

Reference Number: UHB 085 Version Number: 2	Date of Next: 9 th Nov 2019 Previous Trust/LHB Previous Reference Number: N/A
Academic Malpractice and Fair Assessment in the Delivery of Credit Based Learning Procedure	
<p>Introduction and Aim</p> <p>It is the responsibility of the UHB to be vigilant about assessment malpractice, to be open and prompt in reporting possible instances of malpractice to the Awarding Body. The UHB is expected to work with the Awarding Body to put in place an appropriate investigation process, which may be led by the UHB depending on the nature and severity of the reported malpractice. Additionally, the UHB is required to ensure fair assessment of learners is encompassed in the delivery and assessment of Quality Assured Lifelong Learning Units and qualifications within the Credit and Qualifications Framework for Wales, also known as accredited learning.</p> <p>As a centre delivering accredited learning, the UHB is required to have a malpractice and fair assessment procedure. This is part of the UHB's recognition process, to ensure that appropriate measures are taken to identify malpractice, investigate, and subsequently take action as appropriate. Malpractice and unfair assessment is detrimental to the UHBs reputation as an awarding body recognised centre and opposes the UHB values.</p>	
<p>Objectives</p> <ul style="list-style-type: none"> • To maintain academic standards in the organisation. • To ensure that all staff involved in the administration, delivery and assessment of credit based learning understand their personal responsibilities to prevent malpractice. • To ensure all staff completing a credit based learning unit or qualification are assessed fairly and offered adjustments in line with the awarding body's procedures. 	
<p>Scope</p> <p>The following procedure covers all UHB employees, learners, assessors, administrators, internal verifiers and qualified internal verifiers. These roles are integral for the development, delivery, assessment and certification of credit based learning.</p>	
Equality Impact Assessment	An Equality Impact Assessment both positive and no impact.
Health Impact Assessment	A Health Impact Assessment (HIA) has not been completed as it is not applicable.
Documents to read alongside this Procedure	Disciplinary Policy Procedure for NHS Staff to Raise Concerns

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	<p>Dignity at work Process.</p> <p>Whistle blowing policy</p> <p>Recognition of Prior Learning Policy.</p> <p>Agored Cymru Complaints Policy</p> <p>http://www.agored.cymru/File/3676</p> <p>Agored Cymru Malpractice and Maladministration Policy</p> <p>http://www.agored.cymru/File/3681</p> <p>Agored Cymru Reasonable Adjustments to Assessment Policy</p> <p>http://www.agored.cymru/File/3693</p> <p>Agored Cymru Plagiarism Policy</p> <p>http://www.agored.cymru/File/3682</p> <p>Agored Cymru Retention of Assessment Material Policy</p> <p>http://www.agored.cymru/File/3684</p> <p>Agored Cymru Special Considerations for Assessment Policy</p> <p>http://www.agored.cymru/File/3686</p> <p>Agored Cymru Sanctions Policy</p> <p>http://www.agored.cymru/File/3685</p> <p>Agored Cymru Whistleblowing Policy</p> <p>http://www.agored.cymru/File/3869</p> <p>Agored Cymru Recognition of Prior Learning (RPL) Policy and Procedure</p> <p>http://www.agored.cymru/File/3683</p> <p>Credit and Qualifications Framework for Wales</p> <p>http://gov.wales/topics/educationandskills/qualificationsinwales/creditqualificationsframework/?lang=en</p>
Groups Consulted	<p>Employment Policy Sub Group</p> <p>Clinical Boards</p> <p>Executive Directors</p> <p>Workforce and OD</p> <p>Staff Representatives</p> <p>Equality Manager</p> <p>Welsh Language Officer</p> <p>Rainbow Flag Network</p> <p>Agored Cymru</p>

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Outcome of Consultation	To insert
Accountable Executive or Clinical Board Director	Executive Director of Workforce and OD
Author(s)	LED Manager for Health Care Support Worker Development. Unison
<p><u>Disclaimer</u> If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the Governance Directorate.</p>	

Summary of reviews/amendments			
Version Number	Date Review Approved	Date Published	Summary of Amendments
1	13 th September	2011	New policy
2	09 th November	2016	Replaces previous Academic Malpractice in The Delivery of Credit Based Education Policy in line with current UHB format. It includes new sections: responsibilities and ensuring fair assessment through adjustments and special circumstances.

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1	DEFINITIONS
1.1	<p>Malpractice is non-compliance with the awarding body regulations pertaining to the assessment procedures and maladministration which may adversely affect the integrity of a qualification, award of credit and UHB's centre recognition.</p> <p>Examples of malpractice covered by this procedure include (but are not limited to):</p> <ul style="list-style-type: none"> • Assisting learners in the production of work for assessment to an extent that the work completed unduly influences the outcome i.e plagiarism. • Producing false evidence or written work that is not the work of the learners to meet the assessment requirements • Allowing evidence, which the member of staff knows does not to belong to the learners, to be submitted for assessment • Permitting impersonation • Misusing the conditions for special requirements • Maladministration leading to fraudulent certificate claims • Failing to retain learners' work or evidence for the required period of time specified by the awarding body. • Failure to provide a fair assessment.
1.2	<p>A fair assessment gives learners equitable opportunities to demonstrate knowledge and competence.</p> <p>All assessments must meet the following principles, regardless of the method of assessment used to evidence learners' knowledge. For this to occur assessments must be: valid, authentic, reliable, and standardised and minimise bias. This can be achieved by following the awarding body's assessment guidelines.</p>

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1.3	<p>An awarding body is an organisation that designs, develops and awards the recognition of learning outcomes following a robust assessment and quality assurance process.</p> <p>Awarding bodies covered by this Procedure include:</p> <ul style="list-style-type: none"> • Agored Cymru • City and Guilds • EdEXCEL
2	Responsibilities and Implementation
2.1	<p>It is the responsibility of all employees delivering, assessing, administrating or undertaking accredited learning to be aware of malpractice and fair assessment prior to commencing involvement with an awarding body.</p> <p>The UHB has the responsibility to train staff in conducting fair and robust assessment. This can be achieved through internal and external training and through recognising prior assessment qualifications. The assessor must meet the awarding bodies' requirements which are specific to each accredited learning unit and qualification. An assessor can be a UHB employee who meets the awarding bodies assessment criteria with an appropriate assessment qualification or training.</p> <p>Additionally, the UHB has the responsibility to provide quality assurance to the awarding bodies through robust internal verification. This is achieved through the identification and training of appropriate staff who assess the assessment process, increasing rigour and ensuring standardisation within the UHB. This supports the external verification and quality assurance requirements from awarding bodies.</p> <p>Each clinical board delivering accredited learning should have a qualified internal verifier (QIV) (previously known as approved internal verifier) in order to approve learner certification and to complete quality assurance and standardisation. Each QIV within the UHB should have an appropriate qualification in accordance to the awarding bodied requirements. If an area delivering accredited learning do not have a QIV they should identify a QIV prior to course commencement and aim to identify an employee to complete the QIV qualification. The QIV must have knowledge in the subject matter within the</p>

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2.2	<p>accredited learning in which they are approving certificates. This means that for every full qualification being taught there should be at least one QIV identified.</p> <p>The UHB is responsible in appointing a lead in the learning, education and development department (LED) who is linked to the awarding body for quality assurance. This appointee is required to organise and deliver internal bi-annual standardisation events to share good practice and ensure the awarding bodies' quality assurance requirements are being met. The UHB lead will assist in identifying training needs for assessors, internal verifiers and QIVs. The awarding body lead in the UHB will over look the quality assurance process for all QIVs.</p> <p>Responsibilities for specific UHB staff members are:</p> <p>Director of Workforce and OD</p> <ul style="list-style-type: none"> • Will ensure the contents of the Procedure are applied fairly and consistently within the UHB. <p>LED/Nurse Education Manager</p> <ul style="list-style-type: none"> • Will ensure that there is a staff member in LED/Nurse Education who is appointed as the UHB awarding body lead as part of their role. • Will ensure that the UHB awarding body lead has access to the required training. • Supporting the UHB awarding body lead. • Act as the UHB awarding body lead, if the UHB awarding body lead is unavailable. • Be a centre contact for the awarding body. • If the UHB is required to complete an internal malpractice investigation and the UHB awarding body lead is unavailable the LED/Nurse Education manager will delegate the task to an appropriate staff member and liaise with the awarding body. • Act as an awarding body finance contact. • Report any concerns regarding malpractice to workforce and OD. • To assist in any malpractice investigation where the disciplinary policy may need to be utilised and seek advice from workforce and OD. <p>UHB Awarding Body Lead in LED</p> <ul style="list-style-type: none"> • Will participate fully in the awarding body's standardisation events. • Co-ordinate and participate in bi-annual internal standardisation events. • Be a centre contact for the awarding body. • Support staff completing QIV training.
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- Support assessors and internal verifiers and organise training.
- Will collate evidence for the awarding bodies' external annual review and will subsequently act on the awarding bodies centre action plans.
- Act as an investigating officer in a malpractice investigation.
- Report malpractice to the LED/Nurse Education manager.
- Will keep a record of any malpractice issues for 3 years.
- Can apply for special considerations with an awarding body.

Investigating Officer

- Completing the investigation thoroughly and efficiently to the agreed format and timescale.
- Analysing the evidence and access any required additional evidence.
- Reaching a robust conclusion with a clear audit trail.
- Providing a report on the investigation with recommendations for further action or sanctions if required by the awarding body in line with their specific policies.
- Reporting back to the awarding body, during the investigation.

QIV

- Will provide the UHB awarding body lead with a copy of their QIV qualification in line with the awarding bodies' requirements.
- Complete standardisation events for the course in which they deliver/QIV.
- Keep an audit trail for internal and external reviews in line with the awarding bodies processes.
- Ensure that all educational material produced for use meets the awarding bodies' assessment criteria.
- Keep up to date records of staff members completing assessment and internal verification and share these records with the UHB awarding body lead.
- Report any issues of malpractice and maladministration to the UHB awarding body lead.
- Report the need to utilise any reasonable adjustments or special considerations to the UHB awarding body lead.
- Only award learners with qualifications once they have achieved all the awarding bodies learning outcomes and have successfully passed the assessment and internal verification process.

Internal verifiers

- Must have attended an introduction to internal verification training session.
- Must report any concerns of malpractice or maladministration to the QIV.

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	<ul style="list-style-type: none"> • Must be vigilant when completing internal verification to ensure that the plagiarism and authenticity statement for each learner is sufficient and signed. • Must keep an audit trail of assessors and learners in line with the awarding bodies' processes. • Must provide evidence for malpractice investigations. • Can approve reasonable adjustments if the awarding bodies corresponding policy permits this. <p>Assessors</p> <ul style="list-style-type: none"> • Must have attended appropriate training (for example; introduction to assessment, PGcert, clinical skills assessment or mentorship) if registered with a professional body. • For those, acting as an assessor without a professional registration they must have completed or be working towards and assessors qualification. They must meet the awarding bodies assessment criteria. • Any concerns regarding malpractice and maladministration must be reported to the internal verifier. • To report the need to action special considerations with the UHB awarding body lead. • To report the need to make reasonable adjustments to the internal verifier. <p>Individuals</p> <ul style="list-style-type: none"> • Must ensure that any work submitted is their own. • Sign a plagiarism and authenticity statement. • Discuss any reasonable adjustments with assessor prior to being enrolled on the accredited learning unit or qualification. • To report the need for special considerations at the earliest opportunity in line with the awarding bodies policies. <p>Awarding Bodies</p> <ul style="list-style-type: none"> • Will complete annual external equality reviews and compile centre action plans when required. • Will support and advice the UHB in investigating malpractice. • Will provide up to date accessible policies and procedures and guidelines.
3	INVESTIGATION ALLEGED MALPRACTICE
3.1	As soon as an instance of alleged malpractice has been reported to the UHBs awarding body lead in the LED department s/he will inform the appropriate member of the awarding body staff and agreement will be reached on:

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	<ul style="list-style-type: none"> • The selection of the investigating officer either from the awarding body or the UHB. • The key evidence to be gathered. • The staff or learners to be involved in the investigation. • How confidentiality will be secured. • Approximate timescales in line with the awarding body requirements. • Any sanctions to be applied during the investigation process in line with the awarding body policy, and the UHB will only impose sanctions, if the malpractice attempt is proven (e.g. for a staff member to no longer be able to act as an assessor/ internal verifier if malpractice is found). <p>The investigation will take account of other related policies to avoid jeopardising any further action by the UHB or the Awarding Body (e.g. disciplinary, Raising Concerns procedure, dignity at work process etc). The evidence gathered during the malpractice investigation can therefore contribute to the fact finding/ initial assessment during a UHB disciplinary investigation. The investigation details will be confirmed confidentially in writing from the UHB, and from the awarding body if the allocated investigating officer works for the awarding body.</p> <p>The format of the investigation must follow the awarding bodies policies.</p>
<p>3.2</p>	<p>Every effort will be made by the UHB to complete the investigation within 30 working days if it has been decided that the investigating officer will be from the UHB. The individual will receive a copy of the report up to 5 working days after the investigation has been completed.</p>
<p>3.3</p>	<p>At the conclusion of the investigation, if malpractice is proven, the awarding body will consider the impact of the malpractice on integrity of its award of units or qualifications and how any risks to that can be minimised.</p> <p>The UHB awarding body lead may suspend the assessment and verification role of any member of staff involved in a suspected case of malpractice until the investigation is completed.</p> <p>The awarding body will confirm to the UHB within 5 working days in writing any sanctions applied to the UHB.</p> <p>Examples of the types of sanctions that might be applied:</p>

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	<ul style="list-style-type: none"> • Where the integrity of its units or qualifications has been jeopardised, the awarding body may withdraw or suspend the UHB centre approval. • The awarding Body, may withdraw the approval for certain units or qualifications, in continued examples of malpractice conditions may be applied to registration and / or certification to verify that the UHB has addressed the malpractice proven. • Where the UHB has provided evidence that the malpractice has been effectively addressed or isolated, registration and certification may be restored with additional checks and balances in terms additional external verification visits and centre staff training from where the malpractice has been proven but is limited to a learner, the learner may be disqualified, some certificates may not be issued or evidence may be disallowed. • Where the malpractice has been proven the UHB will pursue the appropriate action which can include the suspension of assessor/ internal verifier roles, withholding certification and suspending the delivery of specific accredited learning units and qualifications. • Once the investigations have been completed the awarding body will agree with the Qualifications Regulator on appropriate action if there is evidence that results or certificates may be invalid. • If the malpractice investigation discovers fraud and/or severe neglect to the UHB procedure and awarding bodies policies leading to sanctions being made and negatively effects the reputation of the UHB being a recognised awarding body centre then the investigating officer should refer to the disciplinary policy as appropriate.
4	ENSURING FAIR ASSESSMENT
4.1	<p>The UHB is committed to ensuring fair assessment and achievement of accredited learning. In certain circumstances reasonable adjustments can be made to ensure fair assessment is implemented by ensuring that learners with disabilities are not disadvantaged by assessment methods. Eligibility for reasonable adjustments is considered when their disability places the learner at a substantial disadvantage in comparison with other learners. Learners must provide the assessor and internal verifier with evidence which meets the awarding bodies reasonable adjustment criteria.</p> <p>Examples of reasonable adjustments include:</p> <ul style="list-style-type: none"> • Altering standard assessment arrangements, for example, permitting learners' additional time.

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	<ul style="list-style-type: none"> • Adapting assessment materials such as providing materials in Braille • Provide support during assessment such as a reader • Reorganising the assessment room layout/environment • Selecting an alternative method of assessment such as a witness statement or observation. • Provide a hard copy and/or electronic copy of workbooks. <p>A learner is not eligible for reasonable adjustments if:</p> <ul style="list-style-type: none"> • No evidence is supplied by the centre that meets the awarding bodies' reasonable adjustment criteria. i.e. evidence of a specific disability. • A learner's disability cannot be overcome through adjustments. <p>The above reasonable adjustments can be made by the UHB if the assessment criteria can still be met and if the adjustment is approved by the awarding body. Any reasonable adjustment needs to be recorded by the assessor and approved by the internal verifier using the awarding bodies documentation provided by the awarding body. A reasonable adjustment record needs to be accessible for external quality assurance reviews and kept for 3 years.</p> <p>The UHB cannot apply for reasonable adjustment when the awarding body has prescribed a specific assessment method i.e. that the assessment must be in written form. In this case the UHB will submit a written application to the awarding body in a timely manner for the consideration of a reasonable adjustment.</p> <p>The learner has the right to refuse the offer of reasonable adjustments made by the UHB. The internal verifier or assessor must inform the learner of the approval of a reasonable adjustment request at the earlier opportunity.</p> <p>All reasonable adjustments need to be reported to the UHB awarding body lead and the quality manager employed by the awarding body on the same day that the reasonable adjustment has been approved by the internal verifier.</p> <p>All learners should be made aware of the awarding bodies' fair assessment policy prior to commencing the QALL unit or qualification to ensure adjustments can be made if required.</p>
<p>4.2</p>	<p>Each awarding body has their own policy relating to special considerations. Special considerations relate to learners whose achievement of the accredited learning being undertaken is compromised due to the following:</p> <ul style="list-style-type: none"> • Illness • Injury • Maternity leave

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	<ul style="list-style-type: none"> • Paternity leave • Parental leave • Recent traumatic event including bereavement <p>These examples are not exhaustive and other examples of special consideration will be investigated on an individual basis.</p> <p>In these cases the assessor will notify the UHBs awarding body lead who will apply for special considerations by completing the appropriate awarding body application form. This application requires approval from the awarding bodies' quality manager.</p> <p>Special considerations will not be reviewed in the following circumstances:</p> <ul style="list-style-type: none"> • If there is no evidence to support the special consideration. • If any part of the assessment is missed due to personal arrangements made by the learner such as holidays and unauthorised absences. <p>The awarding body will inform the UHB in writing within the time frame specified in their policy of the outcome of the special consideration. The UHB awarding body lead will inform the learner and assessor at the earliest opportunity.</p>
5	APPEALS
	<p>Each awarding body has a procedure for a centre to appeal against sanctions or conditions arising from malpractice; this has to be submitted to the awarding body by the UHBs awarding body lead. The awarding body will respond to the appeal within 15 working days.</p> <p>If the investigating officer is from the UHB, all UHB staff are entitled to appeal against the investigation conclusion by writing to the UHBs awarding body lead. The appeal letter must contain detail on what grounds they are appealing. The UHBs awarding body lead will respond to the appeal within 15 working days. The UHB awarding body lead will seek advice from the awarding body during this process and will keep a robust audit trail following the awarding bodies' specific policies. Documentation in relation to appeals must be kept for 3 years.</p>