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The key role of Pearson Education Ltd (Pearson) is to secure standards for those qualifications we certificate. As part of our commitment to quality assuring standards and therefore protecting learners, Pearson provides guidance and support to help centres and their learners achieve their learning and development goals. Pearson also ensures that any regulatory requirements our regulators impose on us are met, and that we support centres to meet those requirements.

Pearson regulatory policies are integral to our approach and articulate in a consistent way how we meet our regulatory requirements. They are reviewed annually to ensure that they remain fit for purpose. These regulatory policies apply to Pearson business units where UK regulated qualifications are developed, implemented or delivered.

This document provides guidance for centres dealing with malpractice. This document replaces the previous guidance *Centre Guidance: Dealing with Malpractice, version 3, 2015.*

**Scope of guidance**

Pearson cares greatly about the integrity of its qualifications and is aware that incidents of malpractice threaten that integrity, adversely affect learners and undermine public confidence in the delivery and awarding of qualifications. For this reason, Pearson takes malpractice incidents extremely seriously and investigates all allegations it receives as fully as possible. Where malpractice is proven Pearson will impose appropriate penalties and/or sanctions on those found to be responsible, which can include debarment from delivery of Pearson qualifications (for staff) and disqualification (for learners).

This guidance applies to all Pearson vocational qualifications including BTEC, Functional Skills, NVQ, SVQ, ESOL and Self-Regulated Framework qualifications.

For further information on malpractice (including that relating to general qualifications) please refer to the JCQ General and Vocational Qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures (www.jcq.org.uk/exams-office/malpractice). Although the JCQ Suspected Malpractice policies and procedures are also applicable to vocational qualifications, this guidance document has been written to help Pearson centres which deliver vocational qualifications to develop their own malpractice policy and procedures: a requirement of approval.

In the context of compliance with awarding organisation obligations as set out by the appropriate regulators in the UK (Ofqual, SQA Accreditation, Qualifications Wales, CCEA Accreditation) Pearson will investigate and manage the effect of malpractice and maladministration. The Investigations Team investigates instances of non-compliance with the General Conditions of Recognition, SQA Accreditation's Regulatory Principles, JCQ regulations, Pearson qualification specifications and delivery requirements; it is independent and objective in its workings, and has the authority to review matter throughout the company and within any Pearson approved centre.
‘Malpractice’, which includes maladministration, means any act, default or practice which:

- compromises, or attempts to compromise the process of assessment, the integrity of any qualification, or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility of any awarding organisation or centre or any officer, employee or agent of any awarding organisation or centre;

Pearson may impose penalties and/or sanctions on learners, staff or centres where incidents (or attempted incidents) of malpractice have been proven. Pearson is required to report cases of malpractice to the regulators when an incidence of malpractice is believed to have occurred which might cause an Adverse Effect.

**Introduction**

The guidance should be read in conjunction with the latest issue of the JCQ General and Vocational Qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures (www.jcq.org.uk/exams-office/malpractice).

For those considering reporting suspected malpractice at a centre, further guidance can also be found in the JCQ Public Interest Disclosure Act (Whistleblowing) document (www.jcq.co.uk/exams-office/malpractice). **If you wish to report an incident of suspected malpractice, or would like to discuss your concerns, please contact Pearson's Investigations Team by email at pqsmalpractice@pearson.com.**

In the interests of learners and centre staff, centres need to respond effectively and openly to all requests relating to an investigation into an incident or a suspected incident of malpractice.

It is the Head of Centre's responsibility to ensure that appropriate measures have been taken to prevent and identify learner malpractice in internally assessed units and that work submitted is the learner's own and has been accurately assessed. Centres delivering vocational qualifications should have their own malpractice policy for dealing with incidents of malpractice. Cases of suspected learner malpractice relating to internally assessed units should be dealt with in accordance with the centre's malpractice policy. Where a centre identifies that malpractice has occurred after certificates have been issued, it should immediately inform Pearson's Investigations Team via pqsmalpractice@pearson.com.

Where learners are suspected of malpractice in relation to externally assessed units of vocational qualifications (such as examinations within BTEC NQF). In such cases, Heads of Centres are required to inform Pearson at the earliest opportunity, preferably by completing a JCQ Form M1 (www.jcq.co.uk/exams-office/malpractice), and submitting this and all supporting documentation to the Investigations Team at pqsmalpractice@pearson.com.

Heads of Centres are required to inform Pearson's Investigations Team of any incidence of alleged or suspected malpractice by centre staff, before any investigation is undertaken. Heads of Centres are requested to inform the Investigations Team by submitting a JCQ Form M2(a) (downloadable from www.jcq.org.uk/exams-office/malpractice) with supporting documentation to pqsmalpractice@pearson.com. Where Pearson receives allegations of malpractice from other sources (e.g. Pearson staff or anonymous informants), the Investigations Team will conduct the investigation directly or may ask the Head of Centre to assist. Heads of Centres or their nominees are required to inform learners and centre staff suspected of malpractice of their responsibilities and rights; see 6.14 and 6.15 of JCQ General and Vocational Qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures. Pearson reserves the right to withhold the issuing of results/certificates while an investigation into suspected cases of malpractice is in progress. Depending on the outcome of the investigation results/certificates may be released, withheld or modified.
**Guidance**

Centres are required to have in place a published centre policy on malpractice in relation to Pearson vocational qualifications, which can be based on this guidance.

Pearson requires centres to ensure that learners declare that their work is their own, for instance:

- For BTEC internally assessed units, internal assessors are responsible for checking the validity and authenticity of the learners' work.
- For learners' work taught and/or assessed using distance learning/assessment.
- For NVQs/SVQs and competence based qualifications, a centre and its learners must provide a written declaration that the evidence is authentic and that the assessment was conducted under the requirements of the assessment specification.
- A centre must verify the identity of a learner before they take an examination.
- Where assessment is to be conducted in a language other than English, centres must ensure that provision is made for such work to be verified and authenticated.

Many centres take positive steps to prevent or reduce the occurrence of learner malpractice. These steps often include:

- Using the induction period and the student handbook to inform learners of the centre's policy on malpractice and the penalties for attempted and actual incidents of malpractice.
- Showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Learners should not be discouraged from conducting research; indeed evidence of relevant research often contributes to the achievement of higher grades. However, the submitted work must show evidence that the learner has interpreted and synthesised appropriate information and has acknowledged any sources used.
- Ensuring access controls are installed to prevent learners from accessing and using other people's work.
- Ensuring that learners do not take prohibited material into an examination room.
- Introducing procedures for assessing work in a way that reduces or identifies malpractice, e.g. plagiarism, collusion, cheating etc. These procedures may include:
  - Periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the learner.
  - Altering assessment assignments/tasks/tools on a regular basis.
  - The assessor assessing work for a single assignment/task in a single session for the complete cohort of learners.
  - Using oral questions with learners to ascertain their understanding of the concepts, application, etc within their work.
  - Assessors getting to know their learners' styles and abilities.
It is the Head of Centre's responsibility to ensure that appropriate measures have been taken to prevent and identify learner malpractice in internally assessed units and that work submitted is the learner's own and has been accurately assessed.

Further guidance regarding malpractice can be found in the latest version of the JCQ General and Vocational Qualifications Suspected Malpractice Policies and Procedures (www.jcq.co.uk/exams-office/malpractice) and in a separate JCQ guidance document specifically dealing with plagiarism, which includes guidance for centres on prevention of plagiarism (www.jcq.org.uk/exams-office/malpractice).


**Investigating alleged malpractice**

When dealing with alleged malpractice in a centre the Investigations Team at Pearson will deal primarily with the Head of Centre. Pearson may require full access to a centre for investigation purposes.

As part of the investigation Pearson retains the right to:

- involve the learner and others in the investigation process
- contact the learner (and/or the learner's representative) directly
- contact staff members directly

This may occur, for example, when a learner's account of events is at variance with that of the centre. Where learners under 18 are involved they may wish to be assisted by centre personnel, parents or guardians.

During the investigation period, Pearson may:

- refuse learner registrations/entries
- withhold the release of results/certificates
- withhold test/examination papers if the security of a test/examination is considered at risk pending the outcome of the investigation

If malpractice is suspected by a Pearson representative (e.g. Standards Verifier (SV), Senior Standards Verifier (SSV), examiner, moderator) or has been reported directly to Pearson by a third party, Pearson will conduct an investigation in a form commensurate with the nature of the malpractice allegation. Such an investigation will require the full support of the Head of Centre, centre management and all personnel linked to the allegation.
Malpractice discovered by a centre

Any incident of malpractice or attempted malpractice by centre staff must be reported by the centre to Pearson at the following email address: pqsmalpractice@pearson.com. Any malpractice or attempted act of malpractice by learners relating to externally assessed units must also be reported to Pearson via the same email address.

Heads of Centres are required to inform Pearson's Investigations Team of any incidence of suspected malpractice by centre staff before any investigation is undertaken. Heads of Centres are requested to inform the Investigations Team by submitting a JCQ Form M2(a) (downloadable from www.jcq.org.uk/exams-office/malpractice) with supporting documentation to pqsmalpractice@pearson.com. Where Pearson receives allegations of malpractice from other sources (e.g. Pearson staff or anonymous informants), the Investigations Team will conduct the investigation directly or may ask the Head of Centre to assist.

Centres delivering vocational qualifications should have their own malpractice policy for dealing with incidents of malpractice. Cases of suspected learner malpractice relating to internally assessed units should be dealt with in accordance with the centre's malpractice policy. Where a centre identifies that malpractice has occurred after certificates have been issued, it should immediately inform Pearson's Investigations Team via pqsmalpractice@pearson.com.

Where learners are suspected of malpractice in relation to externally assessed units of vocational qualifications (such as examinations within BTEC NQF), Heads of Centres are required to inform Pearson at the earliest opportunity, preferably by completing a JCQ Form M1 (www.jcq.co.uk/exams-office/malpractice), and submitting this and all supporting documentation to the Investigations Team at pqsmalpractice@pearson.com.

Any alleged incident of malpractice brought to Pearson's attention after the issue of certificates will result in a full investigation by Pearson. Depending on the outcome of the investigation, certificates may be recalled and declared invalid.

Dealing with malpractice

Pearson reserves the right to carry out an independent investigation in full under any circumstances of alleged malpractice relating to a centre. Full cooperation from the centre will be expected. Indeed, this is one of the terms and conditions of Pearson centre approval.

If a centre discovers or suspects anyone of malpractice, the centre must make the individual fully aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven. Pearson reserves the right to access any documents held by the centre in relation to alleged malpractice. Also, as required by the regulators, Pearson may report to the regulatory authorities certain cases (e.g. where members of staff are found to have committed malpractice) and include details of the action taken by the Head of Centre/Principal, the Governing Body or the responsible employer. It may be necessary during this process for Pearson to notify and/or share information with fellow awarding organisations or other organisations (further information relating to notifications can be found in the JCQ General and Vocational Qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures).
Penalties and sanctions applied by Pearson

Where malpractice against a centre/staff member/learner is proven, Pearson will have to consider whether the integrity of its assessments might be jeopardised if the centre/staff member/learner in question were to be involved in future Pearson assessments. Pearson may take action to protect the integrity of its assessments in the future. For vocational qualifications this action may include:

- Pearson refusing to accept assessment/examination entries from a centre in cases where malpractice is proven
- Pearson withdrawing programme/centre approval from centres where malpractice has been identified
- Pearson refusing to issue or to withdraw certificates.
- Pearson debarring a staff member from involvement in the delivery of Pearson qualifications for a number of years/life
- Pearson debarring a learner from taking Pearson qualifications for a number of years.

Appeals

Pearson has established procedures for centres that are considering appeals against penalties and sanctions arising from malpractice. Appeals against a decision made by Pearson will normally be accepted only from Heads of Centres (on behalf of learners and/or members of staff) and from individual members of centre staff (in respect of a decision taken against them personally). Further information on appeals may be found in the JCQ document ‘A Guide to the Awarding Bodies’ Appeals Processes’ (http://www.jcq.org.uk/exams-office/appeals).

It is also a requirement for centres offering Pearson vocational qualifications to have a relevant appeals policy which is made available to any learner where a malpractice penalty has been applied. Learners should be informed of the centre's malpractice and appeals policy during the induction period.
## Regulatory references

UK regulators require all awarding organisations to establish and maintain their compliance with regulatory conditions and criteria. As part of this process, policies that relate to Pearson’s status as an awarding organisation will reference any particular conditions and criteria that they address.

This policy addresses the following regulatory criteria and conditions:

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<td>Ofqual/CCEA Accreditation/Qualifications Wales General Conditions of Recognition</td>
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<td>Malpractice and maladministration</td>
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### Review date

February 2017
Useful contacts

For further guidance, reference can be made to the following JCQ publications:

- JCQ General and Vocational Qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures
  (www.jcq.co.uk/exams-office/malpractice)
- JCQ A Guide to Awarding Bodies’ Appeals Processes
  (www.jcq.co.uk/exams-office/appeals)
- JCQ Plagiarism in Examinations (though applicable to all assessments)
  (www.jcq.co.uk/exams-office/malpractice)
- JCQ Public Interest Disclosure Act (Whistleblowing)
  (www.jcq.co.uk/exams-office/malpractice)

For specific queries or matters which are not addressed in the above, the Pearson Investigations Team can be contacted via email at pqsmalpractice@pearson.com.

For more information on Pearson qualifications and services please visit the website: qualifications.pearson.com