

Malpractice Policy

Purpose

The purpose of this policy is to standardise RETURN TO LEARNING LTD approach to malpractice and maladministration across learners, staff and courses provided by RETURN TO LEARNING LTD.

Aim

The aim of this policy is to identify circumstances of malpractice and/or maladministration by staff and/or learners and enable an appropriate procedure for any allegations of malpractice and/or maladministration at or on behalf of RETURN TO LEARNING LTD.

Objectives

The objectives of this policy are to minimise risk of malpractice and/or maladministration by both staff and learners associated with RETURN TO LEARNING LTD as well as to standardise the procedure by which claims of incidences are investigated promptly, objectively and thoroughly. This policy will also identify means of penalty and/or sanction on learners and/or staff should any incidents occur.

Definitions

“Incidents” in this policy includes actual occurrences of malpractice and/or maladministration, as well as attempted occurrences of malpractice and/or maladministration where it is proven beyond reasonable doubt that there was intention behind the action.

Application

This policy applies to assessments and all reporting administration. It is the responsibility of RETURN TO LEARNING LTD staff to adhere to high standards of recording and reporting of information pertaining to RETURN TO LEARNING LTD. All staff are expected to be vigilant and report any suspicions of malpractice and/or maladministration so that the necessary and relevant steps can be taken to address it.

It is the responsibility of RETURN TO LEARNING LTD Director, Samantha McLean, to report to Open Awards, and any additional external agencies, should incidences of malpractice and/or maladministration occur.

Suspected malpractice and/or maladministration will be subject to a relevant and proportionate internal investigation. Where malpractice and/or maladministration is strongly indicated or found, this shall then be articulated to Open Awards and any other relevant external agency who may need to be involved.

Examples of malpractice taken directly from RETURN TO LEARNING LTD awarding body, Open Awards, are as follows and include but are not exclusive to;

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1. Centre Malpractice
 - a. Failure to provide appropriate facilities for the security of assessment materials
 - b. Failure to keep externally set assessment papers secure prior to or after assessment
 - c. Failure to keep learner, computer or other files secure
 - d. Failure to register learners with Open Awards such that learners are prevented from obtaining the units or qualifications that they are taking
 - e. Denial of access to premises, records, information, learners and staff to any authorised Open Awards representative and/or the regulatory authorities
 - f. Failure to carry out internal assessment, internal moderation or internal verification in accordance with Open Awards requirements
 - g. Deliberate and persistent failure to adhere to Open Awards centre agreement and associated policies and procedures
 - h. Fraudulent claim for certificates
 - i. Persistent instances of maladministration within the centre.

2. Centre Staff Malpractice
 - a. Tampering with learners' scripts or assessed work after collection.
 - b. Improper assistance to learners in the production of assessed work
 - c. Fabricating assessment and /or internal verification records or authentication statements.
 - d. Poor invigilation of learners
 - e. Failing to keep assessment papers secure prior to assessment.
 - f. Failing to conduct a proper investigation into suspected malpractice
 - g. Fraudulent claims for credit and qualifications.

3. Learner Malpractice
 - a. The introduction of unauthorised material into the assessment room e.g. calculators
 - b. Plagiarism
 - c. Collusion between two or more learners
 - d. The deliberate destruction of another's work
 - e. Acting in a disruptive manner during an assessment
 - f. The inclusion of inappropriate, offensive or obscene material in assessment/examination tasks.

4. Open Awards Malpractice
 - a. General failure to comply with own procedures
 - b. Failure to keep assessment materials secure
 - c. Complicity with others to make false claims for certification
 - d. Failure to remain impartial in making assessment decisions
 - e. Failure to declare a conflict of interest
 - f. Substantial error in assessment materials
 - g. Failure to meet published timelines for assessment or award of certificates
 - h. Issue of incorrect results or certificates

5. Examples of actions that may constitute maladministration
 - a. Administrative fault, such as making a mistake or not following rules or procedures
 - b. Failure to comply with Open Awards procedures for registering learners
 - c. Delay in registering learners, or in issuing certificates

- d. Unreasonable delay in responding to requests for information or other communications from Open Awards
- e. Inaccurate claims for certificates
- f. Incorrect action or failure to take any action
- g. Failure to provide information when reasonably requested to do so
- h. Inadequate record-keeping
- i. Failure to investigate
- j. Misleading or inaccurate statements
- k. Providing inaccurate advice to learners.

Responsibilities of RETURN TO LEARNING LTD

RETURN TO LEARNING LTD will promote a positive learning environment and positive culture of support and assistance which will enable all learners to learn fairly and responsibly.

RETURN TO LEARNING LTD will seek to avoid all incidences of malpractice and/or maladministration by providing relevant information to learners during the induction period and including the information in the student handbook. Additional information will also be publicly available online at www.returntolearningonline.com

RETURN TO LEARNING LTD will support learners to develop skills in referencing in order to appropriately acknowledge sources used for submitted assignments.

RETURN TO LEARNING LTD will request that learners make a signed declaration that work submitted is the work of the learner. RETURN TO LEARNING LTD Ltd reserve the right to embark upon any necessary investigations if it is discovered that submitted work is not that of the learner who claims ownership.

RETURN TO LEARNING LTD will conduct any relevant investigations of malpractice and/or maladministration in a form commensurate with the nature of the reported incident.

RETURN TO LEARNING LTD will remain professional and act with integrity when carrying out all duties assigned to them on behalf of RETURN TO LEARNING LTD.

Staff of RETURN TO LEARNING LTD Ltd will explain fully to all learners what is expected of them in terms of academic work, and will work to ensure that learners fully understand what is expected of them.

RETURN TO LEARNING LTD will provide examples and models of referencing and citations to support learners' development of these, and other study skills.

RETURN TO LEARNING LTD Internal Quality Assurer's have the responsibility of conducting malpractice checks when internally verifying assignments, as well as assignment briefs.

Responsibilities of learners

Learners will ensure that all work submitted is their own and will fully acknowledge all sources using appropriate referencing.

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By submitting assignments, learners declare that the work submitted is their own and that they have not gained any unfair advantage by fabrication, collusion or plagiarism.

Learners are responsible for approaching any member of RETURN TO LEARNING LTD staff to ask relevant questions if they are unsure or unable to acknowledge any sources.

Learners are expected to attend scheduled study skills sessions and attend tutorials to support study skill development.

Learners take responsibility for the security of their own work prior to submission and therefore should not share, in any way, their work with any other learner.

Investigation

If an investigation is warranted, it will first be decided if it will be an internal or external investigation. Examples of incidences warranting internal investigation may include but are not exclusive to plagiarism by a learner. Examples of incidences warranting external investigation may include but are not exclusive to centre maladministration.

All investigations will be carried out with confidentiality (in accordance with GDPR, RETURN TO LEARNING LTD Data Protection and Data Security Policy and RETURN TO LEARNING LTD Safeguarding Policy) and with impartiality. In the case of conflict of interest, RETURN TO LEARNING LTD reserve the right to bring in an external agent to support the investigation.

Any individual who has an allegation of malpractice and/or maladministration against them will be fully informed, in writing where reasonably practicable, about the allegation as well as the relevant evidence and possible consequences. The person(s) then have the right to respond, and/or seek any advice.

Any member of staff who has an allegation made against them will be made known to Open Awards. Due to the small number of staff, there would be a conflict of interests and therefore all allegations will be reported to Open Awards for investigation.

All data collected in association with any investigation will be kept in line with RETURN TO LEARNING LTD Data Protection and Data Security Policy.

All outcomes, including penalties or sanctions, require evidence of the allegation and a proposed course of action. The proposed course of action should be implemented and monitored until complete, and should address any amendments needed to RETURN TO LEARNING LTD policy documentation.

All outcomes must be proportional to the evidence and allegation.