

CODE OF CONDUCT

MALPRACTICE IN EXAMINATIONS (including Plagiarism) ¹

In line with the JCQ Policy and Procedures on “Suspected Malpractice in Examinations and Assessments” (on the JCQ website - <http://www.jcq.org.uk/exams-office/malpractice>), Brent Start will not permit any act, either by staff or students which is in breach of these regulations. Malpractice is defined as ‘any act or practice which is a breach of the JCQ Regulations or which:

- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; **and/or**
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.’

Centre staff malpractice

This means:

- any suspected malpractice committed by any member of staff or contractor (whether employed under a contract of employment or a contract for services) at a centre; **or**
- an individual appointed in another capacity by a centre such as an invigilator, an Oral Language Modifier, a practical assistant, a prompter, a reader, a scribe or a Sign Language Interpreter.

Definition of maladministration

- Maladministration is essentially any suspected activity or practice which results in non-compliance with administrative regulations and requirements, and includes the application of persistent mistakes or poor administration (for example inappropriate learner records).

In order to prevent maladministration and malpractice Brent Start will have in place the following:

- Clear procedure for preventing and investigating incidents of malpractice or maladministration which is up to date and communicated across the centre, satellite centres and partners;
- Regular reviews of procedures for preventing and investigating incidents of malpractice or maladministration and make any improvements necessary to ensure they remain relevant and fit for purpose;
- Take all reasonable steps to prevent incidents of malpractice or maladministration from occurring;
- Take all reasonable steps to investigate any suspected incidents of malpractice or maladministration and rectify any negative impact of these incidents;
- Develop an action plan for managing and rectifying the negative impact of any incidents of malpractice or maladministration and make this action plan available to the relevant awarding body as required, identifying any areas of improvement required to ensure the malpractice or maladministration does not recur in the future;
- Take appropriate and proportionate action against those responsible for the malpractice or maladministration to ensure it does not recur in the future;
- Deliver, in full, the actions required to manage and rectify any identified incidents of malpractice or maladministration.

¹ Updated 20th November 2024

Candidate malpractice

This means malpractice by a candidate in the course of any examination or assessment, including the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper.

Maladministration and/or malpractice procedure

Any suspected instance of maladministration or malpractice should be reported to the Exams Officer and the Quality Manager, who will then report this to the relevant awarding organisation, prior to any investigation being undertaken.

The Exams Officer will:

- notify the appropriate awarding body at the earliest opportunity;
- complete the relevant forms to notify the awarding body of the incident.
- Communicate to the awarding body the results of all investigations resulting from the incident;
- respond speedily and openly to all requests for information related to an investigation into any allegation;
- inform staff members and candidates of their individual responsibilities and rights as set out in JCQ guidelines;
- submit a full written report of the case as required to the relevant awarding body
- pass on to the candidates concerned any warnings or notifications of penalties, and ensure compliance with any requests made by the awarding body as a result of any incident.

The Quality Manager will:

- Undertake an investigation to determine whether any member of staff is involved and, if so, the extent of that involvement;
- Determine whether disciplinary action is required and, if so, liaise with Brent Council HR on the process and the nomination of an investigating officer;
- ensure that, if it is necessary to delegate an investigation to a senior member of centre staff, the senior member of staff chosen is independent, and not connected to the department or candidate involved;
- respond speedily and openly to all requests for an investigation into any allegation;
- co-operate, and ensure that staff do so, with an enquiry into any allegation, whether the centre is directly involved in the case or not;
- inform staff members of their individual responsibilities and rights as set out in JCQ guidelines;
- pass on to any member of staff concerned any warnings or notifications of penalties, and ensure compliance with any requests made by the awarding body as a result of any incident.

Rights of accused any individual(s) suspected of malpractice

Where there is sufficient evidence to implicate an individual in malpractice, that individual, whether a candidate or a member of staff, accused of malpractice will:

- be informed (preferably in writing) of the allegation made against her/him;
- be advised that a copy of the JCQ publication "Suspected Malpractice in Examinations and Assessments: Policies and Procedures" can be found on the JCQ website - <http://www.jcq.org.uk/exams-office/malpractice>

- be clearly informed of what evidence there is to support that allegation;
- be clearly informed of what the possible consequences should malpractice be proven;
- have the opportunity to consider their response to the allegations (if required);
- have an opportunity to submit a written statement;
- be clearly informed of what that he/she will have the opportunity to read the submission and make an additional statement in response;
- have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required);
- be clearly informed of the applicable appeals procedure, should a decision be made against him or her;
- be clearly informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators, the Police and/or professional bodies including the Teaching Agency as appropriate.

Plagiarism

Plagiarism is any attempt by a student to pass off the work of others as their own, whether this be the work of other students or material from other sources, including the use of Artificial Intelligence software such as ChatGPT. It is a serious issue dealt with under the JCQ procedure for malpractice in examinations and more detailed information is provided on the JCQ website at: <http://www.jcq.org.uk/exams-office/malpractice>.

In order to prevent instances of plagiarism, tutors need to adhere to the following guidelines:

1. Course Information should clearly warn students that plagiarism is a serious offence.
2. It is expected that coursework planning takes place under controlled conditions and in all cases evidence of progress in coursework is seen and logged by staff.
3. Coursework submitted without independent evidence of authorship cannot be accepted. Staff should be able to act as a source of independent evidence.
4. All coursework should clearly list sources of assistance, references and quotations.
5. Student should, where this forms a necessary part of the coursework preparation, be taught how to refer to secondary sources in their work using bibliographies and/or footnotes.
6. Students should be instructed to take reasonable care of the security of their work. Passwords should be confidential. All students should change their generic password before storing examined material on a database.
7. The signing of authentication or candidate declaration forms should be treated formally with an opportunity to reflect on the content.

Plagiarism should be dealt with in two contexts:

1. **Formative work** on the course where the student has deliberately submitted the work of others as their own.
2. **Examined coursework or assessments** where the student has declared the work of others to be their own.

1. Formative work

Where there is clear evidence of plagiarism the following action should be taken.

1. The evidence of plagiarism should be presented to the student, and the tutor should ask the student to explain the reasons for this evidence.
2. The evidence base should be the student's submission and the source from which it has been plagiarised.
3. Should the student's explanation be unsatisfactory the tutor should issue a caution and point out that this is not an acceptable practice.
4. The student should show an awareness of the seriousness of the issue.

5. The Tutor should inform the Programme Leader of case of plagiarism.
6. The student should be clearly warned about the consequences of plagiarism in examined coursework.
7. If another student has colluded in the plagiarism (eg. willingly allowed their work to be copied) they should also be cautioned and the potential disqualification from examined assessment be explained.

2. Examined Coursework or assessment, including controlled assessment

Once a student has signed a Candidate Declaration Form or its equivalent, that is a legal declaration that the student's work is his or her own. Plagiarism previous to this point should be dealt with as under 1 above. Subsequent to signing the authentication form, the following steps should be taken.

1. The tutor will consult with the Programme Leader who will then present the student with the evidence of plagiarism and ask for an explanation.
2. The evidence base should be the student's submission and the source from which it has been plagiarised.
3. The evidence and the admission will then be given to the Quality Manager – Teaching and Learning who will communicate with the Examining Board according to the rules of that board governing instances of malpractice.²
4. The Examining Board will take the decision with regard to partial or total disqualification from that exam or award.
5. Other Examining Boards may be contacted to inform them of the instance of malpractice.
6. If a tutor is aware of malpractice during a controlled assessment, and before the authentication forms have been signed by the student(s), a note should be included on the authentication form or cover sheet to explain the extent to which the final submission is not the student's own work.

Use of Artificial Intelligence (AI) in Assessments

Permitted Use of AI:

AI tools, such as generative AI or predictive algorithms, may only be used in assessments where explicitly authorised by awarding organisations. Any use must comply with the specific conditions set by the awarding body and must not undermine the integrity, authenticity, or reliability of the assessment process.

Where AI use is permitted, students must:

- Clearly disclose its use in their submitted work, including specifying the tool used and the nature of its contribution.
- Ensure that the work is their own and that AI support has not compromised originality or independence.

Prohibited Use of AI:

The unauthorised use of AI tools in assessments is strictly prohibited. Examples include, but are not limited to:

- Using AI to generate written responses, calculations, or any part of the assessment material without explicit permission.
- Employing AI to manipulate or enhance answers post-submission without proper disclosure or authorisation.
- Relying on AI-generated content as a substitute for a student's own knowledge and understanding.

² The precise rules for malpractice and plagiarism may vary depending on the Examining Board. The Examining Officer or Moderator for that course should be contacted for clarification where there is any uncertainty.

Any unauthorised or inappropriate use of AI tools in assessments will be treated as malpractice. This includes, but is not limited to:

- Submitting work generated or substantially influenced by AI without appropriate disclosure.
- Falsifying the origin or authenticity of assessment submissions.

Brent Start students are encouraged to seek clarification from their tutors regarding the permissibility of AI use in specific assessments. Cases of malpractice will be investigated in line with the Brent Start's procedures and may result in sanctions, up to and including disqualification from the qualification.