



WEA Policy for Malpractice (in Teaching, Learning and Assessment)

1. Purpose

- ◁ To set out definitions/interpretations of malpractice in relation to teaching, learning and assessment
- ◁ To set out the rights and responsibilities of learners, tutors, assessors, IQAs and education staff in relation to malpractice in relation to teaching, learning and assessment
- ◁ To set out procedures for handling suspected malpractice in relation to teaching, learning and assessment

2. Values

- ◁ Every effort should be made to ensure learners, tutors, assessors and IQAs are informed about appropriate study approaches to prevent the incidence of malpractice in teaching and learning
- ◁ Information about appropriate study approaches and malpractice in teaching and learning should be expressed and explained in language and situation appropriate to each individual learner
- ◁ Any suspected incidence of malpractice in teaching and learning should be investigated in a manner that supports the individual to understand and account for the incident without pre-judgement.

3. Scope and Definitions

Malpractice constitutes any act or practice (whether deliberate or resulting from neglect) that disrupts fair and equal opportunity for assessment or examination or which is a breach of awarding body requirements 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 the provider or awarding body

Learners:

Examples of learner malpractice include:

- ◁ breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment — including early and unauthorised access to, removal of and sharing of assessment materials
- ◁ collusion with others when a task or assessment must be completed by an individual
- ◁ copying from others when a task or assessment must be completed by an individual
- ◁ inappropriate behaviour in an assessment that is disruptive and/or disrespectful to others. This includes talking, shouting and/or aggressive behaviour or language



appropriate assistance for any meeting, e.g. use of electronic note-takers or BSL interpreters.

- ◁ Alternatively, the disciplinary process may be conducted by email or in writing.

Any suspected cases of centre malpractice must be reported to the awarding body immediately.

All awarding bodies expect centres to bring concerns of candidate malpractice related to internal assessment to their attention if:

- ◁ the concern came to the centre's attention after submission of internal assessment marks
- ◁ the concern relates to candidate malpractice for a qualification regulated by SQA Accreditation, Ofqual or Qualifications Wales
- ◁ any candidate affected by a centre's candidate malpractice decision, who — having exhausted their right of appeal within the centre — wishes to exercise their right of appeal; or
- ◁ there are other exceptional circumstances, e.g. the centre believes that the malpractice case involves a criminal act.

The matter must also be reported to the police if the malpractice involves a criminal act.

NB: Care must be taken when dealing with vulnerable and inexperienced learners. Where behaviour is not clearly deliberate, the learner will receive support and have an opportunity to re-submit work. If improvements are not made, the learner should be advised that formal disciplinary proceedings will commence.

Stage 3 Outcomes

1. Allegations of cheating, malpractice and/or deliberate plagiarism will be reported to the Awarding Body in writing.
2. Where Awarding Body Regulations have been contravened, then a representative of the Awarding Body will be invited to the centre to discuss the matter.



Candidates have the right to appeal to the awarding body where:

- < the WEA has conducted an investigation, the candidate disagrees with the outcome and has exhausted the centre's appeals process
- < the awarding body has conducted an investigation and the candidate disagrees with the decision.

8. The decision of the Awarding Body is final.

Record Retention

Where an investigation of suspected malpractice is carried out, the WEA must retain related records and documentation for three years. Records should include any work of the candidate and assessment or verification records relevant to the investigation. In the case of an appeal to the awarding body 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 WEA is in any doubt about whether criminal or civil proceedings will take place, it will keep records for the full six year period.

Date of this Review	Date of next Review	Policy reviewed and updated by:	Policy approved by:
July 2023 January 2024	July 2024	EME and Accreditation Manager	Director of Quality and Student Services