

MALPRACTICE AND MALADMINISTRATION POLICY

ESOLCENTRE treats all cases of suspected malpractice* very seriously and will investigate all suspected and reported incidents of possible malpractice. The purpose of this Policy (and Procedure) is to set out how allegations of malpractice will be dealt with. The scope of the policy is to provide:

- a definition of malpractice
- examples of student and centre malpractice and maladministration;
- possible sanctions that may be imposed in cases of malpractice.

*The term 'malpractice' in this policy is used for both malpractice and maladministration.

1. Introduction

1.1. For the purpose of this document 'malpractice' is defined as:

Any act, or failure to act, that threatens or compromises the integrity of the assessment process or the validity of ESOLCENTRE's programs and their certification. This includes: maladministration and the failure to maintain appropriate records or systems; the deliberate falsification of records or documents for any reason connected to the award; acts of plagiarism or other academic misconduct; and/or actions that compromise the reputation or authority of ESOLCENTRE and/or its centres, officers and employees/contactors.

ESOLCENTRE's staff, students, contractors, customers will report all relevant

1.2. cases of suspected malpractice to ESOLCENTRE.

2. Malpractice by students

2.1 Some examples of student malpractice are described below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.

- 2.1.1 Obtaining examination or assessment material without authorization.
- 2.1.2 Arranging for an individual other than the student to sit an assessment or to submit an assignment not undertaken by the student.
- 2.1.3 Impersonating another student to sit an assessment or to submit an assignment on their behalf.
- 2.1.4 Collaborating with another student or individual, by any means, to complete a coursework assignment or assessment,

- unless it has been clearly stated that such collaboration is permitted.
- 2.1.5 Damaging another student's work.
 - 2.1.6 Inclusion of inappropriate or offensive material in coursework assignments or assessment scripts.
 - 2.1.7 Failure to comply with published ESOLCENTRE's assessment/examination regulations.
 - 2.1.8 Disruptive behaviour or unacceptable conduct, including the use of offensive language, at centre or assessment venue (including aggressive or offensive language or behaviour).
 - 2.1.9 Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
 - a) personal identification;
 - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
 - c) esolcentre results documentation, including certificates.
 - 2.1.10 Falsely obtaining, by any means, an ESOLCENTRE certificate.
Misrepresentation or plagiarism
 - 2.1.11 Fraudulent claims for special consideration while studying.

3. Malpractice by centre employees, contractors and partners

- 3.1. Examples of malpractice by, teachers, tutors and other officers are listed below. These examples are not exhaustive and all incidents of suspected malpractice, whether or not described below, will be fully investigated, where there are sufficient grounds to do so.
- 3.1.1. Failure to adhere to the relevant ESOLCENTRE regulations and procedures, including those relating to centre approval, security undertaking and monitoring requirements as set out by ESOLCENTRE.
 - 3.1.2. Knowingly allowing an individual to impersonate a student.
 - 3.1.3. Allowing a student to copy another student's assignment work, or allowing a student to let their own work be copied.
 - 3.1.4. Allowing students to work collaboratively during an assignment assessment, unless specified in the assignment guidelines.
 - 3.1.5. Completing an assessed assignment for a student or providing them with assistance beyond that 'normally' expected.
 - 3.1.6. Damaging a student's work.
 - 3.1.7. Disruptive behaviour or unacceptable conduct, including the use of offensive language (including aggressive or offensive language or behaviour).
 - 3.1.8. Allowing disruptive behaviour or unacceptable conduct at the centre to go unchallenged, for example, aggressive or offensive language or behaviour.
 - 3.1.9. Divulging any information relating to student performance

- and / or results to anyone other than the student.
- 3.1.10. Producing, using or allowing the use of forged or falsified documentation, including but not limited to:
 - a) personal identification;
 - b) supporting evidence provided for reasonable adjustment or special consideration applications; and
 - c) ESOLCENTRE results documentation, including certificates
 - 3.1.11. Falsely obtaining by any means a ESOLCENTRE certificate.
 - 3.1.12. Failing to report a suspected case of student malpractice, including plagiarism, to ESOLCENTRE.

4. Possible malpractice sanctions

- 4.1. Following an investigation, if a case of malpractice is upheld, may impose sanctions or other penalties on the individual(s) concerned. Any sanctions imposed will reflect the seriousness of the malpractice that has occurred.
- 4.2. Listed below are examples of sanctions that may be applied to a student, or to a teacher, tutor or other officer who has had a case of malpractice upheld against them. Please note that this list is not exhaustive and other sanctions may be applied on a case-by-case basis.

Possible study centre sanctions that may be applied to students

- a) A written warning about future conduct.
- b) Notification to an employer, regulator or the police.
- c) Removal from the course.
- d) A fine

Possible sanctions that may be applied to teachers, tutors assessor, and other officers

- a) A written warning about future conduct.
- b) Imposition of special conditions for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of students and/or assessments.
- c) Informing any other organisation known to employ the individual in relation to ESOLCENTRE courses or assessments of the outcome of the case.
- d) ESOLCENTRE may carry out unannounced monitoring of the working practices of the individual(s) concerned.
- e) Dismissal.
- f) A fine

Procedure

5. Reporting a suspected case of malpractice

- 5.1. This process applies to, teachers, tutors, assessors, students and other

staff, and to any reporting of malpractice by a third party or individual who wishes to remain anonymous.

- 5.2. Any case of suspected malpractice should be reported in the first instance to ESOLCENTRE's Director.
- 5.3. A written report should then be sent to the person identified in 5.2, clearly identifying the factual information, including statements from other individuals involved and / or affected, any evidence obtained, and any recommended actions that have been taken in relation to the incident.
- 5.4. Suspected malpractice must be reported as soon as possible to the person identified in 5.2, and at the latest within two working days from its discovery. Where the suspected malpractice has taken place in an assessment/examination, the incident must be reported immediately and the appropriate steps taken as specified by.
- 5.5. Wherever possible, and provided other students are not disrupted by doing so, a student suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the centre.
- 5.6. In cases of suspected malpractice by centre's teachers, tutors, assessors and other officers, and any reporting of malpractice by a third party or individual who wishes to remain anonymous, the report made to the person in 5.2 should include as much information as possible, including the following:
 - a) the date time and place the alleged malpractice took place, if known.
 - b) the name of the centre teacher/tutor, invigilator or other person(s) involved
 - c) a description of the suspected malpractice; and
 - d) any available supporting evidence.
- 5.7 In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous

ESOLCENTRE will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

6. Administering suspected cases of malpractice

- 6.1. ESOLCENTRE will investigate each case of suspected or reported malpractice to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. We will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of the ESOLCENTRE's programs and reputation is taken.
- 6.2. ESOLCENTRE will acknowledge all reports of suspected malpractice

within five working days. All of the parties involved in the case will then be contacted within 10 working days of receipt of the report detailing the suspected malpractice. We may also contact other individuals who may be able to provide evidence relevant to the case.

- 6.3. The individual(s) concerned will be informed of the following:
- a) that an investigation is going to take place, and the grounds for that investigation;
 - b) details of all the relevant timescales, and dates, where known;
 - c) that they have a right to respond by providing a personal written response relating to the suspected malpractice (within 15 working days of the date of that letter);
 - d) that, if malpractice is considered proven, sanctions may be imposed either by ESOLCENTRE or regulating body, (see section 6, below) reflecting the seriousness of the case;
 - e) that, if they are found guilty, they have the right to appeal.
 - f) that ESOLCENTRE has a duty to inform any relevant authorities / regulators, but only after time for the appeal has passed or the appeal process has been completed. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.
- 6.4. Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.
- 6.5. The individual has a right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.
- 6.6. Records of all malpractice cases and their outcomes are maintained by ESOLCENTRE for a period of at least two years, and are subject to review.