



*The*  
**Development**  
*Manager Ltd.*

## **Assessment Malpractice and Maladministration**

This policy provides clear guidance to TDM staff and learners on preventing, identifying, and responding to assessment malpractice and maladministration. It ensures the integrity of TDM's assessment processes and protects our relationships with awarding bodies and university partners, including:

- City & Guilds
- BCS
- Accelerate People
- University of Staffordshire
- University of Worcester
- Pearson VUE

This policy will be made available to all learners through the VLE and will be discussed during the orientation course. Learners are responsible for understanding their obligations and ensuring they follow the correct procedures.

Assessment malpractice and maladministration are forms of academic misconduct. Academic misconduct undermines TDM's quality standards and disadvantages those learners who complete their assessments fairly and honestly.

TDM takes all allegations of suspected academic misconduct and plagiarism very seriously and has procedures in place for dealing with allegations of assessment malpractice and maladministration involving both learners and staff.

## Contents

|   |   |
|---|---|
| Scope .....   | 3 |
| Linked Policies .....   | 3 |
| Definitions .....   | 3 |
| Reporting Suspected Malpractice .....   | 3 |
| Investigation Process.....  | 3 |
| Sanctions .....   | 4 |
| Appeals Process.....  | 4 |
| Useful Links.....   | 5 |
| Appendix A – Examples of Malpractice and Maladministration .....              | 5 |
| Appendix B – Examples of Malpractice and Maladministration by Risk Level..... | 6 |
| Document Management .....   | 7 |

## Scope

Applies to all TDM learners and staff involved in assessment activities or examination delivery, including invigilation, internal quality assurance, and portfolio management.

## Linked Policies

- Staff Discipline Procedure
- Plagiarism, Collusion, Cheating & AI Misuse Policy
- Appeals Policy

## Definitions

### Malpractice (intentional wrongdoing):

- **By Staff:** Fabricating learner evidence, falsifying assessment records, helping learners cheat, improper exam conduct.
- **By Learners:** Plagiarism, collusion, impersonation, AI misuse, bringing unauthorised materials into assessments.

### Maladministration (unintentional poor practice):

- Poor exam security, late learner registration, inadequate invigilation, failure to follow JCQ/awarding body procedures.

See [Appendices](#) for examples.

## Reporting Suspected Malpractice

- Any staff member or learner can report concerns to the Academic Delivery Manager (ADM). Reports should ideally be in writing. If an individual is unsure of the ADMs contact details they can email [support@tdm.co.uk](mailto:support@tdm.co.uk) for this information.
- The ADM logs the allegation and informs the awarding body (and DfE if required).
- TDM protects whistleblowers' confidentiality.

## Investigation Process

### Stage 1 – Preliminary Review (by ADM):

- Decide if a full investigation is needed.
- Halt affected assessments if necessary.

### Stage 2 – Full Investigation (if required):

- The investigation will be initially undertaken by the Academic Delivery Manager (ADM) who will interview all personnel linked to the allegation.
- Gather written statements, learner work, and other evidence.
- ADM notifies the relevant awarding body including key personal using JCQ forms M1/M2. Each form is available from the JCQ website <http://www.jcq.org.uk/exams-office/malpractice>.
- Individual(s) notified of allegations in writing within 5 working days.

### Stage 3 – Outcome:

- ADM provides a formal report to the Director of Studies.
- Awarding organisation confirms sanctions if malpractice is proven.

## **Learner Rights During Investigation**

Learners will:

- Receive written notice of the allegations.
- Be informed of evidence and potential consequences.
- Have the opportunity to respond and provide a written statement.
- Be referred to relevant policies (e.g., JCQ guidance, university regulations).
- Be advised of the right to appeal.

## **Staff Rights During Investigation**

Staff members will:

- Be informed of allegations and supporting evidence.
- Be given the opportunity to respond.
- Be referred to the Staff Discipline Procedure if appropriate.
- Have access to the appeals process.

## **Sanctions**

**For Staff:**

- Written warning
- Additional training or monitoring
- Suspension from assessment duties
- Barred from assessment delivery
- Referral to awarding bodies and, if needed, other centres

**For Learners:**

- Formal warning
- Loss of marks or module disqualification
- Suspension from exams
- Disqualification or debarment

Sanctions follow JCQ and awarding body guidelines. Additional internal actions may apply.

## **Appeals Process**

- Appeals must be submitted in writing within 30 working days of decision.
- Appeals are reviewed by the Director of Studies (or delegate) following awarding body guidance.
- Further appeals may be made directly to the awarding organisation following their process.
- The Appeal Policy and Procedure can be found on the TDM website under <https://www.thedevelopmentmanager.co.uk/policies>

## **Communication**

- TDM communicates outcomes to all involved parties.
- Awarding bodies are kept informed.
- Where necessary, outcomes may be shared with other providers, regulators, or authorities to protect assessment integrity.

## Useful Links

- [JCQ Malpractice Guidance](#)
- [JCQ Appeals](#)
- [University of Staffordshire Academic Regulations](#)
- [University of Worcester Academic Regulations](#)

## Appendix A – Examples of Malpractice and Maladministration

### Staff Malpractice

Deliberate actions by staff that compromise assessment integrity, such as:

- Fabricating learner evidence or assessment outcomes.
- Tampering with learner scripts or portfolios after submission.
- Providing unauthorised assistance during assessments.
- Sharing secure assessment materials in advance.
- Substituting learner work or impersonating a learner.
- Allowing unauthorised access to online exams.
- Deliberately misusing AI tools to alter learner work or evidence.

### Learner Malpractice

Actions by learners that breach assessment rules, including:

- Plagiarism (copying from sources without proper referencing).
- Collusion (working with others on individual assignments).
- Using unauthorised materials (e.g. notes, phones, smartwatches).
- Sharing or accessing exam content before or during an assessment.
- Impersonation or arranging for someone else to complete an exam.
- AI misuse (e.g. submitting AI-generated content as their own without declaration).
- Turning off cameras during online exams without permission.
- Submitting fake or altered work.
- Disruptive or abusive behaviour during assessments.

### Maladministration

Errors or poor practice that may not be intentional but undermine assessment security or compliance:

- Late learner registrations or certification claims.
- Failing to report suspected malpractice to awarding organisations.
- Inadequate invigilation (e.g. untrained invigilators, not enforcing rules).
- Poor storage or handling of exam materials.
- Not securing learner work post-assessment.
- Incorrectly granting access arrangements without proper evidence.
- Not informing awarding bodies of changes to exam venues.
- Failing to issue required learner instructions or notices.
- Using incorrect version of assessment materials.
- Delayed script return or lost learner work.

### Online Assessment Examples

Relevant across both malpractice and maladministration:

- Allowing or failing to prevent the use of unauthorised websites/tools.

- Using private chat channels or screenshare tools to communicate during an exam.
- Turning off audio/video during live invigilation.
- Inadequate monitoring by TDM staff during remote delivery.
- Poor record-keeping of online session logs and incidents.

### Artificial Intelligence (AI) Misuse

Applies to both learners and staff:

- Learner submits AI-generated work without proper attribution.
- Staff use AI to modify learner work or fabricate assessment records.
- Use of AI to produce falsified evidence of competence.
- Allowing AI tools during assessments where not explicitly permitted.

## Appendix B – Examples of Malpractice and Maladministration by Risk Level

| Risk Level      | Type                | Examples   | Likely Consequences  |
|-----------------|---------------------|--|--|
| ● Low Risk      | Maladministration   | <ul style="list-style-type: none"> <li>• Late learner registration</li> <li>• Incomplete documentation</li> <li>• Minor procedural errors (e.g. missed notices)</li> </ul>                     | Retraining, internal action plan, monitoring                             |
|                 | Learner Malpractice | <ul style="list-style-type: none"> <li>• Forgetting to sign authenticity statements</li> <li>• Accidental formatting issues in referencing</li> </ul>  | Warning, re-submission with support                                      |
| ● Moderate Risk | Maladministration   | <ul style="list-style-type: none"> <li>• Untrained invigilator assigned</li> <li>• Access arrangements not approved properly</li> <li>• Failure to report minor breaches</li> </ul>            | Temporary suspension of assessment rights, report to awarding body       |
|                 | Staff Malpractice   | <ul style="list-style-type: none"> <li>• Inadvertently giving too much guidance on coursework</li> <li>• Using outdated assessment materials</li> </ul>  | Formal warning, retraining, enhanced scrutiny                            |
|                 | Learner Malpractice | <ul style="list-style-type: none"> <li>• Collusion with another learner</li> <li>• Use of unauthorised notes</li> <li>• Misuse of AI (first-time/minor)</li> </ul>                             | Loss of marks, re-assessment opportunity with support                    |
| ● High Risk     | Maladministration   | <ul style="list-style-type: none"> <li>• Breach of exam security (papers shared)</li> <li>• Failure to report serious incidents</li> <li>• Deliberate misuse of access arrangements</li> </ul> | Centre sanctions, awarding body restrictions, staff disciplinary action  |
|                 | Staff Malpractice   | <ul style="list-style-type: none"> <li>• Fabricating learner results</li> <li>• Tampering with learner work</li> <li>• Assisting during live exams</li> </ul>                                  | Suspension, loss of teaching/invigilation rights, reported to regulators |
|                 | Learner Malpractice | <ul style="list-style-type: none"> <li>• Plagiarism (deliberate and extensive)</li> <li>• Impersonation or contract cheating</li> </ul>  | Disqualification, suspension, permanent record of offence                |

|  |  |   |  |
|--|--|---|--|
|  |  | <ul style="list-style-type: none"> <li>Use of AI to produce entire assignments</li> </ul> |  |
|--|--|---|--|

## Document Management

|   |   |
|---|---|
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|          |   |          |   |    |              |
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\*Significant changes or reviewed