either no further action or passed on for investigation within 2 days of receiving the allegation	Investigation
2.	Investigation	To be carried out by the appropriate person within 5 working days of the review decision being reached and communicated.	Investigation Report
3.	Report and decision	Complete the appropriate Investigation Report	Communicating the decision
4.	Communicating the decision	Decision to be communicated to all parties concerned within 5 working days of the completion of the investigation.	Appeals
5.	Appeals	Via either Student Disciplinary Policy and Procedures or Staff Disciplinary Policy and Procedures	Communicate with Awarding Body/s
6.	Communicating with awarding Body/s	If applicable a written report will be submitted to the Awarding Body concerned by the NCA Director or a nominated Manager	

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Staff Affected	Staff, Apprentices and Learners
Lead Officer	NCA Director
Approved by Name	Board of Trustees
Signature	Professor Upkar Pardesi (OBE) (Chairman)
	