Sydenham Garden Malpractice Policy and Procedure

Malpractice Policy

1. Policy Statement

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. This refers to acts and omissions made by staff or students involved with the assessment process.

2. Scope

This policy and procedure relate to Sydenham Garden's staff malpractice and applies to all internal assessments, and internal and external examinations. Where awarding bodies have their own published procedures, these will take precedent over Sydenham Garden's policy.

3. Responsibilities

All staff have a responsibility to give full and active support for the policy by ensuring:

3.1 The policy is known understood and implemented.

4. Actions to Implement Policy

4.1 The Course Manager should, at the appropriate time, introduce new members of staff to this policy.
4.2 The delivery team should use robust internal moderation/verification procedures
4.3 The delivery team should use the induction period, or other appropriate time, to introduce learners to this policy.

5. Definitions and Examples

5.1 Sydenham Garden's staff malpractice is defined as any action by a member of staff that has the potential to undermine the integrity of the assessment process. The following are examples of malpractice by centre staff; this list is not exhaustive and other examples of malpractice may be considered by Sydenham Garden at its discretion.
5.1.1 Loss of candidate work.
5.1.2 Inventing or changing marks for internally assessed work (course work or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made.
5.1.3 Fraudulent submissions that could lead to false claims for certificates.
5.1.4 Inappropriate retention of certificates.
5.1.5 Producing falsified witness statements, for example for evidence the learner has not generated.

5.1.6 Allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework.
5.1.7 Improper impersonation or facilitating and allowing impersonation.
5.1.8 Misusing the conditions for special learner requirements, for example where learners are permitted support, such as a scribe. This is permissible up to the point where the support has the potential to influence the outcome of the assessment.
5.1.9 Failing to secure assessment/examination/test papers prior to the assessment event.
5.1.10 Falsifying records/certificates. For example, by alteration, substitution, or by fraud.

5.2 **Learner malpractice**: Any action by the learner that has the potential to undermine the integrity and validity of the assessment of the learner's work. The following are examples of malpractice by learners; this list is not exhaustive and other instances of malpractice may be considered by Sydenham Garden at its discretion:
5.2.1 Plagiarism of any nature (refer to Assessment Policy 4.2)
5.2.2 Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work.
5.2.3 Copying (including the use of ICT to aid copying).
5.2.4 Deliberate destruction of another's work.
5.2.5 Fabrication of results or evidence.
5.2.6 False declaration of authenticity in relation to the contents of a portfolio or coursework
5.2.7 Impersonation by pretending to be someone else to produce work for another or arranging for another to take one's place in an assessment/examination.

6. Procedures used to deal with learner malpractice

6.1 Where Sydenham Garden discovers or suspects an individual, or individuals, of malpractice, an investigation will be conducted to investigate the malpractice allegation.
6.2 Such an investigation will be initially undertaken by the Session Lead, who will interview all individuals linked to the allegation. If it is not appropriate for the individual named above to undertake the investigation, then it shall be escalated to the Course Manager
6.3 Sydenham Garden will make the individual(s) aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice and of possible consequences should malpractice be proven.
6.4 The investigation will proceed through the following stages:
6.4.1 Preliminary investigation, conducted by the appropriate Session Lead/Tutor, into the allegation to determine whether a full investigation is necessary. If the allegation appears to have substance, then all assessments by this member of staff should be halted until the investigation is complete.
6.4.2 Should it be determined that a full investigation is necessary it shall be conducted by the Course Manager
6.5 During the investigation Sydenham Garden will give the individual the opportunity to respond to the allegations made.
6.6 All stages of the investigation shall be documented by the person leading the investigation.
6.7 The individual will be informed of the avenues for appealing against any judgments made.
6.8 The Session Lead shall produce a report of findings for the attention of the Course Manager

6.9 For cases of staff malpractice, the Head of Services will decide whether to invoke the Disciplinary Procedure.
6.10 For cases of student assessment malpractice, reference should be made to the other relevant policies.

7. Malpractice monitoring

7.1 Invigilation or internal verification of all assessment activities will include malpractice checks.
7.2 Evidence of both assessment and internal verification must be available for scrutiny.

Review

This policy will be reviewed annually unless circumstances mean an earlier review is necessary.

Policy adopted by Board of Trustees on: 15 July 2022

Policy last reviewed: July 2025

Date of next Review: July 2026