



# **MALPRACTICE & MALADMINISTRATION POLICY AND PROCEDURE**

Updated: 28 November 2024

## DEFINITIONS

Assessments	Assessments refers to examinations, projects, assignments, portfolios, work completed under controlled conditions, etc. by the candidate.
Candidate malpractice	'Candidate malpractice' means malpractice by a candidate in connection with any assessment, including the preparation and authentication of any controlled assessments or non-examination assessments, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper.
Centre	An organisation (such as a college or training company/provider), which is approved by and accountable to PIABC the examination and assessment arrangements leading to a qualification.
Centre staff malpractice	'Centre staff malpractice' means malpractice committed by a member of staff, contractor (whether employed under a contract of employment or a contract for services), a volunteer at a centre, or an individual appointed in another capacity by a centre such as an invigilator.
Head of Centre	The Head of Centre is the individual who is accountable to PIABC for ensuring that the centre is always compliant with the PIABC regulations and PIABC's requirements to ensure the security and integrity of the assessments.
Private candidate	A private candidate is a candidate who pursues a course of study independently but makes an entry and takes an examination at an approved PIABC examination centre.
Regulations	Contain guidance and regulations relating to the provision of access arrangements and the conduct of controlled assessments, examinations, and non-examination assessments. The Regulations are based upon the requirements of the regulators of qualifications in England, Scotland, and Northern Ireland, such as those found in General Conditions of Recognition of Ofqual and CCEA Regulations and SQA Accreditation's Regulatory Principles (2021). Awarding bodies are obliged to notify the qualifications regulators of certain suspected and actual malpractice incidents, in accordance with the regulators' conditions.
Regulator	An organisation designated by government to establish national standards for qualifications and to secure compliance with them. These organisations include Ofqual, CCEA Regulations and SQA Accreditation.
Suspected malpractice	For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice

## INTRODUCTION

This document is intended for all those involved in or affected by malpractice incidents, including those who wish to report malpractice concerning the delivery of PIABC's qualifications and details PIABC's policy and procedures for dealing with breach of security and malpractice investigations relating to candidates, centre staff and centres.

This document:

- complies with Ofqual's and CCEA Regulation's General Conditions of Recognition (Condition A8 – Malpractice and maladministration) and Principle 18 of SQA Accreditation's Regulatory Principles (2021).
- identifies the regulations under which assessments operate.
- defines malpractice in the context of assessments.
- sets out the rights and responsibilities of PIABC, centre staff and candidates in relation to such matters.
- details the procedures for investigating and determining allegations of malpractice.

The information in this document for dealing with malpractice draws heavily on the recent work undertaken by Joint Council for Qualifications (JCQ).

## WHAT IS MALPRACTICE AND MALADMINISTRATION?

All those involved in the qualifications system have a role to play in supporting the appropriate delivery of assessments and upholding the integrity and validity of qualifications. Whilst the vast majority of centres, centre staff and candidates do not normally experience any form of malpractice, it is important that all are aware of the risks of malpractice and take steps to prevent it occurring. Where malpractice does occur, it is vitally important that prompt action is taken to safeguard the integrity and validity of PIABC's qualifications.

Malpractice and maladministration are two distinct, but related, concepts. In broad terms, maladministration generally covers mistakes or poor process where there has been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude or may result from carelessness or inexperience. Whilst not an exhaustive list, the following are some examples of maladministration in relation to the design, delivery and awarding of qualifications which an awarding organisation makes available or proposes to make available:

- avoidable delay
- mistakes arising from inattention
- faulty procedures
- failure to follow correct procedures
- poor record keeping
- inadvertent failure to act
- poor communication
- inadvertently giving misleading or inadequate information.

By contrast, malpractice will generally involve some form of intent. It may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions. Malpractice could comprise of a conscious decision to do anything covered in the list above. Bias or discrimination could also lead to malpractice.

Two of the clearest examples of potential malpractice are:

- cheating, or facilitating cheating, in an assessment; and
- attempting intentionally to manipulate a result so that it does not reflect the candidate's actual performance in an assessment.

Such action could be taken by the candidate themselves, a lecturer, an examination officer, or any other individual involved in, or with access to, the assessment process. More specific examples of potential malpractice in relation to the design, delivery and awarding of qualifications include:

- revealing the questions on an assessment in advance
- sharing confidential assessment materials ahead of an assessment
- claiming to have and/or offering to share confidential assessment materials and/or presenting hoax materials as confidential assessment materials
- a candidate breaching the rules of the assessment, for example by taking impermissible materials into the assessment
- a candidate passing off someone else's work as their own
- a lecturer/tutor providing a candidate with answers, aiding candidate beyond what is permitted, or deliberately failing to apply the mark scheme to a candidate's answer
- a lecturer/tutor or candidate falsifying a result

Although malpractice and maladministration are distinct, the two concepts can be on a spectrum. As such, they will sometimes shade into one another, the common theme of which is that they involve a failure to follow the rules of an assessment. This document uses the word 'malpractice' to cover both 'malpractice' and 'maladministration', and it means any act, default or practice which is:

- a breach of regulations.
- a breach of PIABC requirements regarding how a qualification should be delivered.
- a failure to follow established procedures in relation to a qualification.

which:

- gives rise to prejudice to candidates.
- compromises public confidence in qualifications.
- compromises, attempts to compromise, or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate.
- damages the authority, reputation, or credibility of PIABC or centre or any officer, employee, or agent of PIABC or centre.

The individuals involved in malpractice also vary. They may be:

- candidates.
- lecturers, tutors, trainers, assessors, or others responsible for the conduct, administration or quality assurance of assessments including examination officers, invigilators and those facilitating access arrangements (e.g. readers and scribes).
- assessment personnel such as examiners, assessors, moderators, or internal and external quality assurers.
- other third parties.

PIABC's Malpractice Policy and Procedure applies to all candidates and to centres and centre staff delivering PIABC qualifications. Where misconduct by PIABC staff (including examiners, moderators, or external quality assurers) is suspected, the appropriate disciplinary procedures will be adhered to.

Malpractice may or may not relate directly to sitting an examination. PIABC is aware of the possibility of novel or unexpected forms of malpractice emerging as technologies (such as the risks and misuse artificial intelligence (AI)) and the nature and organisation of examination centres change.

Failure by a centre to notify, investigate and report to PIABC all allegations of malpractice or suspected malpractice constitutes malpractice in itself.

Also, failure to act as required by PIABC, as detailed in this document, or to co-operate with PIABC's investigation, constitutes malpractice.

## **DIFFERENT TYPES OF MALPRACTICE**

### **Security Breach**

Any act which breaks the confidentiality of question papers, assessment materials or candidates' scripts. It could involve:

- failing to keep material secure prior to an examination.
- discussing or otherwise revealing information about assessments that should be kept confidential (e.g. internet forums/social media).
- moving the time or date of a fixed examination beyond the arrangements permitted within PIABC instructions. Conducting an examination before the published date constitutes centre staff malpractice and is a clear breach of security.
- failing to adequately supervise candidates who have been affected by a timetable variation.
- permitting, facilitating, or obtaining unauthorised access to examination material prior to an examination.
- tampering with candidate scripts, controlled assessments, non-examination assessments before despatch to PIABC. This would include reading candidates' scripts or photocopying candidates' scripts prior to despatch to PIABC.

### **Deception**

Any act of dishonesty in relation to an assessment including, but not limited to:

- inventing or changing marks for internally assessed components (e.g. non-examination assessments) where there is no actual evidence of the candidates' achievement to justify the marks awarded.
- manufacturing evidence of competence against national standards.
- fabricating assessment and/or internal quality assurance records or authentication statements.
- entering fictitious candidates for assessments, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud).
- substituting a candidate's-controlled assessment or non-examination assessment for another candidate's.
- providing misleading or inaccurate information to PIABC and/or candidates.

### **Improper assistance to candidates**

Any act where assistance is given beyond that permitted by the specification or PIABC to a candidate or group of candidates, which results in a potential or actual advantage in an assessment. For example:

- assisting candidates in the production of controlled assessment, non-examination assessments or portfolios, beyond that permitted by PIABC.
- sharing or lending candidates'-controlled assessments and non-examination assessments with other candidates in a way which allows malpractice to take place.
- assisting or prompting candidates with the production of answers.
- permitting candidates in an examination to access prohibited materials (e.g. dictionaries, calculators etc.).
- prompting candidates in an assessment by means of signs, or verbal or written prompts.
- assisting candidates by use of a reader or a scribe beyond that permitted by PIABC.

## **Failure to co-operate with an investigation**

Failure to:

- make available information reasonably requested PIABC in the course of an investigation, or in the course of deciding whether an investigation is necessary.
- investigate on request in accordance with PIABC's instructions or advice.
- investigate or provide information according to agreed deadlines.
- immediately report all alleged, suspected, or actual incidents of malpractice to PIABC.

## **Maladministration**

Failure to adhere to the regulations regarding the conduct of controlled assessments, examinations and non-examination assessments, or malpractice in the conduct of assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results, and certificate claim forms, etc.

For example:

- failing to ensure that candidates'-controlled assessment, non-examination assessment or work to be completed under controlled conditions is adequately completed and/or monitored and/or supervised.
- failure, on the part of the Head of Centre, to adhere to PIABC's specification requirements in the delivery of non-examination assessments and other projects required as part of a qualification.
- failing to adhere to PIABC's key dates and deadlines relating to the delivery of assessments (such as those relating to the return of scripts, reporting of internal assessment marks/grades, making claims, and Head of Centre declarations).
- failure to inform PIABC of alternative sites for examinations.
- not ensuring that the examination venue conforms to the requirements as stipulated by PIABC for conducting examinations.
- failing to prevent the introduction of unauthorised material into the examination room, either prior to or during the examination.
- failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting.
- failure to invigilate examinations in accordance with PIABC's instructions for conducting examinations.
- failure to have in place a malpractice policy.
- granting access arrangements to candidates who do not meet the requirements of PIABC's access arrangements.
- granting access arrangements to candidates where prior approval has not been obtained from PIABC.
- failing to maintain the security of candidate scripts prior to despatch to PIABC.
- failing to despatch candidates' scripts, controlled assessments, or non-examination assessments to PIABC in a timely way.
- failing to notify PIABC immediately of all alleged, suspected, or actual incidents of malpractice.
- failing to conduct a thorough investigation into suspected assessment malpractice when asked to do so by PIABC.
- inappropriate retention or destruction of certificates.
- failing to recruit candidates with integrity, including the recruitment of candidates who have not met the qualification's minimum entry requirements wherever stipulated and/or the recruitment of candidates who are unable or otherwise unlikely to complete the qualification.

## Candidate Malpractice

For example:

- the alteration or falsification of any results document, including certificates.
- a breach of the instructions or advice of an invigilator or PIABC in relation to the examination or assessment rules and regulations.
- failing to abide by the conditions of supervision designed to maintain the security of the assessments.
- collusion: working collaboratively with others, beyond what is permitted
- copying from another candidate (including the use of technology to aid the copying).
- using AI tools to complete an assessment or part of an assessment.
- allowing work to be copied (e.g. posting work on social networking sites prior to an assessment).
- the deliberate destruction of another candidate's work.
- disruptive behaviour in the examination room or during an assessment session.
- failing to report to the centre or PIABC the candidate having unauthorised access to assessment related information or sharing unauthorised assessment related information online
- exchanging, obtaining, receiving, passing on information (or the attempt to) which could be assessment related by means of talking, electronic, written, or non-verbal communication.
- making a false declaration of authenticity in relation to the authorship of controlled assessment, non-examination assessment or the contents of a portfolio.
- allowing others to assist in the production of controlled assessments, non-examination assessments, examination responses or assisting others in the production of controlled assessments, non-examination assessments or examination responses.
- the misuse, or the attempted misuse, of assessment materials and resources (e.g. exemplar materials).
- being in possession of unauthorised confidential information about an examination or assessment.
- personation: pretending to be someone else, arranging for another person to take one's place in an assessment.
- plagiarism: unacknowledged copying from, or reproduction of, third party sources or incomplete referencing (including the internet and AI tools).
- theft of another candidate's work.
- being in possession (whether used or not) of unauthorised material during an examination or assessment, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), watches, instruments which can capture a digital image, electronic dictionaries (when prohibited), translators, wordlists, glossaries, iPods, mobile phones, Air Pods, MP3/4 players, pagers, or other similar electronic devices.
- the unauthorised use of a memory stick or similar device where a candidate uses a laptop
- facilitating malpractice on the part of other candidates.
- behaving in a manner so as to undermine the integrity of the assessment.

## PREVENTING MALPRACTICE

Ofqual's and CCEA Regulation's Conditions of Recognition (A8.1) both state that awarding bodies must *take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery, and award of qualifications which it makes available or proposes to make available.*

Therefore, PIABC will minimise or eliminate the risk of malpractice through a range of approaches which include, but are not limited to:

- Ensuring that the design of qualifications reduces, as far as reasonably possible, the opportunity for malpractice to occur.
- Providing clear processes for the administration of qualifications which reduce, as far as reasonably possible, the opportunity for malpractice to occur.
- Issuing clear and robust guidance documents on all aspects of the delivery and administration of all qualifications, including the following PIABC documents:
  - Access to Assessments
  - Assessment Review and Appeals Procedure
  - Invigilators Guidance Notes
  - Malpractice & Maladministration - Policy and Procedure
  - Plagiarism Policy
  - The Appeals Process (for Appeals against PIABC decisions)
- Fully utilising PIABC's external quality assurance activities to ensure that centre checks are undertaken with appropriate regularity and rigour.
- Responding efficiently and with clarity to a request from a centre to provide it with guidance on how best to prevent malpractice and maladministration.
- Reviewing proven cases of malpractice to analyse what, if anything, PIABC should learn from the occurrence.

### Centres

Centre must take all reasonable steps to prevent malpractice. These can include but are not limited to:

#### Centre staff malpractice and maladministration

- Ensure that staff involved in the delivery of assessments/examinations understand the requirements for conducting these as specified in PIABC documents above and any further PIABC guidance.
- Ensure that staff involved in the delivery of assessments/examinations understand the key dates and deadlines and that there are robust procedures in place to ensure these are met.
- Ensure that examination officers are appropriately trained, resourced, and supported.
- Ensure that exams at alternative sites are conducted in accordance with PIABC's requirements.
- Ensure that all staff who manage and implement special consideration and access arrangements are aware of the requirements and are appropriately supported and resourced.
- Ensure that members of staff do not communicate any confidential information about examinations/assessment materials, including via social media.
- Ensure that members of staff follow appropriate security procedures to ensure confidential information relating to examinations and assessment materials is not breached.
- Ensure that staff delivering/assessing non-examination assessments have robust processes in place for identifying and reporting plagiarism or other potential candidate malpractice.
- Ensure that the centre has a culture of honesty and openness so that any concerns of potential malpractice can be escalated appropriately without fear of repercussion.

## Candidate malpractice

- Ensure candidates are informed verbally and in writing about the required conditions under which the assessments are conducted, including warnings about the introduction of prohibited materials and devices into the assessments, and access to restricted resources.
- Ensure that candidates are aware of actions that constitute malpractice and the sanctions that can be imposed on those who commit malpractice.
- Ensure that candidates are aware of the sanctions of passing on or receiving (even if the information was not requested) confidential assessment materials. If a candidate receives confidential information, they must report it to a member of centre staff immediately.
- Ensure that candidates completing non-examination assessments are aware of the need for the work to be their own and provided with clear instructions on how to avoid plagiarism (including AI misuse).

## IDENTIFICATION AND REPORTING OF MALPRACTICE

### Responsibilities

Regulators state that awarding bodies must establish and maintain, and at all times comply with, up-to-date written procedures for the investigation of suspected or alleged malpractice or maladministration and ensure that such investigations are carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in their outcome.

Therefore, PIABC will:

- oversee all investigations into suspected or alleged malpractice.
- determine whether to withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants a sanction.
- apply appropriate sanctions in cases of proven malpractice.
- report suspected or alleged malpractice or maladministration matters to the regulators in accordance the regulator's regulations.
- consider reporting the matter to the police if suspected or proven malpractice involves the committing of a criminal act.
- protect the interest of candidates affected through no fault of their own by an incident of malpractice.
- decide what information should be gathered and who it deems the most appropriate person(s) to gather information on its behalf. Investigations will be conducted by persons of appropriate competence who have no personal interest in their outcome.

The Head of Centre must:

- notify PIABC immediately of all alleged, suspected, or actual incidents of malpractice. The only exception to this is candidate malpractice discovered non-examination assessments before the authentication forms have been signed by the candidate. If staff malpractice is discovered in non-examination assessments, the Head of Centre must inform PIABC immediately, regardless of whether the candidate(s) has signed the authentication forms.
- report malpractice using the appropriate form.
- be accountable for ensuring that the centre and centre staff comply at all times with PIABC's instructions regarding an investigation.
- ensure that where a candidate who is a vulnerable adult is the subject of a malpractice investigation, the candidate's appropriate adult is kept informed of the progress of the investigation.
- ensure that if it is necessary to delegate the gathering of information to a senior member of centre staff, PIABC's agreement is obtained, and the senior member of centre staff chosen is independent and not connected to the department or candidate involved in the suspected malpractice. The Head of Centre should ensure there is no conflict of interest which might compromise the investigation.

- respond speedily and openly to all requests for an investigation into an allegation of malpractice. This will be in the best interests of centre staff, candidates and any others involved.
- make information requested by PIABC available speedily and openly.
- co-operate with an enquiry into an allegation of malpractice and ensure that their staff do so also, whether the centre is directly involved in the case or not.
- ensure staff members and candidates are informed of their individual responsibilities and rights as set out in this document.
- forward any PIABC correspondence and evidence to centre staff and/or provide staff contact information to enable PIABC to do so.
- at all times comply with data protection law.
- pass on to the individuals concerned any warnings or notifications of sanctions and ensure compliance with any requests made by PIABC as a result of a malpractice case.

The responsibilities above extend to instances of suspected malpractice involving private candidates entered through the centre.

Head of Centre are reminded that a failure to comply with the requirements set out in paragraphs above may itself constitute malpractice.

Suspected malpractice can be identified and reported by any of the following:

- centres (including by candidates or centre staff).
- PIABC (including by examiners, assessors, external quality assurers, moderators, and staff).
- other individuals (such as anonymous sources or members of the public).

### **Identification and reporting of malpractice by centres**

Centres must have in place robust processes to prevent and identify malpractice, as outlined in above. Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels.

The form at the end of this document should be used to notify PIABC of an incident of candidate malpractice. Notifications in letter format will be accepted but must provide the information as required by the form.

Malpractice by a candidate discovered in a controlled assessment or non-examination assessment component prior to the candidate signing the declaration of authentication need not be reported to PIABC but must be dealt with in accordance with the centre's internal procedures. The only exception to this is where PIABC's confidential assessment material has potentially been breached. The breach must be reported to PIABC immediately.

Malpractice by a candidate discovered in a controlled assessment, coursework, or non-examination assessment where a candidate has signed the declaration of authentication, must be reported to PIABC. If at the time of the malpractice, there is no entry for that candidate (who the centre intended to enter), the centre is required to submit an entry by the required entry deadline.

Centres should not normally give credit for any work submitted which is not the candidate's own work. If any improper assistance has been given, this must be reported to PIABC, and a note must be made of this on the cover sheet of the candidate's work or other appropriate place. Where malpractice by a candidate in a vocational qualification is discovered prior to the work being submitted for certification, centres should refer to the guidance provided by PIABC. If controlled assessment, non-examination assessment or portfolio work which is submitted for internal assessment is rejected by the centre on grounds of malpractice, candidates have the right to appeal against this decision there should be an internal process in place at the centre so that candidates can request an internal appeal against the decision.

The form at the end of this document should be used to notify PIABC of an incident of suspected staff malpractice/maladministration. Notifications in letter format will be accepted but must provide the information as required by the form. Upon receipt of a form, PIABC will review the information provided and determine the appropriate next steps for the investigation. The centre should not proceed with further information gathering until authorisation has been received from PIABC.

### **Identification and reporting of malpractice by PIABC**

PIABC will take all reasonable steps to prevent malpractice. PIABC have robust measures in place to identify and report suspected malpractice. Malpractice can be identified by PIABC examiners, assessors, external quality assurers, moderators, and staff.

Examiners, moderators, and external quality assurers who suspect malpractice in an assessment will notify PIABC.

Upon receipt of malpractice PIABC will review them and determine the appropriate next steps, as detailed below.

### **Identification and reporting of malpractice by others**

PIABC want malpractice to be reported and would encourage anyone who has information regarding malpractice to come forward and report the matter.

Allegations of malpractice are sometimes reported to PIABC by employers, centre staff, regulators, candidates, other awarding bodies, and members of the public. Sometimes these reports are anonymous. Where requested, PIABC will not disclose the identity of individuals reporting cases of suspected malpractice, unless legally obliged to do so.

Employees/workers making allegations of suspected malpractice within centres may be protected by the Public Interest Disclosure Act 1998 (PIDA), if:

- the disclosure amounts to a “protected disclosure” (as set out in the relevant legislation).
- the employee/worker is raising a genuine concern in relation to malpractice.
- the disclosure is made in compliance with the guidelines set out in the legislation and/or the centre’s own Whistleblowing Policy.
- if the disclosure is made to their employer or a prescribed body such as Ofqual.

For the avoidance of doubt, awarding bodies are not identified in the legislation as bodies to whom protected disclosures can be made (i.e. a prescribed body). Ofqual, however, is described in the legislation as a body to whom protected disclosures can be made.

Further guidance on the Public Interest Disclosure Act 1998 and protected disclosures can be found in at [www.gov.uk](http://www.gov.uk).

PIABC is aware that reporting suspected malpractice by a member of staff or a candidate can create a difficult environment for that individual. Accordingly, PIABC will try to protect the identity of any person(s) reporting malpractice if this is requested at the time the information is given.

If the information is provided over the telephone, the person(s) reporting malpractice will usually be asked to confirm the allegation in writing.

When PIABC receives an allegation, PIABC will evaluate the allegation in the light of any available information to see if there is cause to investigate.

## **What PIABC does on receipt of allegations and notifications of suspected malpractice**

The following steps are an outline of what PIABC will do on receipt of allegations and notifications of suspected malpractice.

- Allegation/notification of suspected malpractice received.
- PIABC to review and assess strategy of investigation and if an investigation is necessary.
- Background desktop research conducted by PIABC (factual review of the allegation or notification, historical malpractice cases, candidate volumes).
- Information gathering.
- Evidence review (review of all the information gathered to determine if the allegations are supported by the evidence and if there are other concerns arising during the investigation).
- Findings of the investigation.
- Case/investigation review (identification from the evidence of any potential regulation/specification breaches).
- Malpractice Panel (the outcome of the investigation is determined by Malpractice Panel).
- Final outcome.

Please note some of the steps outlined above can occur concurrently. Where appropriate and where all information has been provided from the outset, PIABC can proceed straight to Malpractice Panel (e.g. a suspected candidate malpractice incident involving a mobile phone).

In suspected centre staff malpractice investigations where candidates have been affected through no fault of their own, PIABC will endeavour to protect candidates who have been adversely affected.

PIABC aims to resolve all investigations as quickly as possible. However, each investigation can have its own complexities which may affect timescales of progress and outcomes of investigations.

## **GATHERING OF INFORMATION**

### **Investigations**

Any allegation that PIABC decides requires investigation will need an individual appointed to gather information. This is to determine whether or not there is any evidence to support the allegation made.

An allegation of malpractice is unproven until the relevant information has been gathered and considered.

An investigation will allow PIABC to decide on a case – this may be that there is no case to answer as, following investigation, there is no evidence to support the allegation. Alternatively, it may lead to a finding of malpractice which could then incur a sanction for an individual or individuals, or a centre (see below).

### **Appointing an information gatherer**

PIABC will determine who should gather information for the investigation. The individuals that can be chosen are:

- the Head of Centre
- the responsible employer (or his/her nominee)
- PIABC staff member
- another suitably qualified individual (e.g. Ofsted Inspector)

The person gathering information must have no personal or other conflict of interest in the outcome of the investigation. The individual authorised to gather information will then report to PIABC by the time specified and providing all the requested evidence.

PIABC would usually expect the Head of Centre, or a senior staff member nominated by the head, to gather information on its behalf. Whoever gathers information must have no personal interest in doing so. Further information about conflicts of interest can be found in below.

Where the Head of Centre wishes to appoint a staff member to gather information, the agreement of PIABC must be obtained first. The Head of Centre will retain responsibility for ensuring the information has been obtained appropriately. The Head of Centre must ensure the information gathering meets the deadlines and requirements set by PIABC.

### **Conflicts of interest**

In all cases, the Head of Centre must confirm to PIABC the identity of the individual who will gather information and that the individual is appropriately senior, experienced in conducting similar types of investigations and that their appointment will not create a conflict of interest. PIABC will confirm whether or not they agree to the suggested information gatherer. A conflict of interest would arise where:

- the information-gatherer has direct line management responsibility for any of the accused individuals.
- the information-gatherer has overall responsibility for the area of work subject to the investigation.
- the information-gatherer has a relationship, beyond the working relationship, with any of the accused individuals.
- the above do not apply but there is or could be a perception that the individual would have a conflict of interest.

In the event of any concerns regarding conflicts of interest, or the suitability of the potential information-gatherer, the Head of Centre must contact PIABC as soon as possible to discuss the matter.

Very occasionally, it may only become known after the information has been gathered and report submitted that the information-gatherer had a conflict of interest. In these cases, the investigation may have to be completed again, by a different information-gatherer.

### **Delegated information gathering**

Where PIABC delegates the information gathering to the Head of Centre, PIABC will set out:

- the allegation made.
- why this would constitute malpractice, if proven.
- who the centre needs to interview/collect statements from – this could include staff and/or candidates.
- the key lines of enquiry the information gatherer must follow in order to appropriately cover the allegations made.
- the expected timescales for the information gathering and subsequent report.

Those responsible for gathering information for an investigation should obtain the information specified by PIABC, in the formats and to the timescales required. Individuals should always gather the information specified by PIABC, regardless of their assessment of the matter.

When interviewing staff or candidates, centres must conduct those interviews in accordance with their own internal policy for conducting enquiries.

Information gatherers must ensure that those implicated in malpractice are given the rights in “The rights of accused individual and information gathering’ below.

A note or transcript of the interview must be taken and provided to the interviewee to sign to confirm its accuracy.

### **Direct PIABC investigations**

In some cases, PIABC will gather information for the investigation directly. This includes situations where:

- the centre is unable to appoint an appropriate information-gatherer.
- the centre refuses to appoint an information-gatherer (this would, of itself, likely constitute malpractice).
- the allegation is such that it would be inappropriate for the centre to appoint an information-gatherer. This may be where:
  - the alleged malpractice is systemic.
  - the Head of Centre is implicated in the alleged malpractice.
  - there is a wider reputational risk to the integrity of the exams system, for example, an online security breach of a question paper.

A decision to investigate directly rests with PIABC and PIABC reserves the right to conduct a direct investigation where it considers it to be the most appropriate course of action, including where it has initially asked the Head of Centre to gather information.

PIABC will usually correspond in advance with an appropriate individual at the centre (usually the Head of Centre), to organise interviews and any other appropriate investigatory activity.

On rare occasions, PIABC may deem it necessary to visit the centre unannounced. In such situations the centre must endeavour to accommodate PIABC’s staff and their requests for information and data.

When organising a direct investigation, incorporating the collection of information, PIABC will clearly set out:

- the allegation made.
- why this would constitute malpractice, if proven.
- who it needs to interview/collect statements from – this could include staff and candidates.
- the expected timescales for the information gathering.
- whether they need to collect any written documents from the centre as part of their investigations.
- the requirements for accommodating any interviews – for example, rooms, access to information, safeguarding requirements when interviewing vulnerable adults.

Gathering information often involves interviewing individuals about the allegations made. PIABC will seek permission from the interviewee to record those interviews and will provide a written transcript to the individual interviewed, to be confirmed as an accurate record.

PIABC may decide it is preferable to conduct interviews remotely, via MS Teams or equivalent. These interviews will also be recorded with a transcript sent to the individual for confirmation of accuracy.

It may be necessary for PIABC to interview candidates during an investigation. If the candidate is a vulnerable adult, and if the interview is to be conducted face to face, PIABC undertake to do this only in the presence of an appropriate adult.

## **Information obtained from individuals**

Information can be obtained from individuals during the information gathering stage of an investigation through either statements or interviews.

Those accused of malpractice and any person who witnessed or is likely to be aware of facts relevant to the allegation of malpractice should be interviewed and/or asked to provide a statement.

Any statements that are obtained must be in the witness' own words and be signed and dated.

Any member of centre staff or adult candidate being interviewed may be accompanied by an appropriate adult or advisor (who may be a representative of a teacher's association or other organisation).

The involvement of legal advisors is not necessary, at least where there is no allegation of criminal behaviour. However, if the individual being interviewed wishes to be accompanied by a legal advisor, the other parties must be informed beforehand to give them the opportunity to be similarly supported. PIABC will not be liable for any professional fees incurred.

The person accompanying the interviewee should not take an active part in the interview. In particular, they must not answer questions on the interviewee's behalf.

All those interviewed or making a statement should be made aware that PIABC reserve the right to share their statements, records or transcripts of any interview(s) that are undertaken, with others involved in the case and other appropriate third parties. This information may be shared at any stage during or after the investigation.

## **Protecting confidentiality/anonymity**

PIABC will not normally withhold information from the Head of Centre or those being investigated about material obtained or created during the course of an investigation into an allegation of malpractice.

However, it must comply with data protection law and specifically it may withhold information where this would involve disclosing the identity of someone who has asked for his/her identity to remain confidential. Whilst not prescribed bodies covered by the Public Information Disclosure Act, PIABC will comply with such requests where they can reasonably do so in order not to deter individuals from coming forward with legitimate concerns.

In such cases, PIABC will withhold information that would reveal the person's identity and will explain why the withheld information cannot be provided. This may include redacting information from the original allegation received.

## **The rights of accused individuals – information gathering**

If, in the view of the information-gatherer, there is sufficient evidence that an individual may have committed malpractice, that individual (the candidate or the member of staff) must:

- be informed (preferably in writing) of the allegation made against them.
- be provided with a copy of PIABC's Malpractice & Maladministration Policy & Procedure.
- be made aware of all evidence that has been obtained during the investigation which supports the allegation.
- know the possible consequences should malpractice be proven.
- have the opportunity and sufficient time to consider their response to the allegations.
- be given an opportunity to submit a written statement in response to the allegations.

- be provided with a complete set of case documentation, in the event of the case being referred to PIABC's Malpractice Panel.
- be informed that in the event that the case is referred to PIABC's Malpractice Panel, they will:
  - be provided with a complete set of case documentation.
  - have the opportunity to read, and make a statement in response to, the case documentation.
  - have the opportunity to seek professional advice and to provide a supplementary statement.
- be made aware of their right to appeal should a sanction be applied to them as set out in PIABC's The Appeals Process (for Appeals against PIABC decisions).

The Head of Centre is responsible for ensuring that the accused individual is informed of their rights and responsibilities. If the Head of Centre considers that there is a need to exercise discretion in the light of the circumstances of the case in terms of how the evidence is presented to the accused individual (for example, if they have concerns about revealing the identity of a third party mentioned in the documentation), this should be discussed with PIABC.

### **Completing and submitting the report**

Once the information gathering has concluded, the Head of Centre (or other appointed information-gatherer) must submit a written report summarising the information obtained and actions taken to PIABC, accompanied by the information obtained during the course of their enquiries.

The report must contain a statement of the facts of the case, including a detailed account of the circumstances of the alleged malpractice and an objective description of the information gathered during the course of the investigation, and must include details of any exculpatory information (or mitigating factors) found during the investigation process.

The information-gatherer must ensure that the accused individuals are made fully aware of their rights and responsibilities prior to submission of the report to PIABC. The checklists inside the forms must be completed to provide assurances that this has been done.

The following evidence must be provided alongside the report (as appropriate):

- any written statements from/transcriptions of interviews with the invigilator(s), assessor, internal quality assurer(s) or other staff who are involved in, or provided information relevant to, the alleged malpractice. All such documents must be signed and dated by the individuals concerned.
- transcriptions of interviews with/written statements from any candidates involved in, or affected by, the alleged malpractice. All such documents must be signed and dated by the candidates, and any statements must be in the candidates' own words. When reporting candidates' malpractice, if statement(s) from candidate(s) is/are enclosed, centres must indicate on the form at the end of this document to indicate that the candidate(s) has/have been given the opportunity to make a statement but has/have chosen not to do so.
- details of how the centre informs centre staff and candidates about PIABC's regulations.
- seating plans showing the exact position of candidates in the examination room.
- copies of unauthorised material found in the examination room (where appropriate, centres should retain the original unauthorised material).
- any candidate work/associated material (e.g. source material for non-examination assessment) which is relevant to the investigation.
- any teaching resources/material/details of feedback given to candidates relevant to the investigation.
- details of any other information relevant to the investigation, such as applications for/documentation relating to access arrangements.

- any other relevant information or evidence not listed above but which is relevant to the case being investigated, for example, CCTV footage.
- a summary of the actions which will be taken by the centre to mitigate the impact of any malpractice, and the actions to be taken to avoid a recurrence of such a malpractice incident.

PIABC will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The Head of Centre will be informed accordingly.

## **THE DECISION**

### **Summary procedure**

In straightforward cases where the evidence does not appear to be contested or in doubt, PIABC may invoke a summary procedure.

Examples of when a summary procedure may be invoked include:

- the initial information received from the centre is sufficient for an immediate decision to be made by PIABC member of staff.
- the information available to PIABC clearly indicates that malpractice has occurred (e.g. offensive language in a candidate's script).

In such circumstances, an appointed person at PIABC may conclude that malpractice is proven and impose a sanction or sanctions. The individual(s) and centre affected will be informed of the malpractice findings and notified of the sanctions imposed; the evidence supporting the conclusion of malpractice; that a summary procedure has been invoked; and that they have the right to contest the decision.

Where a sanction is applied under the summary procedure, the individual(s) or centre to whom the sanction has been applied may contest the decision by asking for the matter to be referred to the Malpractice Panel. For candidate malpractice cases, the centre has the right to contest the decision by asking for the matter to be referred to the Malpractice Panel. They have 14 days in which to do so. The Malpractice Panel will then consider the case.

The Malpractice Panel will consider the case in accordance procedure below.

The Malpractice Panel will consider the matter afresh. As a result, it may reach different conclusions as to whether, and if so, what malpractice occurred, and it may decide to impose the same, lesser, or more severe sanction(s). Should the Malpractice Panel will determine that sanctions should be imposed, these will be subject to appeal.

### **The Malpractice Panel**

In order to determine the outcomes in cases of alleged malpractice, PIABC may appoint a panel composed of internal and/or external members experienced in assessment procedures. In some cases, rather than a panel, this function may be allocated to a named individual member or members of PIABC staff. In this document the panel (or PIABC personnel responsible for making decisions in malpractice cases) is referred to as the 'Malpractice Panel'.

The following applies to the activities of the Malpractice Panel (or to the personnel acting in this capacity):

- the work of the Malpractice Panel is confidential.
- members of the Malpractice Panel are required to identify any case where they have personal knowledge, or might reasonably be said to have some interest, which could reasonably lead to an inference that they could be biased. Any member with a close personal

interest will take no part in the discussion of the case and will not be present when the Malpractice Panel discusses the matter.

- accused individuals, Head of Centre and their representatives are not entitled to be present at meetings of the Malpractice Panel.

The key principle underpinning the composition of the Malpractice Panel is that it is independent of those who have conducted the investigation.

PIABC staff who have directly gathered evidence information for the case will not determine the outcome.

In the case of Malpractice Panel hearings/meetings, no-one who declares an interest in the outcome of the case will be present when the case is considered.

Evidence supplied to the Malpractice Panel will only include information relevant to the case which has also been made available to the person against whom the allegation has been made. For the avoidance of doubt, where the person against whom the allegation is made receives material that has been subject to redaction (e.g. of individuals' names), the material that the Malpractice Panel receives will also be redacted to the same extent.

The person against whom the allegation has been made will be given the opportunity to make a final written statement to the Malpractice Panel in the light of the material provided. The final written statement will be provided to the Malpractice Panel prior to their meeting. Where the allegations are against more than one person, only the Malpractice Panel will receive each individual's final written statement.

It should be noted that the Malpractice Panel, when considering a malpractice investigation, may determine that the issues identified have arisen due to management or centre failings (such as a lack of appropriate training) and that sanctions should be imposed upon Head of Centre or centres as a result. Head of Centre should be aware, therefore, that while there may be individuals formally accused of malpractice, sanctions might be imposed upon them or the centre by the Malpractice Panel. Head of Centre should ensure that they have considered whether they should submit a final statement for consideration by the Malpractice Panel and that they have notified any appropriate parties at the centre (such as directors, owners, etc.) in the event that a sanction might be imposed upon it.

### **Making the decision**

Where individuals have had the opportunity to make a final written statement, but have declined this opportunity, the case will proceed on the basis of all other information received.

The Malpractice Panel will determine:

- whether correct procedures were followed.
- whether malpractice as defined in above this document has occurred.
- the regulation or specification requirement which it is alleged has been broken.
- the facts of the case based on the evidence presented to them.
- whether the facts as so established actually breach the regulations or specification requirements.
- where the culpability lies for the malpractice.

If the Malpractice Panel determines that malpractice has occurred, it will then seek to determine the appropriate sanction(s) to be applied, if any, considering the least severe sanction first, considering any points in mitigation and the appropriate measures to be taken to protect the integrity of the assessment and to prevent future breaches.

Each case of suspected malpractice will be considered and judged on an individual basis in the light of all information available. Where there is an established, clearly evidenced, repeated pattern of malpractice, this may be taken into consideration when determining whether a more severe sanction should be applied.

Where a decision is being made by the Malpractice Panel, it will seek to make decisions unanimously but, if necessary, may decide by a majority.

The Malpractice Panel must be satisfied from the evidence before it that on the balance of probabilities the alleged malpractice occurred (i.e. that it is more likely than not). It is possible that the evidence in some cases may be inconclusive, but PIABC may decide that it is unable to accept the work of a candidate or issue results in order to protect the integrity of the qualification for the majority. Where appropriate, PIABC may issue estimated grades for the affected unit(s).

In situations where a case is deferred because the Malpractice Panel requires further information in order to decide, the deferral and the nature of the request will be shared with the investigation team and the individual against whom the allegation has been made.

All sanctions resulting from cases of malpractice are subject to appeal.

## **SANCTIONS**

PIABC will impose sanctions on individuals and on centres responsible for malpractice in order to:

- minimise the risk to the integrity of examinations and assessments, both in the present and in the future.
- maintain the confidence of the public in the delivery and awarding of qualifications.
- ensure as a minimum that there is nothing to gain from breaching the regulations.
- deter others from doing likewise.

PIABC will impose sanctions on individuals found guilty of malpractice where appropriate. Sanctions will usually be applied in cases where there has been a risk to the integrity of the qualification. The individuals who receive sanctions will usually be the candidate(s) or the responsible member(s) of staff. However, when malpractice is judged to be the result of a serious management failure within a department or the whole centre, PIABC may apply sanctions against the centre and/or centre management.

When determining the appropriate sanction(s) to be applied, PIABC will consider whether the malpractice committed undermined, or attempted to undermine, the integrity of its assessments, or had the potential to undermine public confidence.

PIABC reserve the right to apply sanctions flexibly, outside of the defined ranges, if particular mitigating or aggravating circumstances are found to exist.

Sanctions will be based only on the evidence available.

PIABC will ensure that all sanctions they impose are justifiable and reasonable.

Sanctions imposed upon candidates will only be applied in relation to assessments taken in the series/academic year in which malpractice has been identified and, where appropriate, future assessments (where a candidate is prohibited from taking a PIABC's qualifications for a period of time).

For consistency of approach in the application of sanctions, PIABC will not usually attach significant weight to the consequential effects of any particular sanction which might arise from the circumstances of the individual.

A permanent record will be kept of the impact of any sanctions on an individual candidate's results. For this reason, centres must not withdraw candidates after malpractice has been identified, even if the candidates have not completed the assessments in question. Similarly, centres are required to continue to make an entry for a candidate(s) who entered at the time they were found to have committed malpractice (see 'Identification and reporting of malpractice by centres' for more details).

Head of Centre must inform those individuals found guilty of malpractice that information may be passed on to other awarding bodies and/or other appropriate authorities. This information will typically include the names, offences and sanctions applied to those found guilty of breaching the published regulations.

## **SANCTIONS FOR CENTRE STAFF MALPRACTICE: INDIVIDUALS**

When determining the appropriate sanction which should be applied to an individual, PIABC will consider whether the integrity of its qualifications might be at risk if an individual found to have committed malpractice were to be involved in the future conduct, supervision, or administration of PIABC's assessments.

It is not the role of PIABC to be involved in any matter affecting the member of staff or contractor's contractual relationship with his/her employer or engager. PIABC recognise that employers may take a different view of an allegation to that determined by PIABC. An employer may wish to finalise any centre-based decision after PIABC has reached its conclusion.

In determining the appropriate sanction, PIABC will consider factors including:

- the potential risk to the integrity of the assessment.
- the potential adverse impact on candidates.
- the number of candidates and/or centres affected.
- the potential risk to those relying on the qualification (e.g. employers or members of the public).

PIABC may consider, at its discretion, mitigating factors supported by appropriate evidence. Ignorance of the regulations will not, by itself, be considered a mitigating factor. Failure to communicate any sanctions to an individual will be considered to be malpractice by the Head of Centre.

Individuals may be subject to one or more sanctions.

Where a member of staff or contractor has been found guilty of malpractice, PIABC may impose one or more of the following sanctions:

- **Written warning** - A written warning that if the member of staff commits malpractice within a set period of time, further specified sanctions will be applied.
- **Training** - The member of staff, as a condition of future involvement in the delivery of PIABC's assessments, to undertake specific training or mentoring within a particular period of time. PIABC may request written confirmation of the delivery of the training.
- **Special conditions** - Special conditions are imposed on the member of staff regarding their future involvement in the delivery of PIABC's assessments. For example, the member of staff must be supervised.
- **Suspension/debarment** - The member of staff is suspended/debarred from all involvement in the delivery or administration of PIABC's assessments for a set period of time. Other awarding bodies, regulators, and other organisations may be informed when a suspension/debarment is imposed.

These sanctions will be notified to the Head of Centre who must ensure that they are communicated to the individual(s) upon whom they have been imposed and that the sanctions are adhered to.

PIABC may, at its discretion, ask for monitoring activity to be undertaken, or a plan devised to provide assurance that sanctions against centre staff are being appropriately applied.

For example:

Type of offence	Warning	Training	Special Conditions	Suspension
Security breach	Failure to give due care and attention to security of assessment materials not resulting in a security breach, e.g. materials left outside of secure store but no breach to seals on question paper packets. Risk presented to integrity of examination, but no evidence of breach; failure to store papers appropriately but with no impact beyond increased risk.	Risk presented to integrity of examination with evidence of failure to understand regulations designed to protect examination integrity, e.g. incorrect papers removed from secure store, no second pair of eyes check, but content of papers not divulged to any unauthorised third party.	Inadvertent/ accidental failure to follow security regulations or action that has the potential to breach examination security, e.g. giving candidates the wrong paper, but breach contained to candidates within centre.	Abuse of legitimate access to confidential material, e.g. sharing live examination questions with candidates in advance of the scheduled examination time. Failure to act promptly to contain impact of security breach to centre.

## SANCTIONS FOR CENTRE STAFF MALPRACTICE: CENTRES

Centres may be subject to one or more of the below sanctions.

PIABC may impose the following sanctions against centres:

- Written warning - A written warning to the Head of Centre advising of the malpractice and warning that further action may be taken (including the application of sanctions and special conditions) should there be a recurrence, or subsequent malpractice at the centre.
- Review and report procedures/action plans - The Head of Centre will be required to review the centre's procedures for the conduct or administration assessment. The Head of Centre will additionally be required to report back to PIABC on improvements implemented by a set date. Alternatively, an action plan will be agreed between PIABC and the centre which will need to be implemented as a condition of continuing to accept registrations from the centre.
- Approval of specific assessment tasks - The approval by PIABC of specific assessment tasks in situations where these are normally left to the discretion of the centre.
- Additional monitoring or inspection - PIABC may increase, at the centre's expense, the normal level of monitoring that takes place in relation to their qualification(s).
- Removal of direct claims - Direct claims status may be removed from the centre, meaning that all claims for certification must be authorised by the centre's external verifier.

- Restrictions on examination materials - For a specified period of time, a centre will be provided with examination papers shortly before such papers are scheduled to be used. These papers might be opened and distributed under the supervision of PIABC officer (or appointed agent) responsible for the delivery. The centre might also be required to hand over to PIABC officer (or appointed agent) the completed scripts and any relevant accompanying documentation, rather than using the normal script despatch procedures.
- Independent invigilators - The appointment for a specified period of time, at the centre's expense, of independent invigilators to ensure the conduct of examinations is in accordance with PIABC procedures.
- Suspension of candidate registrations - PIABC may, for a period of time, or until a specific matter has been rectified, refuse to accept candidate registrations from a centre.
- Withdrawal of approval for a specific qualification(s) - PIABC may withdraw the approval of a centre to offer one or more qualifications issued by that PIABC.
- Withdrawal of centre recognition/approval - PIABC may withdraw its recognition or approval for the centre. This would mean that the centre will not be able to deliver or offer candidates the respective PIABC's qualifications. The regulators, awarding bodies and other appropriate authorities will be informed if this action is taken. At the time of withdrawal of centre recognition, where determined by PIABC, a centre will be informed of the earliest date at which it can reapply for registration and any measures it will need to take prior to this application. Centres which have had centre recognition withdrawn should not assume that re-approval will be treated as a formality.

Any expense incurred in ensuring compliance with the sanctions and/or special conditions may be borne by the centre.

For example:

<b>Proposed sanction</b>	<b>Broad reason for the sanction</b>
Written warning	Minor non-compliance with the regulations or maladministration with no direct or immediate threat to the integrity of an assessment.
Restrictions on assessment materials	Failure to maintain the security of assessment materials.
Withdrawal of centre recognition	Loss of confidence in the head of centre or senior management of the centre. Breakdown in management and quality assurance arrangements for some or all accredited qualifications offered by the centre. Failure to co-operate with awarding body requests to thoroughly investigate suspected malpractice. Failure to implement a specified action plan.

## **SANCTIONS APPLIED AGAINST CANDIDATES**

Candidates may be subject to one or more sanctions.

PIABC may impose the following sanctions against candidates (it should be noted that sequence of the sanctions below does not imply that the sanctions become progressively more severe. Not all sanctions are applicable to all qualification types):

1. Warning - The candidate is issued with a warning that if he/she commits malpractice within a set period of time, further specified sanctions will be applied.
2. Loss of all marks for a section - The candidate loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of non-examination assessment if this consists of several items.

3. Loss of all marks for a component - The candidate loses all the marks gained for a component. A component is more often a feature of a linear qualification than a unitised qualification, and so this sanction can be regarded as an alternative to sanction 4. Some units also have components, in which case a level of sanction between numbers 2 and 4 is possible.
4. Loss of all marks for a unit - The candidate loses all the marks gained for a unit. This sanction can only be applied to qualifications which are unitised. For linear qualifications, the option is sanction 3. This sanction usually allows the candidate to aggregate or request certification in that series, albeit with a reduced mark or grade.
5. Disqualification from a unit - The candidate is disqualified from the unit. This sanction is only available if the qualification is unitised. For linear qualifications, the option is sanction 7. The effect of this sanction is to prevent the candidate aggregating or requesting certification in that series if the candidate has applied for it. For qualifications with assessments taken throughout the academic year, the candidate will be disqualified from the unit and will not be able to use the unit to aggregate/certify. The candidate will need to redo the unit in order to be eligible for aggregation/certification, subject to PIABC requirements.
6. Disqualification from all units in one or more qualifications taken in the series or academic year - If circumstances justify, sanction 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous examination series are retained.) This sanction is only available if the qualification is unitised. For linear qualifications, the option is sanction 8. For qualifications with assessment taken throughout the academic year, the candidate will be disqualified from the unit(s) and will not be able to use the unit(s) to aggregate/certify. The candidate will need to redo the unit in order to be eligible for aggregation/certification, subject to PIABC's qualification requirements.
7. Disqualification from a whole qualification - The candidate is disqualified from the whole qualification taken in that series or academic year. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications.
8. Disqualification from all qualifications taken in that series or academic year - If circumstances justify, sanction 7 may be applied to other qualifications. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications.
9. Candidate debarment - The candidate is barred from entering for one or more examinations for a set period of time. This sanction is applied in conjunction with any of the other sanctions above if the circumstances warrant it.

Unless a sanction is accompanied by a bar on future entry, all candidates penalised by loss of marks or disqualification may re-take the component(s), unit(s) or qualification(s) affected in the next examination series or assessment opportunity if the specification permits this.

Head of Centre may wish to take further action themselves in cases of candidate malpractice.

For example:

Type of offence	Warning (Sanction 1)	Loss of marks (Aggregation still permitted) (Sanctions 2-4)	Loss of aggregation or certification opportunity (Sanctions 5-9)
Plagiarism: unacknowledged copying from or reproduction of third-party sources	minor amount of plagiarism/poor referencing in places.	plagiarism from work listed in the bibliography or referenced/acknowledged; or	plagiarism from work not listed in the bibliography or referenced/acknowledged; or

(including the internet and AI tools); incomplete referencing		minor amount of plagiarism from a source not listed in the bibliography or referenced/acknowledged.	plagiarised text consists of the substance of the work submitted and the source is listed in the bibliography or referenced/acknowledged.
Making a false declaration of authenticity		sections of work done by others, but most still the work of the candidate.	most or all of the work is not that of the candidate.
Copying from another candidate or allowing work to be copied (including the misuse of technology)	lending work not knowing it would be copied	permitting examination script/work to be copied; showing other candidates' answers	copying from another candidate's script, controlled assessment, coursework, nonexamination assessment; borrowing work to copy.

## COMMUNICATING DECISIONS

Once a decision has been made, it will be communicated in writing to the Head of Centre as soon as possible. It is the responsibility of the Head of Centre to communicate the decision to the individuals concerned and to pass on details of any sanctions and action in cases where this is indicated. The Head of Centre must also inform the individuals if they have the right to appeal.

PIABC will only communicate directly with a candidate (or candidate's representative) when they are a private candidate, or PIABC has been liaising with the candidate directly regarding their alleged involvement in malpractice.

PIABC reserves the right to communicate directly with candidates regarding investigations where they are directly impacted, and PIABC does not have assurance that the centre is communicating appropriately with the candidate(s).

Malpractice cases are usually confidential between the centre and PIABC. However, in cases of serious malpractice, such as where the threat to the integrity of the assessment is such as to outweigh a duty of confidentiality, it may be necessary for information to be exchanged amongst:

- the regulators
- other awarding bodies
- other regulatory or investigative bodies
- other centres where the malpractice may affect the delivery of PIABC's qualification

It is the responsibility of the Head of Centre to inform the accused individual that PIABC may share information in accordance with above.

PIABC will normally only communicate directly with a candidate (or the candidate's representative) when they are a private candidate or PIABC has been liaising with the candidate directly regarding their alleged involvement in malpractice. For example, PIABC reserve the right to communicate directly with candidates regarding investigations where they are directly impacted and PIABC does not have assurance that the centre is communicating appropriately with the candidate(s).

## APPEALS

PIABC has established procedures for considering appeals against sanctions arising from malpractice decisions. The following individuals have a right to appeal against decisions of the Malpractice Panel or officers acting on its behalf:

- Head of Centre, who may appeal against sanctions imposed on the centre or on centre staff, as well as on behalf of candidates entered or registered through the centre.
- members of centre staff including those who may be under contract to fulfil assessments, who may appeal against sanctions imposed on them personally.
- private (external) candidates.
- third parties who have been barred from taking or delivery of PIABC's examinations/ assessments.

Information on the process for submitting an appeal will be sent to all centres involved in malpractice decisions. Appeals must normally be made within 14 days of receiving the outcome of the Malpractice Panel 's decision.

Further information about PIABC's appeals process, please see PIABC's The Appeals Process (for Appeals against PIABC decisions).



## SUSPECTED MALPRACTICE & MALADMINISTRATION FORM

### Confidential

Centre Name:	
Centre Number:	
Centre Address:	
Head of Centre 's Email Address:	
Head of Centre 's Telephone Number:	
Centre Staff(s) and/or Candidate(s) involved:	
Description of alleged malpractice including details as to how it was discovered, by whom and when:	

Contents and outcome of any investigation conducted by the centre relating to the issue (if applicable):

Date(s) and Time(s) alleged incident	
Qualification title and number in question	
Complainant's name, signature, and date of complaint	
Complainant's address, telephone number and e-mail details	

Please complete and send to PIABC with supporting statements and documentation to: [piabc@iom3.org](mailto:piabc@iom3.org)