



The Sutton Academy

Malpractice & Maladministration Policy

Status	Non-Statutory
Responsible Governors' Committee	ALT
Date last approved by GB	Not Applicable
Responsible Person	Mr P Blakemore
To Review Date	March 2027
Last Amended Date	March 2025

Introduction

This policy is aimed at staff and students, who are involved with The Sutton Academy programs or courses, approved qualifications or units within the UK and who are involved in suspected or actual malpractice/maladministration. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

It sets out the steps the academy, staff and students must follow when reporting suspected or actual cases of malpractice/maladministration and the academy's responsibilities in dealing with such cases. It also sets out the procedural steps we will follow when reviewing the cases.

Centre's Responsibility

It is important that all staff involved in the management, assessment and quality assurance of our qualifications, and students are fully aware of the contents of the policy and we have arrangements in place to prevent and investigate instances of malpractice and maladministration.

Definition of Malpractice

Malpractice is essentially any activity or practice which deliberately contravenes regulations and compromises the integrity of the internal or external assessment process and/or the validity of certificates.

It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- The assessment process
- The integrity of a regulated qualification
- The validity of a result or certificate
- The reputation and credibility of The Sutton Academy

Malpractice may include a range of issues from the failure to maintain appropriate records or systems, to the deliberate falsification of records in order to claim certificates.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain or groups of learners.

Definition of Maladministration

Maladministration is essentially any activity or practice which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration.

Examples of maladministration:

- Persistent failure to adhere to our student registration and certification procedures
- Persistent failure to adhere to our Centre recognition and/or qualification requirements and/or associated actions assigned to the Centre
- Late learner registrations (both infrequent and persistent)
- Unreasonable delays in responding to requests and/or communications from the academy
- Inaccurate claim for certificates
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence

Examples of malpractice:

- Failure to carry out internal assessment, internal moderation or internal verification in accordance with our requirements
- Deliberate failure to adhere to our student registration and certification procedures
- Deliberate failure to continually adhere to our Centre recognition and/or qualification approval requirements or actions assigned to your Centre
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Fraudulent claims for certificates
- Intentional withholding of information from us which is critical to maintaining the rigor of quality assurance and standards of qualifications
- Collusion or permitting collusion in exams or assessments
- Students still working towards qualification after certification claims have been made
- Plagiarism by students or staff
- Copying from another student

The Use of Artificial Intelligence in Assessments

There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. Most of these assessments will be Non-Examined Assessments (NEAs) for General Qualifications, coursework and internal assessments. This section is primarily intended to provide guidance in relation to these assessments.

The guidance emphasises the following requirements:

- As has always been the case, and in accordance with section 5.3(j) of the JCQ General Regulations for Approved Centres (<https://www.jcq.org.uk/examsoffice/general-regulations/>), all work submitted for qualification assessments must be the student's own.
- Students who misuse AI such that the work they submit for assessment is not their own will have committed malpractice, in accordance with JCQ regs, and may attract severe sanctions.
- Students and centre staff must be aware of the risks of using AI and must be clear on what constitutes malpractice.
- Students must make sure that work submitted for assessment is demonstrably their own. If any sections of their work are reproduced directly from AI generated responses, those elements must be identified by the student, and they must understand that this will not allow them to demonstrate that they have independently met the marking criteria and therefore will not be rewarded.
- Teachers and assessors must only accept work for assessment which they consider to be the student's own (in accordance with section 5.3(j) of the JCQ General Regulations for Centres).
- Where teachers have doubts about the authenticity of student work submitted for assessment (for example, they suspect that parts of it have been generated by AI, but this has not been acknowledged), they must investigate and take appropriate action.

What is AI Misuse?

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

Detection and Identifying AI Use

Potential indicators of AI use - If you see the following in Students' work, it may be an indication that they have misused AI:

- A default use of American spelling, currency, terms, and other localisations*
- A default use of language or vocabulary which might not appropriate to the qualification level*
- A lack of direct quotations and/or use of references where these are required/expected. Inclusion of references which cannot be found or verified (some AI tools have provided false references to books or articles by real authors)
- A lack of reference to events occurring after a certain date (reflecting when an AI tool's data source was compiled), which might be notable for some subjects.
- Instances of incorrect/inconsistent use of first-person and third-person perspective where generated text is left unaltered.
- A difference in the language style used when compared to that used by a student in the classroom or in other previously submitted work.
- A variation in the style of language evidenced in a piece of work.
- A lack of graphs/data tables/visual aids where these would normally be expected.
- A lack of specific local or topical knowledge
Content being more generic in nature rather than relating to the student themselves, or a specialised task or scenario, if this is required or expected.
- The inadvertent inclusion by Students of warnings or provisos produced by AI to highlight the limits of its ability.
- The submission of student work in a typed format, where their normal output is handwritten.
- The unusual use of several concluding statements throughout the text, or several repetitions of an overarching essay structure within a single lengthy essay, which can be a result of AI being asked to produce an essay several times to add depth, variety or to overcome its output limit.
- The inclusion of strongly stated non-sequiturs or confidently incorrect statements within otherwise cohesive content.
Overly verbose or hyperbolic language that may not be in keeping with the student's usual style.

*Please be aware, though, that AI tools can be instructed to employ different languages and levels of proficiency when generating content. However, some AI tools will produce quotations and references.

Reporting and Investigation

If AI misuse is suspected by a teacher or reported by another student or member of the public, it must be reported immediately. The subject department will confirm if the student in question has signed a declaration of authentication, if at this initial stage the student has not signed the stated form, the centre is not required to report this matter to the relevant awarding body and will deal with the case internally.

If a suspected student has signed a declaration of authentication document, then the relevant awarding body will be notified and liaise with the Head of Centre to conduct a full investigation. The procedure is detailed in the JCQ Suspected Malpractice: Policies and Procedures document (<https://www.jcq.org.uk/exams-office/malpractice/>).

Sanctions and Consequences

The sanctions applied to a student committing plagiarism and making a false declaration of authenticity include but are not limited to:

- Disqualification and debarment from taking qualifications for several years.
- Students' marks may also be affected if they have relied on AI to complete an assessment.

Awarding bodies will also act against the centre, which can include the imposition of sanctions, where centre staff are knowingly accepting or failing to check, inauthentic work for qualification assessments.

Process for making an allegation of Malpractice or Maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify the Director of Operations. In doing so they should put them in writing/email and enclose appropriate supporting evidence.

All allegations must include (where possible):

- Students name and candidate number
- Academy staff member's name and job role - if they are involved in the case
- Details of the course/qualification affected or nature of the service affected
- Nature of the suspected or actual malpractice and associated dates details and outcome of any initial investigation carried out by the Centre or anybody else involved in the case, including any mitigating circumstances

The Director of Operations will then conduct an initial investigation prior to ensure that staff involved in the initial investigation are competent and have no personal interest in the outcome of the investigation.

In all cases of suspected malpractice and maladministration reported the academy will protect the identity of the 'informant' in accordance with our duty of confidentiality and/or any other legal duty.

Confidentiality and Whistle Blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. Although it is always preferable to reveal the identity and contact details to the academy; however, if the person is concerned about possible adverse consequences they may request that we do not divulge their identity.

While the academy are prepared to investigate issues which are reported to us anonymously we shall always try to confirm an allegation by means of a separate investigation before taking up the matter with those that allegation relates.

Responsibility for the Investigation

In accordance with regulatory requirements all suspected cases of maladministration and malpractice will be examined promptly by the academy to establish if malpractice or maladministration has occurred and will take all reasonable steps to prevent any adverse effect from the occurrence as defined by Ofqual.

The academy will acknowledge receipt, as appropriate, to external parties within 48 hours.

The academy's Director of Operations will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy and will allocate a relevant member of staff to lead the investigation and establish whether or not the malpractice or maladministration has occurred, and review any supporting evidence received or gathered by the academy.

Notifying Relevant Parties

Where applicable, the academy's Director of Operations will inform the appropriate regulatory authorities if we believe there has been an incident of malpractice or maladministration which could either invalidate the award of a qualification or if it could affect another awarding organisation.

Where the allegation may affect another awarding organisation and their provision we will also inform them in accordance with the regulatory requirements and obligations imposed by the regulator Ofqual. If the academy does not know the details of organisations that might be affected we will ask Ofqual to help us identify relevant parties that should be informed.

Investigation Timelines and Summary Process

The academy aims to action and resolve all stages of the investigation within ten working days of receipt of the allegation.

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

- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred
- To identify the cause of the irregularities and those involved.
- To establish the scale of the irregularities
- To evaluate any action already taken
- To determine whether remedial action is required to reduce the risk to current registered students and to preserve the integrity of the academy and the qualification
- To identify any adverse patterns or trends

The investigation may involve a request for further information from relevant parties and/or interviews with staff involved in the investigation. Therefore, the academy will:

- Ensure all material collected as part of an investigation must be kept secure.
- If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully co-operate with us

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, we reserve the right to withhold students, and/or cohort's, results.

Where a member of the academy's staff or an academy associate is under investigation we may suspend them or move them to other duties until the investigation is complete.

Throughout the investigation our Director of Operations will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.

Investigation Report

After an investigation, the academy will produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and the academy. The report will:

- Identify where the breach, if any, occurred
- Confirm the facts of the case
- Identify who is responsible for the breach (if any)
- Confirm an appropriate level of remedial action to be applied
- Anyone who suspects or knows of any malpractice and maladministration must immediately notify the respective examinations boards

We'll make the final report available to the parties concerned and to the regulatory authorities and other external agencies as required.

If it was an independent/third party that notified the academy of the suspected or actual case of malpractice, we'll also inform them of the outcome – normally within ten working days of making our decision - in doing so the academy may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty.

If it's an internal investigation against a member of our staff the report will be agreed by the Principal, along with the relevant internal managers and appropriate internal disciplinary procedures will be implemented.

Investigation Outcomes

If the investigation confirms that malpractice or maladministration has taken place the academy will consider what action to take in order to:

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

The action the academy take may include:

- Imposing actions in order to address the instance of malpractice/maladministration and to prevent it from reoccurring
- In cases where certificates are deemed to be invalid, inform the Awarding Organisation concerned and the regulatory authorities why they're invalid and any action to be taken for

reassessment and/or for the withdrawal of the certificates. We'll also let the affected students know the action the Academy will be taking and that their original certificates are invalid and ask – where possible – to return the invalid certificates to the academy.

- Informing relevant third parties (e.g. funding bodies) of our findings in case they need to take relevant action in relation to the Centre.

In addition, to the above the Director of Operations will record any lessons learnt from the investigation and pass these onto relevant internal colleagues to help prevent the same instance of maladministration or malpractice from reoccurring.

If the relevant party/parties wish to appeal against the academy's decision to impose sanctions, please refer to our Complaints Policy.