Malpractice and Maladministration Policy 2026 - 2027

Introduction

Bay Learning Academy is dedicated to maintaining the highest standards of academic integrity and quality in all aspects of its operations. This Malpractice and Maladministration Policy is designed to provide clear guidelines for identifying, preventing, and addressing instances of malpractice and maladministration within the organisation.

Purpose

The purpose of the policy is to mitigate risks to certification integrity, sustain public confidence in the delivery and awarding of qualifications, and deter individuals from engaging in malpractice or maladministration.

Scope

This policy applies to both Bay Learning Academy students and staff members engaged in the utilisation or delivery of the qualifications and courses offered by Bay Learning Academy. It specifically addresses suspected or actual malpractice and/or maladministration.

Location of the Policy

This policy is made accessible to all staff members, third parties, and learners affiliated with Bay Learning Academy.

Communication of the Policy

It is imperative to ensure that staff members engaged in the management, assessment, and quality assurance of qualifications, along with learners pursuing qualifications with Bay Learning Academy, are well-informed about the contents of this policy.

Definitions

Malpractice

Malpractice refers to any activity, action, practice, or omission that is either wilfully negligent or deliberately contravenes regulations and requirements. It compromises the integrity of the internal or external assessment

process, the validity of results and/or certificates, and the reputation of the organisation or awarding body. This term encompasses misconduct and forms of unnecessary discrimination towards specific groups of learners.

Maladministration

Maladministration is any activity, neglect, default, or other practice resulting in the organisation or learner not complying with administrative regulations or requirements. It includes persistent mistakes or poor administration within the Centre. Recurrent maladministration constitutes malpractice and will be treated as such.

A non-exhaustive list of instances illustrating malpractice and maladministration is provided below.

Learner Malpractice

Learner malpractice refers to malpractice by a learner during any examination or assessment. Examples include:

- Alteration or falsification of any results document, including certificates
- Failure to abide by the conditions of supervision designed to maintain the security of examinations or assessments

Collusion

- Working collaboratively with other candidates beyond what is permitted
- Copying from another candidate, including the use of ICT to aid copying
- Use of unauthorised materials during written or online assessments
- Use of AI text generator tools
- Disruptive behaviour in the examination room or during an assessment session, including the use of offensive language
- Making a false declaration of authenticity regarding the authorship of controlled assessments, coursework, or the contents of a portfolio
- Misuse or attempted misuse of examination and assessment materials and resources (e.g., exemplar materials)
- Inclusion of inappropriate, offensive, or obscene material in scripts, controlled assessments, coursework, or portfolios
- Plagiarism

Centre Staff Malpractice

Centre Staff Malpractice refers to malpractice committed by a member of staff or contractor at the centre, or an individual appointed in another capacity by the centre (e.g., invigilator/assessor, learning support assistant, prompter, reader, sign language interpreter, or a scribe to a candidate).

Examples include:

- Altering candidates' scripts or coursework after collection but before dispatch to the awarding body
- Violation of security protocols
- Providing support to candidates in creating coursework
- Aiding candidates in formulating answers
- Destruction of portfolios or student work
- Creating fraudulent assessment, internal verification records, or authentication statements.
- Neglecting to conduct a thorough investigation into suspected malpractice.
- Unauthorised disclosure of confidential examination materials

Maladministration

The following examples illustrate instances of maladministration by both the Centre and learners. This list is not exhaustive but serves as guidance for the Centre's understanding of maladministration.

Examples include:

- Deviation from the Centre's procedures for learner registration and certification.
- Non-compliance with Centre agreements and qualification requirements stipulated by awarding bodies
- Delayed registration of learners
- Unintentional loss of portfolios or learner work
- Excessive delays in responding to requests or communications
- Incorrect claims for certificates
- Failure to maintain proper auditable records, such as certification claims
- Violation of Centre policies, procedures, and practices
- Non-adherence to the Centre's financial payment terms and/or plans, whether occurring
- sporadically or persistently

Plagiarism

Plagiarism is the presentation of someone else's work, words, images, ideas, opinions, or discoveries as one's own. It includes 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. 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
- The work submitted for assessment must solely reflect the student's own efforts and must genuinely be their own creation. Limited quotations from the published or unpublished works of others, appropriately acknowledged, are permissible. Information on the proper referencing of utilised material can be acquired from your instructors, and the Virtual Learning Environment

Cheating

The term cheating encompasses, but is not limited to:

- Having notes, 'crib notes,' or textbooks in one's possession during an examination, unless the examination instructions explicitly allow such usage
- Engaging in communication with another candidate during the examination
- Having access to the examination questions beforehand, unless permitted by the examination instructions/assessors
- Replacing examination materials
- Unfair or unauthorised use of an electronic calculator/device
- Impersonation
- Utilising a communication device during the examination/assessment.
- Any intentional effort to deceive

Detection of Plagiarism

As an integral part of our commitment to upholding academic integrity, the centre employs a systematic approach to detect plagiarism. This involves the utilisation of the Virtual Learning Environment (VLE) for the submission of assignments. Within this framework, a comprehensive plagiarism checker and originality detector are deployed to verify the authenticity of students' work.

The plagiarism checker and originality detector leverage extensive databases comprising material from diverse sources, including web pages, journals, textbooks, and the contributions of fellow students. This multifaceted approach enables the identification of instances where a student's submitted work may have been copied from an external source.

The plagiarism checker generates an originality report, a valuable tool that aids in pinpointing potential cases of plagiarism. This report serves as substantive evidence and plays a crucial role in supporting the decision-making process related to such cases. Importantly, students, by enrolling at the centre, expressly agree to the submission of their work to the plagiarism service integrated into the centre’s processes.

This commitment to plagiarism detection not only reinforces the centre's dedication to maintaining academic standards but also emphasises the responsibility shared by students in ensuring the originality and authenticity of their submitted work.

Use of Artificial Intelligence (AI) in Assessments

Collusion is considered an unfair means because, much like plagiarism, it involves an attempt to mislead examiners or assessors by concealing the true authorship of an assignment or its components. The typical scenario involves: the A copying or closely imitating the work of student B with the latter's consent. Collusion also encompasses instances where multiple students divide assignment elements among themselves, copying or closely imitating each other's answers.

Copying or closely imitating another student's work, even with their consent, is an offence and constitutes collusion. It is also collusion to agree to have one's work copied or closely imitated. Students are expected to take reasonable measures to protect their work from improper use by others.

It's important to distinguish collusion from the regular practice of students learning from each other and sharing ideas to generate the knowledge and understanding necessary for independent assignment completion. Collusion also differs from authorised group work on an assignment as outlined in the assignment brief.

The utilisation of AI tools to collect information and generate content for assessments contributing to qualifications is referred to as the use of AI in assessments. However, the employment of Artificial Intelligence (AI), exemplified by tools like ChatGPT, to generate or modify content with the intention of evading plagiarism detection is considered a form of malpractice.

Instances of AI misuse encompass various actions, such as:

- Copying or paraphrasing segments of AI-generated content to obscure its originality. Duplicating or rephrasing entire responses derived from AI-generated content
- Leveraging AI to complete sections of an assessment in a manner that diverges from the student's individual work, analysis, evaluation, or calculations
- Failing to acknowledge and reference the use of AI tools when employed as sources of information.
- Submitting work with intentionally incomplete or misleading references or bibliographies
- Work submitted for assessment must reflect the independent efforts of the student. In cases where sections of a learner's work are directly reproduced from AI-generated responses, the learner must explicitly identify these elements. It is crucial to recognise that such identification does not confer the ability to demonstrate independent adherence to the marking criteria, and consequently, such instances will not be rewarded
- Teachers and assessors bear the responsibility of accepting only work for assessment that is genuinely the students' own. When doubts arise regarding the authenticity of student-submitted work, particularly when suspicions arise about the involvement of AI without proper acknowledgment, a thorough investigation must be conducted. Subsequent appropriate actions should be taken to uphold the principles of academic integrity

Recognising the Utilisation of AI

Incorporating AI tools to aid in tasks such as idea generation or planning can be deemed appropriate, contingent upon the assessment's context and nature. However, using AI tools to compose an entire assessment from beginning to end is not acceptable. Furthermore, the generation of words and ideas by certain AI tools, without proper referencing to human authors' ideas, is a contentious issue, often considered a form of plagiarism.

Acknowledging AI Sources in Academic Work

When AI sources are employed in assessed work, proper acknowledgment is imperative. The specific AI tool must be named, and its usage should be described and referenced in the following format: No content generated by AI technologies has been presented as my original work.

Acknowledge the use of <insert AI system(s) and link> to generate materials for background research and self- study in the drafting of this assessment.
Acknowledge the use of <insert AI system(s) and link> to generate materials that were included within my final assessment in modified form.

Describing AI Use

A detailed description of how the information or material was generated, including the prompts utilised, the obtained output, and any modifications made, must be acknowledged in the following style:
The following prompts were input into <AI system>: <List prompt(s)>.
The output obtained was: <Paste the output generated by the AI system>. The output was changed in the following ways: <explain the actions taken>.

Example of Acknowledging, Describing, and Referencing AI in Academic Work: Acknowledgment:
I acknowledge the use of ChatGPT (https://chat.openai.com/) to plan my assignment and generate initial ideas, which I employed in background research and self-study during the drafting of this assessment.

Description of AI Use

I utilised ChatGPT to create a structure that I adapted in my assignment, focusing on Bloom's contribution to education and learning theory. Additionally, I employed another ChatGPT prompt to generate high-level ideas about how Bloom's taxonomy has been widely used for curriculum design and assessment.

Centre Responsibility

To uphold the highest standards of academic integrity, it is imperative that staff engaged in the management, assessment, and quality assurance of qualifications, accreditations, and learners at our centre are comprehensively acquainted with the contents of this policy. The centre must establish robust measures to prevent and investigate

instances of suspected malpractice and maladministration. Failure to report or address suspected or actual cases of malpractice/maladministration, including issues like similarity, cheating, and collusion, or the absence of effective preventive measures, may result in sanctions being imposed on the centre.

The centre's adherence to this policy and its implementation of reasonable measures to prevent and/or investigate instances of malpractice and maladministration will undergo periodic review by awarding organisations through on-going monitoring arrangements.

In the event of an investigation, the Quality Assurance Team shall:

- Ensure that competent investigators, devoid of any personal involvement in the incident or personal interest in the matter, conduct the investigation
- Guarantee that the investigation is executed in an effective, prompt, and thorough manner, with investigator(s) looking beyond the immediate reported issue to assess the appropriateness of the centre's arrangements for all qualifications
- Provide timely and transparent responses to all requests pertaining to the allegation and/or investigation. Collaborate and ensure full cooperation from staff in any investigation and/or request for information

Confidentiality and Whistleblowing

In instances where an individual raises an allegation of malpractice and maladministration, the option to remain anonymous is acknowledged. While it is strongly encouraged to disclose one's identity and provide contact details, we recognise concerns about potential repercussions. In such cases, individuals may indicate a preference for anonymity, and we are committed to safeguarding this information.

We will make efforts to maintain the confidentiality of the person making the allegations, although absolute assurance cannot be guaranteed. There may be circumstances where disclosure becomes necessary, particularly if the allegation leads to actions requiring involvement by external parties.

Such instances may include:

- Collaboration with law enforcement agencies, such as the police or fraud prevention agencies, to investigate or prevent crime, including fraud
- Engagement with the courts in connection with legal proceedings
- Interaction with relevant third parties, such as regulatory authorities (e.g., Ofqual)
- At our discretion, periodic updates on the progress of the allegation, such as the initiation of an investigation, will be provided, while maintaining discretion about the investigation's details. Full disclosure of investigation outcomes or actions taken against involved parties may not always be appropriate due to confidentiality or legal considerations

Procedure

Reporting a Suspected Incident

- Individuals are urged to communicate concerns regarding suspected incidents of malpractice or maladministration with the centre coordinator, using channels such as face-to-face discussions, emails, letters, or phone calls. To formalise the report, individuals must complete a "Report of Suspected Malpractice Form," (Appendix 1) accompanied by any relevant evidence, at the earliest opportunity. An acknowledgment of receipt will be sent to the person reporting the allegation within 7 days of form submission

Investigating a Suspected Malpractice

- Each submission will undergo a case-by-case investigation by an impartial party, typically the centre coordinator along with an internal quality assurer. The objectives of the investigation include: Establishing facts related to the allegations to determine if irregularities occurred.
- Identifying the cause and people involved in the allegations. Assessing the level of risk associated with irregularities
- Determining the need for remedial action
- Evaluating actions required for previously issued certificates
- Obtaining evidence to support sanctions as per policy and awarding organisations' guidelines

Identifying adverse patterns or trends

If the centre coordinator deems the suspected malpractice as high risk, temporary sanctions may be imposed on the accused party to protect learners and centre compliance. This could involve withholding certification for learners or temporary suspension for tutors/assessors/IQAs, depending on the severity. After gathering information, the coordinator will review the accusation and evidence to conclude findings. The severity of the outcome will dictate the action points implemented by the centre

Timescales

Bay Learning Academy aims to conclude investigations within 28 days from the initial report submission. Parties involved will be informed of the outcome within this timeframe. In more complex cases exceeding 28 days, parties will be notified of the extension before reaching the initial period.

Notification of Outcomes

If the allegation is unsubstantiated, the relevant parties will receive written notification, and any temporary sanctions will be removed. If evidence of malpractice exists, the written confirmation will include:

- Outcome and supporting evidence. Sanctions or conditions going forward. Opportunity for the accused to respond
- Reference to the Appeals Policy for potential appeals. Notification to awarding bodies of the investigation and decision

Actions

In the event that evidence suggests malpractice or maladministration has occurred, the centre is obligated to take measures to mitigate the risk to learners, safeguard standards, and prevent the recurrence of similar instances. The following points, while not exhaustive, serve as guidance for potential actions to be implemented.

Learner:

- Requirement to provide missing information
- Resubmit information
- Retake the course or exam/assessment
- Pay additional costs
- Report to the relevant awarding organisation
- Tutor/Assessor/IQA: Standardisation/CPD training

Appealing a Decision

In case a staff member disagrees with the investigation's outcome, they have the option to appeal by adhering to the disciplinary procedure for staff. Similarly, if a learner or candidate is dissatisfied with the investigation's outcome, they may initiate an appeal following the process outlined in the Learner Disciplinary Policy.

Grounds for Appeal

Appeals must be founded on reasonable grounds directly related to the incident in question, and the following are recognised as such:

- The incident was not handled in accordance with the centre's Malpractice and Maladministration policy
- The decision was deemed unreasonable considering the evidence presented to the designated officer
- Subsequent evidence, including medical evidence, has surfaced that could alter the foundation of the investigation outcome
- The imposed sanction is deemed disproportionate to the gravity of the malpractice, aligning with internal policy and policies associated with the relevant awarding organisation

The following, on their own, do not constitute grounds for an appeal:

- Lack of intent to cheat by the individual

- The individual possessing an untarnished academic record
- Potential loss of a university place by the individual
- Regret expressed by the individual regarding their actions

Preventing Malpractice and Maladministration

Preventing instances of malpractice and maladministration is paramount, and proactive measures are significantly more favourable than addressing them retroactively. Staff members play a crucial role in this prevention effort through the following actions:

Understanding: Staff should be well-versed in recognizing and comprehending the various activities that fall under malpractice and maladministration. This includes being aware of their specific roles in preventing such occurrences and the importance of disseminating relevant information to all centre staff members.

Compliance: Staff should adhere to and fully comprehend the guidelines outlined in the Centre's policies for the prevention of malpractice and maladministration. Familiarity with these guidelines is essential to maintaining a vigilant and compliant environment.

Quality Monitoring: Regular and thorough quality monitoring is essential in identifying and addressing potential malpractice and maladministration. Staff members should actively engage in monitoring activities to ensure on-going adherence to established standards and protocols.
By promoting a culture of awareness, adherence, and vigilance, staff can significantly contribute to the prevention of malpractice and maladministration within the institution.

Monitoring and Review

This policy undergoes an annual review and is assessed by the Quality Assurance Team, ensuring its on- going relevance and effectiveness. In the event of proven instances of malpractice or maladministration, immediate reviews are triggered to strengthen the policy. Stakeholder input is valued, and reporting procedures for incidents are established to uphold transparency and compliance with awarding organisations. Continuous improvement remains a key focus, with lessons learned incorporated to enhance preventive and corrective measures.

Appendix 1

Report of Suspected Malpractice Form

Kindly fill out the form below and submit it for the Centre Coordinator's attention to leila@baylearning.academy

Personal Details			
Full Name		Email Address	
Address			
Post Code		Telephone Number	

Course Details			
Qualification Title		Course Start Date	
Assessment Date		Tutor/Assessor Name	

Malpractice Details *(Kindly specify individuals who are implicated in the alleged malpractice or maladministration.)*			
Learner		Assessor	
Tutor		IQA	
Centre		Other (please specify)	
Did you inquire with the accused regarding the alleged malpractice? (Yes/No)			
Please provide information regarding the alleged malpractice. (You may provide additional details on a separate sheet if necessary.)			

Were the assessment regulations communicated to the learner(s)?	▫ Yes ▫ No
Was the 'assessment in progress' sign visibly displayed?	▫ Yes ▫ No

If applicable, were the instructions from the invigilators read/explained to the learner(s)?	▫ Yes ▫ No ▫ N/A
Were the learner(s) informed of assessment regulations at the commencement of the assessment?	▫ Yes ▫ No
Did the learner(s) sign the confirmation of completing worksheets?	▫ Yes ▫ No
Did the learner(s) sign the completion declaration page of their assignment(s)/portfolio?	▫ Yes ▫ No
Did the tutor sign the completion declaration page of the portfolio(s)?	▫ Yes ▫ No
Did the assessor sign the completion declaration page of the portfolio(s)?	▫ Yes ▫ No

If the malpractice involves plagiarism, kindly provide details and include copies if available. (You may provide additional information on a separate sheet if needed.)

Supporting Evidence (please specify any included with this form)	
	Statement from IQA
	Statement from tutor
	Statement from assessor
	Statement from invigilator (if applicable)
	Statement from learner(s)
	Statement from other witness
	Learner portfolio(s)

	Unauthorised material removed
	Source copies of plagiarised material
	Assessment records
	Other supporting evidence (please specify)

Please specify the current status of statement(s) from individuals accused of malpractice.
▫ Enclosed with this form are statement(s) from individuals accused of malpractice. ▫ Not enclosed with this form are statement(s) from those accused of malpractice; the accused were allowed to provide a statement but declined.

If the malpractice included disruptive behaviour, did it disrupt other learner(s)?	▫ Yes ▫ No
Does the malpractice entail the use of unauthorised material?	▫ Yes ▫ No

I affirm that the provided information and supporting evidence are accurate and reliable to the best of my knowledge. I grant permission for Bay Learning Academy to contact me for any additional information required and to apprise me of the investigation's outcome.

Full Name		Email	
Position		Signature	

Date		Telephone Number	