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| **Policy:** | **Malpractice and Whistleblowing Policy** |
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# Scope of this policy

This policy covers all programmes at Axia. It includes both Axia and Awarding Body requirements for staff and learners. It will provide information about on malpractice and whistleblowing. Responsibilities for staff are outlined in the policy. Consequences of malpractice for learners are also highlighted.

# Access to policy

A copy of this policy is available on Axia Solutions Website ([www.axia-solutions.co.uk](http://www.axia-solutions.co.uk)) and discussed at induction. A copy is also provided in the student resources area on One File.

**Malpractice**

*‘Malpractice’, which includes maladministration and non-compliance, means any act, default or practice which is a breach of the 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.*

[*https://www.jcq.org.uk/wp-content/uploads/2022/12/Malpractice\_22-23\_Final-2023.pdf*](https://www.jcq.org.uk/wp-content/uploads/2022/12/Malpractice_22-23_Final-2023.pdf)

## Examples of malpractice

Malpractice can be intentional, e.g., learners cheating in examinations or tutors knowingly providing answers to formal assessments. It can also occur through forgetfulness or carelessness, e.g., a tutor leaving a formal assessment out on a desk. It may also occur because of an event beyond the centre’s control, e.g., an emergency evacuation during an exam.

Malpractice can be carried out by a number of individuals including:

* Learners/candidates
* Centre staff - tutors, work based trainers, assessors, IQAs, invigilators, administrators, exam officers
* Awarding Body staff - examiners, assessors, moderators or internal and EQAs;
* Other third parties - parents/carers, siblings, friends of the learner

Whatever the cause intentional, negligence or unusual event, when these things happen the awarding body must be informed. Any suggested instance of malpractice will be investigated by Axia and Awarding Body informed of any suspected or actual breaches. Allegations of malpractice can come from any source including learners. Where the allegation includes senior personnel at Axia, learners or centre staff should alert the awarding body.

Failure by Axia to notify, investigate and report to the awarding body all allegations of malpractice or suspected malpractice constitutes malpractice in itself.

Any failure by Axia to take action as required by the awarding body or to co-operate with awarding body investigation, constitutes malpractice.

## Examples of Tutor and Centre Staff Malpractice

* Breaches of security, e.g., failure to keep examination materials secure, discussing live examination material on social media, leaving a candidate unsupervised during an exam, not providing clean areas for IT assessments or exams.
* Deception, e.g., awarding marks or criteria where no evidence is provided, amending learner evidence to meet criteria.
* Improper assistance, e.g., providing answers for controlled assessments, allowing learners to view assessments outside of controlled situations.
* Failure to comply with an Axia or awarding body investigation.
* Maladministration, e.g., failure to provide trained invigilators, failure to monitor time limits in exams and controlled assessments, not providing current information to awarding body, not using the most up to date assignments.

## Examples of Learner Malpractice

* Collusion - where two or more learners work together beyond the level permitted by the qualification. This includes learners providing help to others, e.g., by sending copies of their assignment to a peer as well as learners copying from another learner, even with that learner’s permission. It must be made clear to all learners and staff that whilst the discussion of ideas, working in groups (as directed by the Approved Centre) and other forms of verbal discussion are acceptable, the sharing of a learner’s written response to an assessment is NOT acceptable. To do so, even with the best intention, leaves the learner open to their work being used without their knowledge and could lead to allegations of collusion. Learners and staff MUST be advised that best practice is not to share, in any format, written thoughts, ideas or assignments which are being used for awarding body qualifications.
* Cheating – copying the work of another learner without that learner’s knowledge
* Failing to follow invigilators’ instructions in examinations, including bringing items not allowed into the examination, e.g., mobile phone.
* Failing to follow conditions of assessment in assignments.
* Failing to inform Axia and the awarding body if assessment materials have been seen before the assessment date.
* Failing to inform Axia and awarding body if a learner suspects any malpractice on behalf of other learners or centre staff.

# Consequences of learner malpractice

The consequences of malpractice on qualifications for learners are:

* Withdrawal from the qualification.
* Axia and the learner’s employer may take further action.

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# Advice to Learners on How to Avoid Collusion and Plagiarism

## Plagiarism

What you cannot do:

* Copy text from a book or the Internet without indicating what text has been copied and the source.
* Copy text or parts of text from the Internet without referencing.
* You cannot amend parts of the text by changing key words. This is still plagiarism.
* Take someone’s idea or concept and pass it off as your own, even if you reword it completely.
* Use images from the Internet in your work, unless the image is copyright free for educational purposes.

What you can do:

* You can quote text from sources putting the quoted text into italics and citing the source at the end of the text.
* Summarise the concept or theory in your own words but still cite the source.
* Use images that you have created yourself, i.e., a photograph you have taken, a drawing that you have made.
* You can add your own ideas in your own words at the end of the quote or reference.

Internet Sites Which Help With Coursework

There are a number of Internet sites which claim to help learners with their course work. Staff are aware of these sites and learners should avoid using them, even for research purposes.

## Collusion

What you cannot do:

* Work with someone else and then submitting the work as being entirely your own.
* Take someone else’s work and submit as your own. Even if the person has given the work to you willingly and you have changed key words.
* Give your work to someone else – you may feel that you are helping them but you are still guilty of collusion, even if they don’t copy it.
* Get someone else to do the work for you (any part of the submission) and claim as your own.

What you can do:

* Work with someone else, submitting the work with a clear indication of which work is yours entirely or the extent to which you contributed to the work.
* Discuss your ideas with someone else, such as your boss, to get their feedback and review your work on the basis of your discussions.
* Ask someone to proofread your work to check for errors before submitting. They should restrict their comments to the spelling, punctuation and grammar errors in your work.

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# Whistleblowing

Whistleblowing is a process where a learner or member of centre staff might suspect that malpractice is being committed by another learner or a member of centre staff.

This is not the same as a complaint about behaviour such as being late, being rude, etc. These would be dealt with under our complaints policy. Whistleblowing is for issues that relate to legal issues, issues that might impact the wider public or issues that might impact the reputation of Axia and the awarding body. The type of disclosure might relate to how the programme has been developed, delivered and awarded. It might also be about concerns over assessment arrangements.

It is often not easy to report peers, tutors and colleagues for malpractice. Learners and staff members may worry about repercussions. All those who report such malpractice are protected. Axia will protect the identity of learners and staff, wherever possible. Those who do raise concerns about malpractice including illegal practices such as fraud may have protection under the Public Interest Disclosure Act 1998.

Axia and the awarding body would prefer that whistle blowers identify themselves when making allegations. Where possible, identities will be protected. Where Axia and the awarding body know the identity, they can keep the whistle blower updated and provide appropriate information about the findings of their investigation.

If a whistle blower is concerned about letting either Axia or the Awarding Body know their identities, they can remain anonymous. The allegation will still be investigated.

## Axia Whistleblowing Guide for Learners

If you suspect malpractice from a peer/fellow learner, please report initially to your tutor who will start an investigation.

If you suspect malpractice from your tutor/work based trainer, please report directly to Victoria Harte, Axia Managing Director, who will start an investigation.

If you suspect centre malpractice (senior staff included), please contact the awarding body directly.

## Axia Whistleblowing Guide for Staff

* The Public Interest Disclosure Act, which came into effect in 1999 and gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns.
* Axia fully endorses the provisions of the Act and will ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.
* The policy allows members of staff to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety such as financial malpractice, fraud, failure to comply with a legal obligation, dangers to Health & Safety or the environment or criminal activity.
* Given the nature of our work, we would also expect members of staff to feel free to raise concerns of this nature that they uncover in client or partner organisations.
* We expect issues raised to be ‘in good faith’ and in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety.
* Complaints will be treated in confidence and all possible sensitivity.
* To raise a complaint under this policy the starting point will be to raise it with your immediate manager. If they are indirectly or directly implicated in the issue then you can raise the issue directly with a more senior manager up to and including the Director. If the Director is implicated then a complaint can be raised directly with a member of the Board.
* The issue can be raised verbally in the first instance or in writing.

# Contacts

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