



MALPRACTICE AND MALADMINISTRATION POLICY

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Purpose of Policy

This policy is aimed at all those individuals who may be suspected or involved in actual malpractice and / or maladministration.

This policy covers all academic work of FlexiStudy UK and all students studying a qualification registered with an awarding organisation under FlexiStudy UK.

This policy also sets out the procedural steps that students and other personnel must follow when reporting suspected or actual cases of malpractice and/or maladministration and our responsibilities in dealing with such cases.

FlexiStudy's Responsibilities

It is important that all FlexiStudy UK staff and our students are fully aware of the contents of the policy and that the centre has arrangements in place to prevent and investigate instances of suspected malpractice and maladministration.

A failure to report suspected or actual malpractice/maladministration cases including plagiarism, cheating and collusion, may lead to sanctions being imposed on the centre.

This policy will be reviewed at intervals no less than 2 years in length and updated accordingly.

Definition of plagiarism

Plagiarism is the presentation of someone else's work, words, images, ideas, opinions or discoveries, whether published or not, as one's own, or alternatively taking for one's own use, the artwork, images or computer-generated work of others without properly acknowledging the source, with or without the owner's permission.

Plagiarism by students can occur in examinations, but is most likely to occur outside sat, unseen exams, i.e. in coursework, assignments, portfolios, essays and dissertations. Examples of plagiarism may include:

- Directly copying from written physical, pictorial or written material without crediting the course;
- Paraphrasing someone else's work without crediting the source.

Work submitted for assessment must be the student's own efforts and must be their own work.

Brief quotations from the published or unpublished works of another person, suitably attributed, are acceptable.

Use of Artificial Intelligence (AI) in assessments

Using AI, for example, ChatGPT to generate or modify content to evade plagiarism detection is deemed as malpractice. Examples of AI misuse include:

- Copying or paraphrasing sections of AI-generated content so that the work is no longer the student's own;
- Copying or paraphrasing whole responses of AI-generated content;
- Using AI to complete parts of an assessment so that the work does not reflect the student's own work, analysis, evaluation, or calculations ;
- Failing to acknowledge and reference the use of AI tools when they have been used as a source of information;
- Submitting work with intentionally incomplete or misleading references or bibliographies.

Work submitted for assessment must be the student's own efforts and must be their own work. If any sections of learner's work are reproduced directly from AI generated responses, those elements must be identified by the learner and they must understand that this does not allow them to demonstrate that they have independently met the marking criteria and therefore will not be rewarded.

Definition of collusion

Collusion is an example of unfair means because, like plagiarism, it is an attempt to deceive the examiners by disguising the true authorship of an assignment, or part of an assignment. Its most common version is that student A copies, or imitates in close detail, student B's work with student B's consent. But it also includes cases in which two or more students divide the elements of an assignment among themselves, and copy, or imitate in close detail, one another's answers.

It is an offence to copy, or imitate in close detail, another student's work, even with their consent (in which case it becomes an offence of collusion). It is also an offence of collusion to consent to having one's work copied or imitated in close detail.

Students are expected to take reasonable steps to safeguard their work from improper use by others.

Collusion should not be confused with the normal situation in which students learn from one another, sharing ideas, as they generate the knowledge and understanding necessary for each of them to successfully and independently undertake an assignment. Nor should it be confused with group work on an assignment where this is specifically authorised in the assignment brief.

Definition of malpractice

Malpractice is essentially any activity or practice, which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and / or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- The assessment process;
- The integrity of a regulated qualification, accreditation or Quality Assured Award;
- The validity of a result or certificate;
- The reputation and credibility of FlexiStudy UK.

Malpractice may also include a range of issues from the failure to maintain appropriate records of systems, to the deliberate falsification of records in order to claim certificates. For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain groups of students.

Definition of maladministration

Maladministration is essentially any activity or practice, which results in non-compliance with administrative regulations and requirements and include the application of persistent mistakes or poor administration within a centre (e.g. inappropriate candidate records)

Detection of plagiarism

As part of the approach to detect plagiarism, FlexiStudy is committed to using the Moodle platform to submit assignments. By enrolling at the college students agree to the submission of their work to the plagiarism service used by FlexiStudy.

Reporting malpractice or maladministration

In all cases of suspected student malpractice, plagiarism, cheating or collusion, the FlexiStudy team will be notified as soon as possible and provided with relevant detail via flexistudy@proton.me.

Where there is a case of cheating, plagiarism or collusion in connection with written assignments, the assessment will be suspended and a thorough investigation will take place.

Confidentiality and whistle blowing

Sometimes a person making an allegation of malpractice and maladministration may wish to remain anonymous, although it is always preferable to reveal your identity and provide us with your contact details. However, if you are concerned about possible adverse consequences that may occur should your identity be revealed to another party then inform us that you do not wish for us to divulge your identity and we will work to ensure your details are not disclosed.

We will always aim to keep the identity of the person making the allegations confidential where asked to do so, although we cannot guarantee this. We may need to disclose your identity should the allegation lead to issues that need to be taken forward by other parties.

For example:

- The police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud);
- The courts (in connection with any court proceedings);
- Other third parties such as the relevant regulatory authority (e.g. Ofqual).

At our discretion, we will keep you updated as to how we have progressed the allegation (e.g. we have undertaken an investigation) but we won't disclose details of the investigation. In addition, it may not be appropriate for us to disclose full details of the outcomes of the investigation, or any actions taken against the parties concerned, due to confidentiality or legal reasons.

Notifying relevant parties

In the case of student malpractice, the centre will investigate the issue in conjunction with the awarding organisation. In doing so we may withhold details of the person making the allegation in order not to breach a duty of confidentiality or any other legal duty. Awarding Organisations may ask the centre to investigate the matter where they have confidence that the investigation will be prompt, thorough, independent and effective.

Where applicable, the awarding organisation may inform the appropriate regulatory authority if we believe there has been an incident of malpractice or maladministration, which could either invalidate the award of a qualification, or if it could affect another awarding organisation. In particular, we will keep them informed of progress in large and / or complex cases.

If fraud is suspected and / or identified, we may also notify the police.

Investigation process

The centre aims to action and resolve all stages of the investigation within 10 working days of receipt of the allegation. However, in some cases the investigation may take longer. In such instances, we'll advise all parties concerned of any revised timescales.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so, investigations will be underpinned by terms of reference and based around the following broad objectives:

- To establish the facts relating to allegations in order to determine whether any malpractice and / or maladministration has taken place;
- To identify the cause of any malpractice and / or maladministration and those involved.
- To establish the scale of any malpractice and / or maladministration and whether other qualifications, accreditations or Quality Assured Awards are affected.
- To evaluate any action already taken by the centre.
- To determine whether remedial action is required to reduce the risk to current registered candidates and to preserve the integrity of the qualification, accreditation or Quality Assured Award.
- To ascertain whether any action is required in respect of certificates already issued.
- To obtain clear evidence to support any sanctions to be applied to the centre, and / or any actions relating to members of staff.
- To identify any adverse patterns or trends.

The investigation may involve a request for further information from relevant parties, and / or interviews with personnel involved in the investigation. Therefore, we will expect all parties, who are either directly or indirectly involved in the investigation, to co-operate fully.

Investigation outcomes

If the investigation confirms that malpractice or maladministration has taken place, we will consider what action to take to:

- Minimise the risk to the integrity of certification now and in the future.
- Maintain public confidence in the delivery and awarding of qualification, accreditation or Quality Assured Awards.
- Discourage others from carrying out similar instances of malpractice or maladministration.
- Ensure there has been no gain from compromising our standards.

Once the seriousness of the offence has been considered and agreed, this may also result in a written warning being issued by the centre to the student.

Making an appeal against an investigation outcome

A student may appeal against the outcome of a suspected assessment malpractice investigation and the sanction imposed on them. Grounds for Appeal: Appeals must be based on reasonable grounds which relate to the incident in question and the following are accepted as reasonable grounds:

- The incident was not dealt with in accordance with the centre's Malpractice and Maladministration policy;
- The decision was unreasonable in light of the evidence presented;
- basis of the investigation outcome;
- The sanction imposed is disproportionate to the seriousness of the malpractice in line with internal policy and policy related to the relevant awarding organisation.

How to appeal: A student should submit a written request to flexistudy@proton.me to appeal against a decision within 5 working days of notification of the original outcome following internal investigation. The evidence will be reviewed again (All relevant documentation should be submitted and reviewed at this point as there will be no further opportunity to review new evidence).

Following a second review Flexistudy may:

- Resolve the appeal, on one of the accepted reasonable grounds for appeal.
- Reject the grounds for appeal.

Outcome of an appeal: The decision of FlexiStudy is final.