

# 2022-23 Managing cases of suspected malpractice in examinations and assessments

Version 8.1

Last modified 6-December-2022

For external use



## Document revision history

Version	Summary of change	Approval date
8	Throughout: New template	September 2021
8	Throughout: Minor revisions for most sections.	September 2021
8	1.2.2: Additional text detailing standard of proof.	September 2021
8	2.1.3: Additional detail on responsibilities to report.	September 2021
8	2.2.6: Additional clarification regarding whistleblowing	September 2021
8	3: Additional examples of malpractice.	September 2021
8	4.1: Additional information on procedures.	September 2021
8	4.1.4: Additional information on remote interviewing processes.	September 2021
8	Appendix 10: Centre Investigation Malpractice Report	September 2021

## Approval

Date effective	Superseding	Policy review date	Approver
06 Dec 2022	Investigation & Compliance	31 Aug 2023	06 Dec 2022
[00]	[Department name]	[Description]	[day Month year]

# Contents

<b>1. Managing cases of suspected malpractice in examinations and assessments .....</b>	<b>5</b>
1.1. Commitment to quality .....	5
1.2. About this document .....	5
1.3. Process of investigation .....	7
1.4. Notifications to Regulators .....	7
1.5. Use of Data .....	8
<b>2. Responsibilities to report malpractice .....</b>	<b>10</b>
2.1. Centre staff .....	10
2.2. Associates .....	11
2.3. City & Guilds staff .....	16
2.4. Members of public .....	16
2.5. Vexatious correspondence or behaviour .....	17
<b>3. Examples of malpractice by centre staff, and learners .....</b>	<b>19</b>
3.1. Centre staff malpractice .....	19
3.2. Learner malpractice .....	21
<b>4. Investigations into suspected malpractice .....</b>	<b>25</b>
4.1. Centre staff and learner malpractice .....	25
4.2. Conclusion of investigation .....	29
<b>5. City &amp; Guilds sanctions/penalties .....</b>	<b>32</b>
5.1. Malpractice Panel .....	35
5.2. Appeals against City & Guilds' decision to impose sanctions/penalties .....	36
<b>6. Appendix 1: Suspected learner malpractice notification form – Confidential .....</b>	<b>37</b>
<b>7. Appendix 2: Suspected learner malpractice: guidance notes .....</b>	<b>43</b>
<b>8. Appendix 3: Guidance to centres when dealing with suspected learner plagiarism .....</b>	<b>45</b>
<b>9. Appendix 4: Suspected centre staff maladministration and malpractice notification form – Confidential .....</b>	<b>51</b>
<b>10. Appendix 5: Notification form checklist .....</b>	<b>54</b>

**11. Appendix 6: Guidance to Centres on conducting investigations..... 55**

**12. Appendix 7: Technical Qualifications - Moderator notification of suspected malpractice ..... 59**

**13. Appendix 8: End-point Assessment – notification of suspected malpractice..... 61**

**14. Appendix 9: Examiner notification of suspected malpractice ..... 64**

**15. Appendix 10: Centre Investigation Malpractice Report..... 65**

# Introduction

## **Introduction to the City & Guilds ‘Managing cases of suspected malpractice in examinations and assessments’**

This document provides our requirements and guidance when dealing with or wishing to report suspected malpractice. It covers the malpractice process for approved City & Guilds centres, Associates, and individuals who wish to report malpractice, as well as providing guidance on the reporting and conducting of investigations.

This policy applies to City & Guilds and ILM. All references to ‘City & Guilds’ include City & Guilds and ILM unless otherwise stated. All references to “we”, “us” or “our” include ILM.

### **About us**

Since 1878 we have worked with people, organisations and economies to help them identify and develop the skills they need to thrive. We understand the life changing link between skills development, social mobility, prosperity and success. Everything we do is focused on developing and delivering high-quality training, qualifications, assessments and credentials that lead to jobs and meet the changing needs of industry.

We work with governments, organisations and industry stakeholders to help shape future skills needs across industries. We are known for setting industry-wide standards for technical, behavioural and commercial skills to improve performance and productivity. We train teams, assure learning, assess cohorts and certify with digital credentials. Our solutions help to build skilled and compliant workforces.

# 1. Managing cases of suspected malpractice in examinations and assessments

## 1.1. Commitment to quality

City & Guilds is committed to providing high-quality qualifications which are assessed and awarded consistently, accurately and fairly. To this end we require everyone that is involved in the implementation, assessment and quality assurance of our qualifications and/or assessments to demonstrate honesty and integrity.

It is a centre's responsibility to ensure that all relevant staff involved in the management, assessment, invigilation, moderation or internal quality assurance of City & Guilds' qualifications are made aware of the contents of this document.

An electronic copy of this document and editable word versions of the notification forms are available from City & Guilds' website [here](#).

To assist in interpretation, Section 3 of this document contains examples of malpractice by centre staff and learners. Please note that these examples are not exhaustive.

## 1.2. About this document

### 1.2.1. Scope of this document

This document is aligned with the '*Suspected Malpractice in Examinations and Assessments: Policies and Procedures*', document published by the Joint Council for Qualifications (JCQ), of which City & Guilds is a member.

This document is intended for centre staff, City & Guilds Associates, City & Guilds staff and those involved in the management and delivery of City & Guilds' qualifications. It includes examples of centre, staff and learner malpractice and explains the responsibilities of centre staff, City & Guilds staff and Associates to report malpractice, actual or suspected.

City & Guilds malpractice processes and procedures closely align with JCQ's and may refer to that malpractice document, however the City & Guilds *Managing Cases of Suspected Malpractice in Examinations and Assessments* document is considered as the primary document when referring to malpractice and actions taken as a result of an investigation.

For detailed information regarding JCQ's policies and procedures, reference should be made to the JCQ website ([www.jcq.org.uk/](http://www.jcq.org.uk/)).

### **1.2.2. Purpose of this document**

The purpose of this document is to detail the requirements and procedures to be followed in relation to suspected or actual incidents of malpractice and the actions that centres and City & Guilds may take. It also sets out the sanctions that City & Guilds may apply in an instance of proven malpractice.

City & Guilds standard of proof in determining whether malpractice has occurred is “on the balance of probabilities.” This means that judgements regarding malpractice will be made in consideration of all available evidence and information. This is the civil law standard of proof and differs from the legal standard of proof, which is beyond a reasonable doubt.

### **1.2.3. Review of this document**

This document is reviewed and revised regularly in response to feedback from centre staff, Associates and the regulatory authorities, or changes in legislation. City & Guilds reserves the right, however, to make changes to this document as and when required.

### **1.2.4. Definition**

‘Malpractice’, means any act, default or practice which is a breach of the Regulations or which:

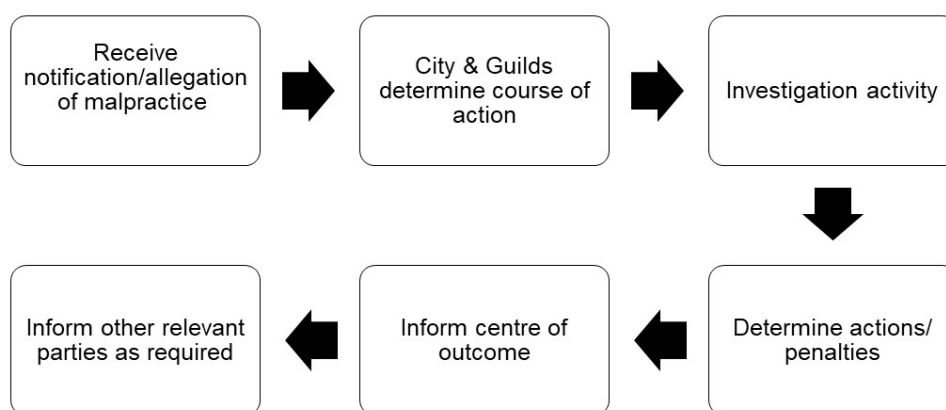
- Gives rise to prejudice to learners; and/or
- Compromises public confidence in qualifications; and/or
- Compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- Damages the authority, reputation or credibility of any awarding organisation or centre or any officer, employee or agent of any awarding organisation or centre.
- Malpractice includes maladministration and instances of non-compliance with the regulations and requirements.

Maladministration is defined as any activity, practice or omission which results in centre or learner non-compliance with administrative regulations and requirements. For example,

persistent mistakes or poor administration within a centre resulting in the failure to keep appropriate learner assessment records.

### 1.3. Process of investigation

Below is a brief overview of the process that is undertaken when City & Guilds receives a notification or allegation of malpractice. The content of this document explains, in detail, this process.



### 1.4. Notifications to Regulators

The General/Standard Conditions of Recognition (Ofqual, Qualifications Wales and CCEA) includes two conditions which are particularly relevant to investigative activity: A8 - Malpractice and Maladministration and B3 - Notification to Ofqual of certain events. The SQA Accreditation's Regulatory Principles document (Principle 18) gives guidance on managing and preventing malpractice.

- Condition A8 sets out the requirements and procedures for preventing, investigating, managing the effects of, and dealing with malpractice and maladministration.
- Condition B3 specifies the circumstances in which an awarding organisation must notify Ofqual of events which could have an 'adverse effect', it provides examples of adverse effects (see B3.2 (g) in particular) and it gives further information about the timing of notifications to Ofqual.



- Regulatory Principle 18 states that it is the awarding bodies responsibility to ensure it and its providers have safeguards to prevent and manage cases of malpractice and maladministration.

City & Guilds will consider the methodology and timing of reporting incidents to the regulators. It should be noted, however, that it is a requirement of SQA Accreditation that they are informed of any potential malpractice relating to their qualifications, not just confirmed cases. This includes any allegation for centre or learner malpractice.

Additionally, it is a requirement of Qualifications Wales that they are informed of any potential centre or centre staff malpractice relating to any qualifications delivered in Wales, not just confirmed cases.

## **1.5. Use of Data**

We may process personal data if required by law or where processing is necessary to pursue our legitimate interests as a provider of training, assessment, and certification products and/or services. This includes processing in relation to our quality assurance processes, an investigation, appeal or complaint or to prevent and detect crime and/or assist with the apprehension or prosecution of offenders. With respect to special category data, such data may also be processed if necessary for reasons of substantial public interest, including for the prevention or detection of unlawful acts or in compliance with, or to assist third parties to comply with, any regulatory requirements relating to the investigation of unlawful acts, dishonesty or malpractice.

We may share personal data (including any special category data) with law enforcement or other authorities or agencies if required by law or where we otherwise deem it necessary for the purposes of our legitimate interests. This may include, without being limited to, responding to requests for information from such authorities or agencies, or sharing information with them in connection with our quality assurance processes, an investigation, appeal or complaint. In such circumstances, we may share personal data without informing the individual it relates to.

City & Guilds will retain in a secure manner any information or evidence related to an investigation for a period of five years from completion of a relevant investigation, appeal or complaint process or, where an incident involves law enforcement or other authority or

agency, such other period as may be required to ensure compliance with our legal and regulatory requirements.

A link to City & Guilds' Privacy Policy which sets out what we do with data provided to us can be found [here](#).

## 2. Responsibilities to report malpractice

### 2.1. Centre staff

Centre staff who discover or suspect malpractice must **immediately** report this to the Head of Centre. For the purpose of this document, we will refer to individuals with the relevant level of authority to report suspected malpractice as Head of Centre. This will encompass roles such as Head of Quality, Quality Manager, Examinations Manager etc. with a senior level of authority and independence from the day-to-day activities relating to the delivery of City & Guilds qualifications.

#### 2.1.1. Conflict of interest

A conflict of interest is defined as a situation where an individual's vested interests raise a question of whether their actions, judgment, and/or decision-making can be unbiased. For instance, a member of staff with a personal relationship or direct line management responsibility for the individual they are investigating.

If a conflict of interest cannot be avoided, for instance, where the centre is a small training provider with few staff, then the Investigation & Compliance team **must** be notified so that an alternative investigation strategy can be considered.

#### 2.1.2. Notification

The Head of Centre is required to notify the City & Guilds' Investigation & Compliance team of all allegations or incidents of malpractice, actual or suspected within 10 working days of it being reported to them and **prior** to the commencement of any internal investigation activity. Failure to report incidents of suspected malpractice within 10 working days may result in the application of a centre sanction or a change to the centre risk rating.

The centre is permitted to ascertain the initial scope of the incident, the staff involved, and the potential numbers of learners. This does not need to be exact. However, the centre must not formally/informally interview key members of staff, including the person suspected of committing the malpractice until authorised to do so by City & Guilds.

City & Guilds expects centre staff to co-operate fully with any investigations into cases of suspected or actual malpractice. Failure to report suspected malpractice and/or co-operate

with follow up activity can be construed as malpractice and may lead to qualifications not being awarded, certificates not being issued, future entries and/or registrations not being accepted or withdrawal of qualification and/or centre approval.

The following centre actions may be considered malpractice:

- **Failure to notify City & Guilds Investigation & Compliance team of any incidents or allegations of suspected malpractice**
- **Failure to take action as required by City & Guilds or to co-operate with a City & Guilds investigation**
- **Failure to respond to communication or provide all facts, circumstances, and documentation requested by the Investigation & Compliance team.**

The notification forms, together with the notification form checklist, available from our website, must be used for this purpose. For further details, refer to Section 4 of this document.

Please send the appropriate notification form and checklist to:  
[investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com)

## **2.2. Associates**

City & Guilds Associates who become aware of potential malpractice must raise it with whoever commissioned the Associate to carry out the contracted work. For example, Quality Delivery, Assessment, Development, Operations. It will then be escalated to the Investigation & Compliance team as necessary.

Below is a non-exhaustive list of associate types and the processes for escalating/reporting suspected malpractice.

### **2.2.1. External Quality Assurers**

City & Guilds' EQAs who discover or suspect malpractice when visiting centres, or when sampling learner evidence, must **immediately** contact the appropriate City & Guilds' Quality Delivery team to discuss the suspected malpractice. Staff there will liaise with the Investigation & Compliance team and a decision will be made as to how to proceed.

The remit of the Associate undertaking an External Quality Assurance activity is to provide an accurate and detailed account of the facts of the suspected malpractice which must be clearly documented in the Centre Activity Report (CAR) form (i.e., what has been found on the visit that has led them to suspect that malpractice has occurred). However, conclusions should not be drawn at this point as to whether or not malpractice has occurred, nor should conclusions be recorded in the report.

Associates who discover suspected malpractice must notify the centre that the Quality Delivery team have been, or will be, informed of their findings and that further action may be taken.

Associates who receive allegations of malpractice from centre staff should refer the individuals to this document and to contact the Investigation & Compliance team within 10 working days by emailing [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

Associates should also contact the appropriate City & Guilds' Quality Delivery team to discuss the allegations received. Staff there will liaise with the Investigation & Compliance team and a decision will be made as to how to proceed.

Associates who are informed of malpractice by learners should advise the individual(s) to refer to the *Policy for Individuals reporting allegations of suspected malpractice*, which is available from City & Guilds' website [here](#). Associates should also contact the appropriate City & Guilds' Quality Delivery team to discuss the allegations received. Staff there will liaise with the Investigation & Compliance team and a decision will be made as to how to proceed.

Associates who discover learner plagiarism in work which has been authenticated by the learner, should report this on the CAR form. The Associates should detail the plagiarism and generate an action point for the centre to provide a malpractice notification form to: [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

The Investigation & Compliance team may contact External Quality Assurers who have reported suspected malpractice to discuss the contents of the CAR form after it has been submitted to the Quality Delivery team.

### 2.2.2. Examiners

City & Guilds' Examiners who discover evidence of suspected or actual malpractice in the marking of examination papers must **immediately** report their findings to the Investigation & Compliance team. The Examiner should not adjust marks to reflect their suspicions. The work is to be marked as normal.

An account of the suspected malpractice should be emailed and include the following:

- Examination date and qualification number
- Centre name and number
- Full nature of the malpractice, particularly noting any urgent/high risk concerns
- Learners involved
- Examiner's name.

The Investigation & Compliance team will inform the Head of Centre of the details required so that an investigation can be undertaken.

Examiners should report the suspected malpractice by completing and submitting the notification form provided in Appendix 9 of this document. Reports should be sent to [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

If the Examiner is using MyMarkis, the script should be marked as normal, and flagged for review. It will then be escalated to the Investigation & Compliance team by the Chief/Principal Examiner.

Further details can be found in the guidance document provided separately to Examiners.

### **Inappropriate content and safeguarding**

City & Guilds' Associates may see examination scripts that on first sight appear to be 'defaced' by the learner with graffiti or contain bad language or offensive themes – these are classed as inappropriate content and are generally considered to be learner malpractice.

However, you may also come across scripts which contain references to self-harm or reference to the abuse of others, or messages relating to politics, for instance linked to terrorist organisations, and these may indicate a safeguarding concern.

If you come across a response that you believe is Malpractice or raises safeguarding issues, it **must** be reported to your Team Lead immediately.

For more information please refer to the Safeguarding policy which can be found under the “legal” tab on the City & Guilds website [here](#).

### **2.2.3. Functional Skills/Essential Skills (Northern Ireland) Markers**

Functional Skills and Essential Skills (Northern Ireland) markers who suspect malpractice whilst marking a learner’s script must immediately report the matter to their Team Lead, who will review the evidence and escalate it to the Chief Examiner. It will then be referred to the Investigation & Compliance team for investigation if applicable.

Further details can be found in the guidance document provided separately to Functional Skills/Essential Skills (Northern Ireland) Markers.

### **2.2.4. Moderators**

City & Guilds’ Moderators/Principal Moderators who discover evidence of suspected or actual malpractice during moderation activities must report their findings to the Technical Moderation Support team ([moderationssupport@cityandguilds.com](mailto:moderationssupport@cityandguilds.com)) who will discuss the suspected malpractice with the Investigation & Compliance team. A decision will then be made as to how to proceed.

The Investigation & Compliance team may contact Moderators/Principal Moderators who have reported suspected malpractice to discuss the concerns in more detail or to discuss the explanation provided by a centre before a conclusion is reached.

**Moderators should not adjust marks to reflect their suspicions. The work is to be marked as normal.**

An account of the suspected malpractice should include the following:

- Full nature of the malpractice, particularly noting the specific policy/qualification requirement the concerns are in breach of
- Extent of the suspected malpractice including learner enrolment numbers
- Examination date and unit number or specific AOs/tasks/sections/pages in the work submitted in the synoptic assignment this relates to
- Centre name and number
- Moderator’s contact details.

Moderators should report the suspected malpractice by completing and submitting the notification form provided in Appendix 7 of this document.

### **2.2.5. EPA, QW Lead/External Assessor**

City & Guilds' Lead Independent End Point Assessor (LIEPAs), Independent End Point Assessor (IEPAs), QW Lead/External Assessors, or staff who discover or suspect malpractice when conducting an EPA, or when sampling an apprentice's assessment evidence must **immediately** contact their EPA Team Leader to discuss their concerns. Staff there will liaise with the Investigation & Compliance team and a decision will be made as to how to proceed.

For more information, please see the malpractice in End-point Assessments document which can be found [here](#).

### **2.2.6. Assessment Service Assessor**

If an Assessment Service Assessor suspects plagiarism, collusion or cheating in a learner's assignment, the Assessor is required to report the suspected malpractice to the Lead Assessor (if applicable) who will verify the findings and report this to the Investigation & Compliance team. If no Lead Assessor is assigned, the Assessor should report the suspected malpractice to the Investigation & Compliance team for review at [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

An account of the suspected malpractice should include the following:

- Full nature of the malpractice, particularly noting the areas which are believed to have been plagiarised
- Extent of the suspected malpractice including learner enrolment numbers
- A copy of the results and learner's assignment
- Centre name and number
- Assessor's contact details.

If plagiarism, collusion or cheating is suspected no marks will be attributed to any piece of work under suspicion and the result sheet, that includes the comments, will be referred to the centre. Further work from the learner will not be accepted by the Assessment Service until the malpractice case has been resolved.



The Investigation & Compliance team will inform the Head of Centre of the details so that an investigation can be undertaken.

### 2.3. City & Guilds staff

City & Guilds staff who discover or suspect centre or learner malpractice in carrying out their day-to-day responsibilities **must** immediately report their concerns to the Investigation & Compliance team, and provide an account that should include the following:

- Centre name and number
- Full nature of the malpractice, particularly noting any urgent/high risk concerns
- People involved
- Date(s) malpractice occurred
- Qualification(s) affected.

Reports should be sent to [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

### 2.4. Members of public

Members of public who wish to notify us of malpractice should refer to the Policy for individuals reporting allegations of suspected malpractice which can be found [here](#). A summary of the concerns should be reported to [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

A member of the Investigation & Compliance team will acknowledge the email and arrange a telephone interview with the person who reported the malpractice to gather more information.

Individuals employed at the centre where they believe malpractice has occurred may wish to consider bringing the matter to a senior member of staff within the organisation delivering the qualification(s) under that organisation's whistleblowing policy. If an individual has raised concerns internally but feels they have not been appropriately addressed, or if an individual feels unable to raise the concerns internally, they should make a disclosure to City & Guilds.

Please note, we cannot tell you whether you are protected as a whistle-blower or provide you with any legal advice.

We will endeavour to keep an individual's identity confidential when asked to do so. However, those disclosing information should also recognise that they may be identifiable by others due to the nature or circumstances of the disclosure.

Information received in disclosures may be shared with third parties where necessary.

Anonymous disclosures will be considered but it may not always be possible to investigate them.

We will normally ask to be provided with as much evidence as possible to support the disclosure. Each disclosure will be considered sensitively and carefully to ensure that appropriate action will be taken. It should be noted, however, that our ability to investigate allegations will be dependent on the availability of documentary evidence. This becomes more difficult to produce and authenticate after a considerable amount of time has elapsed. Therefore, we encourage anyone who suspects malpractice to notify us as soon as possible.

The Investigation & Compliance team cannot disclose to an informant the outcome of an investigation or any action that is taken as a result of an investigation.

## **2.5. Vexatious correspondence or behaviour**

Our staff have the right not to be subjected to aggressive, abusive, or offensive language or behaviour, regardless of the circumstances and we will not engage with abusive individuals. Where an individual becomes abusive in the way they correspond with City & Guilds, we will class such correspondence/behaviour as vexatious.

This could include excessive telephone calls, emails or letters, sending duplicate correspondence requiring a response to more than one member of staff, persistent refusal to accept a decision, persistent refusal to accept explanations, continuing to contact City & Guilds without presenting new and relevant information.

The following types of correspondence/behaviour are deemed as vexatious, and we will take the action described in italics below.

- Being abusive or threatening in any communication with the Investigation & Compliance team. This could include threats of physical violence, swearing, inappropriate cultural, racial, or religious references, rudeness, including derogatory remarks

*The person will be referred to a Senior Manager at City & Guilds who will contact them to state that all communication (unless necessary for the investigation) will cease if they continue to communicate in such a manner. We take any threat to our staff very seriously and may refer the matter to the Police, if necessary.*

- Repeatedly contacting us either via telephone or email in a given working day without offering new evidence or information.

*We shall send a letter or email to the person explaining that further contact of this nature will not be responded to.*

- Making unreasonable demands on City & Guilds beyond the remit of the investigation.

*We shall send a letter or email to the person reiterating the remit of the investigation.*

- Making accusatory comments about City & Guilds, the staff managing the case, or the investigators.

*The person will be referred to a Senior Manager at City & Guilds who will contact them to state that all communication (unless necessary for the investigation) will cease if they continue to communicate in such a manner.*

### **3. Examples of malpractice by centre staff, and learners**

The following examples of malpractice are not an exhaustive list and as such do not limit the scope of the definition set out in the document.

#### **3.1. Centre staff malpractice**

##### **3.1.1. Failure to meet City & Guilds' centre and qualification approval requirements**

Examples of this would include:

- Inaccurate or deliberately misleading statements or submissions provided during the centre or qualification approval process, or at any time during the assessment process
- Failing to cooperate with investigations or misleading investigators during an investigation
- Failure to respond to reasonable requests for information relating to an investigation
- Failure to provide the staff, resources or systems needed to support assessment, internal quality assurance or certification claims
- Failure to maintain the quality assurance of sub-sites, alternative assessment sites, subcontractors, and satellite centres
- Failure to maintain accurate records relating to learners, assessment or internal quality assurance, or to retain such records for the required period of time
- Failure to provide City & Guilds with access to premises, people or records
- Failure to implement specified remedial actions
- Failure to notify the Head of Centre and/or City & Guilds of suspected malpractice
- Submission of an untrue, misleading or the absence of a declaration of conflict of interest
- Subverting or attempting to subvert investigation activities.

##### **3.1.2. Influencing the assessment or certification process**

Examples of this would include:

- The unauthorised obtaining, disseminating, or the facilitating of access to secure examination/assessment material

- Members of centre staff undertaking or amending learner answers for any examination on behalf of learner(s)
- Assisting or prompting learners in the production of answers to examination questions or assessment evidence, beyond that which is permitted
- Any action or inaction that allows a learner to have an unfair advantage or causes a learner to be disadvantaged
- Falsification or fabrication of learners' marks, assessment evidence, observation records, certification claims or results documentation and any other records or documentation pertaining to City & Guilds qualifications
- Falsifying the signatures of learners, assessors, or IQA for the purpose of validating or authenticating any record pertaining to City & Guilds qualifications
- Claiming for certificates where there is no or insufficient evidence to support certification
- Manipulating learner/moderation samples for the purpose of external quality assurance/moderation. The sample should be representative of the standard of work across the rest of the cohort/qualification
- Failure of a member of centre staff to report any instances of malpractice or suspected malpractice as defined in section 2.1 to the appropriate person/team
- Soliciting money from learners in exchange for services whether rendered or not, relating to the assessment or delivery of City & Guilds qualifications
- Offering a bribe of any kind to an invigilator, a member of centre staff or City & Guilds
- Submission of investigation reports that are misleading or contain false information that may lead City & Guilds to an incorrect conclusion
- Destruction of evidence related to a malpractice investigation
- The release of embargoed results to learners prior to the scheduled release date.

### **3.1.3. Failure to meet the requirements for the conduct of examinations or/and assessments**

Examples of this would include:

- Breaches of any secure material, including examination papers or materials and their electronic equivalents
- Centre staff undertaking examinations for qualifications that they are teaching or assessing on

- Retention of material downloaded or produced by a learner during a live assessment
- Unauthorised changes to examination timetables
- Failure to issue learners with appropriate notices and warnings
- Non-adherence to, or ignorance of the invigilation requirements
- Recontextualising examination questions for learners when acting as a reader
- Failure to despatch scripts no later than the next working day
- Amendment of examination materials without permission
- Failure to provide access arrangements in accordance with City & Guilds' requirements
- Failure to store secure examination materials appropriately at all times
- Failure to effectively and continuously supervise examinations and/or learners.

## **3.2. Learner malpractice**

### **3.2.1. Breach of examination or assessment rules, regulations and requirements**

Examples of this would include:

- Falsification of assessment evidence or results documentation
- Plagiarism of any nature
- Collusion with others
- False declaration of authenticity in relation to the contents of a portfolio or coursework
- The submission of a piece of work purchased from a third party. For example, from an essay or assignment writing service
- Copying from work/notes provided by another learner (including the use of ICT to aid copying).
- Providing access to portfolios/work/notes to other learners for the purpose of giving an unfair advantage
- Deliberate destruction or tampering with a learner's work or assessment records
- Inappropriate or abusive content such as swearing, racist, homophobic, transphobic remarks
- Theft or usage of another learner's work without their permission
- The removal of secure exam material from the examination room
- Obtaining or attempting to obtain secure examination/assessment material
- Disseminating secure examination/assessment material

- Impersonation
- Non-compliance with the instructions of an invigilator or remote invigilator/proctor
- Offering a bribe of any kind to an invigilator, a learner, centre staff, or City & Guilds staff
- Forging another learner(s) and/or staff signatures.
- Presenting a forged/falsified certificate
- Providing inaccurate or deliberately misleading statements as part of a malpractice investigation.

If suspected malpractice in learner work is identified, centres and learners should be aware that City & Guilds will consider learner work submitted for assessment electronically via an e-portfolio or by any other electronic means as having been declared as authentic by the learner.

### **3.2.2. Inappropriate conduct during an examination/assessment session**

Examples of this would include:

- Introduction of unauthorised material or devices into the examination room/assessment session
- Misuse or attempted misuse of examination/assessment material
- Obtaining, receiving, copying from or passing on unauthorised or confidential examination or assessment material
- Disruptive, violent or offensive behaviour
- Any form of communication with other learners (written, verbal, gestures, expressions, pointing, etc.)
- Entering obscene words or pictures on to an examination paper
- Failure to abide by the instructions of an invigilator or supervisor
- Non-adherence to, or ignorance of the invigilation requirements.

### **3.2.3. Plagiarism**

City & Guilds' definition of plagiarism is learners authenticating and/or the submission of any work for assessment that is attributable to another identifiable person or source.

This could be **any** percentage of work this has been copied from published work, the internet, or any other sources. Plagiarism also includes any copied text that has not been referenced correctly

The Joint Council for Qualifications 'Plagiarism in Assessment, Guidance for Teachers/Assessor' defines plagiarism as "unacknowledged copying from or reproduction of published sources or incomplete referencing".

Examples of plagiarism include:

- The use of downloaded content including text, images, diagrams etc. from the internet without acknowledgement of the source
- Copying and pasting extracts or whole texts from another's work, published or unpublished, without the use of quotation marks and/or acknowledgement of the source
- Use of diagrams, images, course notes without acknowledgement of the source paraphrasing/summarising extensively the work of another or using their ideas without an acknowledgement of the source
- The use of purchased essays submitted as a learner's own work.

It is the responsibility of the centre to ensure that they educate learners as to the requirements regarding referencing published sources in their work and are aware of what constitutes plagiarism.

Centres are additionally required to have adequate processes and procedures in place to detect and prevent plagiarism. The City & Guilds policy Quality Assurance Standards: Centre Assessment states centres are to have "Procedures for recording exemptions, appeals, complaints, malpractice, maladministration, reasonable adjustments, special considerations and plagiarism."

Additionally, the document states that "centres must ensure that all candidates:

- Understand that information from published sources must be referenced
- Receive guidance on setting out references
- Are aware that they must not plagiarise other material."

City & Guilds will **only** investigate incidents of learner plagiarism when a declaration of authenticity has been signed by the learner. City & Guilds will consider learner work submitted for assessment electronically via an e-portfolio or by any other electronic means as having been declared as authentic by the learner. Centre's who discover plagiarism should follow the process detailed in Section 2.1 of this document.



If malpractice is suspected, submissions of replacement work for the unit in question should **not** be accepted by the centre until the malpractice case has been resolved.

Plagiarism found in learner work that has not been declared by the learner as their own, will **not** be investigated by the Investigation & Compliance team and should be managed by the centre. There may be occasions where numerous incidents of learner plagiarism may indicate centre maladministration, malpractice or ineffective Internal Quality Assurance systems. External Quality Assurers who suspect **centre** malpractice must follow the process as described in Section 2.2.1 of this document.

Detailed information on how to prevent and detect plagiarism, and how to appropriately reference within assignments can be found in JCQ's 'Plagiarism in Assessment, Guidance for Teachers/Assessors' which can be found [here](#).

For further details, please refer to Appendix 3 of this document.

#### **3.2.4. Collusion**

Collusion is defined as two or more learners who collaborate on a piece of work, beyond the level that is permitted. Collusion can take the following forms:

Two or more learners collaborating to produce a piece of work together with the intention that it is submitted as their own, individual work. Or with the intention of at least one learner submitting it as their own, individual work. In some circumstances, learners may work together on projects, however we expect learners to write up the assignment individually and reflect on their own learning from completion of the joint project. Any materials shared within the project must be acknowledged in order to avoid plagiarism and where possible content should be created independently to avoid this occurring.

A learner submitting the work of another learner (with their consent) as their own, individual work. In such cases, both learners would be deemed to have committed collusion. Unauthorised co-operation between a learner and a third party in the production of a piece of work that will be submitted as the learners own.

## 4. Investigations into suspected malpractice

### 4.1. Centre staff and learner malpractice

Following the guidance in the previous section relating to the centre's responsibility to notify City & Guilds of malpractice. Details of the suspected malpractice must be provided using the malpractice notification reporting forms in the appendices of this document and submitted to the Investigation & Compliance team.

Unless a learner is being continuously disruptive or acting in a way that could disadvantage other learners or cause harm, the invigilator **must** wait until the end of an examination to address the incident and speak to the learner.

Therefore, centres must not disallow a learner's result or void/cancel/dispose of a learner's examination paper or online result as a consequence of an incident of examination malpractice. City & Guilds will be responsible for deciding the outcome in relation to learner results.

Learners who are subject to penalties as a result of assessment or examination malpractice should not be permitted to re-sit an examination or continue with their qualification until City & Guilds have advised that the learner may be permitted to do so.

In instances of either learner or staff malpractice we expect that the centre will not inform learners of the results of examinations or qualifications that are under investigation. Any results, including certificates **must not** be released to learners until City & Guilds has concluded the investigation.

#### 4.1.1. Who will undertake the investigation

Once notification of malpractice has been received, City & Guilds will determine whether it is appropriate for the Head of Centre to undertake the investigation into the allegation/incident or whether the Investigation & Compliance team will undertake the investigation.

**Centres must refrain from undertaking formal investigation activities into suspected malpractice until a member of the Investigation & Compliance team has been in contact to agree next steps.**

City & Guilds reserves the right to undertake unannounced investigation visit activity.

#### **4.1.2. Investigation undertaken by a centre**

Once it is determined that it is appropriate for a centre to investigate an incident or allegation of malpractice, the allocated Case Manager will contact the centre and confirm this decision. The Head of Centre will be provided with the Guidance to Centres on conducting investigations document, (Appendix 6). This document sets out, in detail, what is expected of a centre who is asked to investigate an incident or an allegation of malpractice on behalf of City & Guilds.

The Head of Centre is required to:

- Confirm on the malpractice notification form that any individual involved in the investigation of the incident of suspected malpractice does not have a conflict of interest in doing so
- Supervise the investigation personally or delegate the investigation to an appropriate senior member of staff
- Establish the full facts, circumstances and scale of the irregularities
- Provide a report and all relevant evidence to City & Guilds when the investigation has been completed
- Pass on to the individuals concerned, any decisions or notification of penalties.

Heads of Centres should consider that both staff and learners can be responsible for malpractice. For this reason, investigations into malpractice **must not** be delegated to the manager of the section, team or department involved in the suspected malpractice. Conflicts of interest which arise in this situation may compromise the investigation. To safeguard the integrity of City & Guilds qualifications, Heads of Centre may wish to consider suspending staff implicated in an incident of malpractice from the involvement and administration of City & Guilds qualifications.

Individuals accused of malpractice must be informed by the Centre, in writing of the:

- Allegation made against them
- Evidence that supports the allegation
- Possible consequences including the actions or penalties that City & Guilds may take should malpractice be proven.

City & Guilds reserves the right to suspend registration and/or any claims for certification or applications for qualification approval submitted by the centre, either on notification of malpractice (suspected or actual), or at any time during the investigation to protect the integrity of the qualification(s) in question and to prevent the possibility of certificates being issued erroneously.

Full details of the procedures which should be followed when investigating cases of suspected malpractice can be found in the JCQ publication '*Suspected Malpractice in Examinations and Assessments: Policy and Procedures*', available on the JCQ website [www.jcq.org.uk/](http://www.jcq.org.uk/).

#### **4.1.3. Report of investigation undertaken by centre**

The Head of Centre must submit a full written report of the investigation and associated documentation to City & Guilds within an agreed timeframe. The report must include the following, as appropriate:

- A detailed account of the circumstances of the alleged malpractice and of the investigation carried out by the centre (this should include but is not limited to; the full investigation report with any noted appendices, and any preventative and punitive actions that have been taken)
- A written declaration that staff members involved in the investigation of the malpractice incident have no conflict of interest in doing so
- Signed and dated written statement(s) or transcript(s) of interviews from the Invigilator(s), Assessor(s), Internal Quality Assurer(s) or other staff involved
- Signed and dated written statement(s) or transcript(s) of interviews from any learner(s) who is/are involved
- Any work of the learner(s) involved and any associated material
- Any exculpatory evidence and/or mitigating factors, if relevant. We may consider mitigating circumstances supported by appropriate evidence
- Ignorance of regulations and requirements will not, by itself, be considered a mitigating factor e.g.: refusing to take notice of regulations or failing to consider requirements
- The findings/conclusions that the centre have come to and the evidence that supports this conclusion.

Please note, that the malpractice notification form in Appendix 1 and 4 does not constitute a malpractice report. Investigations must follow the guidelines laid out in Appendix 6 of this document. Appendix 10 is a template investigation report. This report template is not mandatory; however, we strongly encourage that it is used in order to provide all of the required information.

The centre should aim to complete the investigation, including the report, within 15 working days of being requested to undertake it. The centre must inform the Investigation & Compliance team if this timescale cannot be met. Centres are expected to make clear references to the evidence which provides justification for their investigation findings. The evidence must be made available for independent scrutiny by City & Guilds and other agencies, as required. For further guidance on the requirements of the report, please see the Guidance to Centres on conducting investigations document, (Appendix 6).

City & Guilds require all documentation that forms the basis of a centre's report to be provided with the report, unless compelled not to for legal reasons. This should be discussed with the case manager as early as possible so that alternative data sharing can be facilitated.

#### **4.1.4. Investigation undertaken by City & Guilds**

When it is decided that City & Guilds will undertake an investigation into suspected malpractice, we will consider the most appropriate method to do so effectively. The Case Manager will notify the centre at an appropriate time to discuss the allegations and provide detail of the activities that will be undertaken in order to investigate.

We will endeavour to ensure that those responsible for managing and carrying out investigations are independent of the management of normal working relationships with the centre involved or with the External Quality Assurers associated with that centre.

Investigations generally involve information and intelligence gathering, including data analysis, and interviews. The initial stage of this process will usually include the review of Centre Activity Report (CAR) forms to provide background information on the centre's performance against requirements at a point in time. However, due to our regulatory obligations, investigation activity will still be undertaken to investigate any allegations of malpractice brought to our attention regardless of the outcome of any monitoring activities.

City & Guilds will aim to complete the investigation with minimal inconvenience and in the shortest possible time. The centre's ability to provide all the information requested as quickly as possible will help to ensure this aim is met.

City & Guilds activities may include conducting online interviews over Microsoft Teams (or similar) software. We would ask that individuals who are invited to be interviewed find a private area for the duration of the interview. We expect interviewees to activate the camera

function, and to be prepared to show the interviewers a form of identification to verify their identity.

Interviewees should also be aware that the interviews will be recorded and that a copy of the interview will be made available to them at their request.

On conclusion of the investigation, the Head of Centre will be informed of the outcome.

#### **4.1.5. Report of investigation undertaken by City & Guilds**

City & Guilds will produce a report outlining the findings of the investigation. This will be sent to the Head of Centre. Information concerning the investigation and its outcome may also be shared with the regulatory authorities including Regulators as specified in section 1.4.

## **4.2. Conclusion of investigation**

### **4.2.1. City & Guilds' actions**

City & Guilds will consider all of the available evidence in determining the appropriate actions. If malpractice is established, City & Guilds will determine the sanction or penalty to be applied, considering the least severe sanction/penalty first. Examples of the sanctions/penalties that may be imposed are detailed in section 5 of this document. These penalties/sanctions may be applied individually or in combination.

If a member of staff has left the employ of the centre, City & Guilds will still consider the application of a penalty. The centre may be requested to contact the individual in order to obtain a statement. If the individual cannot be contacted or does not respond to a request for a statement, a decision will be made on the available evidence. Centres must use a traceable method to contact these individuals, such as recorded delivery, signed for, or in the case of electronic communication, a delivery and read receipt. These may be requested by City & Guilds as evidence that the individual has been given an opportunity to make a statement.

It is the centre's responsibility to communicate any penalties to the individual in question. Evidence of the written communication sent to the individual informing them of the penalty may be requested by City & Guilds. Additionally, the centre may be asked to inform the

Investigation & Compliance team if they receive information that this individual is employed by another centre.

City & Guilds reserve the right to contact an individual's employer to inform them of a penalty that has been applied if that individual is found to be involved with the delivery of City & Guilds' qualifications.

It is the responsibility of centres to inform affected learners when their certificates have been made invalid and/or digital badges revoked due to the outcome of a malpractice incident.

We expect that centres who are in possession of invalid certificates as a result of penalties applied as part of an investigation are responsible for their return regardless of how much time that has passed between the incident and the decision to invalidate. We ask that in these instances, the certificates are securely returned to the Investigation & Compliance team within 15 days of being notified that results have been invalidated or provide City & Guilds with a scanned copy of the certificates with a cross and 'Invalid' written across as an alternative to returning physical copies to us. Once City & Guilds have acknowledged receipt of scanned copies of invalid certificates, centres must dispose of them using appropriate secure and confidential means.

Centres should be aware that as per regulatory requirements, City & Guilds must notify other affected Awarding Organisations of any investigations into centres that will affect their qualifications. City & Guilds will do so if there is sufficient substantive evidence to support a case of malpractice or if the findings of an investigation have led to a penalty being applied that will adversely affect the delivery of qualifications, such as withdrawal of qualification approval or centre approval and when sanctions/penalties are applied against centre staff.

City & Guilds may also notify the regulator, other awarding organisations, and any other appropriate authorities, if it is found through investigation that certificates issued from the centre are invalid. City & Guilds may inform regulators when:

- there is evidence of malpractice that constitutes a notifiable event as per section 1.4 of this document
- at the point of identification of invalid results
- at any point during an investigation.

#### **4.2.2. Retention of evidence**

At the conclusion of an investigation, City & Guilds will return all non-essential evidence provided by a centre or an individual in a timely fashion.

When a case of malpractice is proven, we are required to retain evidence gathered as part of an investigation for a period of five years. This may be extended further if the evidence or investigation is referred to the Police.

This evidence may include original documents such as learner portfolios, assessment evidence, and certificates and results documentation.

Further information regarding privacy and data retention can be found on the City & Guilds website [here](#).



## 5. City & Guilds sanctions/penalties

The Investigation & Compliance team have dispensation to apply penalties where investigation outcomes conclude that malpractice has occurred on the balance of probabilities.

Below are examples of the sanctions and penalties that City & Guilds can apply. These penalties may be applied individually or in conjunction with others.

Please note, this is not an exhaustive list.

### Learner malpractice/maladministration

- **Written warning**

The learner is issued with a warning that if a further offence of a similar nature is committed within a period of two years, more serious sanctions/penalties may be applied.

- **Restriction on access to the Remote Invigilation service**

The learner must undertake all future examinations for a set period of time at the registered centre.

- **Assessment evidence will be disallowed**

Submitted evidence from the learner is disallowed and marks are lost (or the learner must submit new evidence for the relevant section of the unit).

- **Loss of all marks for a section**

The learner 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 assessment/examination if this consists of several items.

- **Disqualification from the unit**

The learner is disqualified from a unit of a qualification. The learner can only submit new work for the unit following the conclusion of the malpractice investigation.

- **Disqualification from the whole qualification**

The learner is disqualified from the whole qualification. The learner may only recommence the qualification following the conclusion of the malpractice investigation.

- **Result(s)/Digital Credential will not be issued, or will be cancelled/revoked**

Result(s) and/or certificate(s) will be withheld or cancelled.

- **Barred from entering City & Guilds' qualifications or examinations for a set period of time**

The learner will be barred from entering any City & Guilds examinations or qualifications at any centre for a set period of time. The learner may only register for City & Guilds qualifications after the set period of time has elapsed.

## **Centre staff malpractice/maladministration**

- **Written warning**

The member of staff is issued with a warning that if a further offence of a similar nature is committed within a period of two years, more serious sanctions/penalties may be applied.

- **Training**

The member of staff is required, as a condition of future involvement in City & Guilds qualifications, its assessments and/or examinations to undertake specific training and/or mentoring, within a specified period of time, and a review process at the end of the training.

- **Imposition of conditions on the individual's involvement in City & Guilds' examinations and/or assessments**

Special conditions are imposed on the member of staff's future involvement in City & Guilds' qualifications, examinations and/or assessments. This can include the internal assessment, the conduct, supervision or administration of our assessments or examinations.

- **Suspension of individual from involvement in City & Guilds' examinations and/or assessments for a set period of time**

The individual(s) is barred from involvement in the delivery or administration of our qualifications, examinations and/or assessments for a set period of time.

## **Centre malpractice/maladministration**

- **Written warning**

A letter to the Head of Centre or an appropriate member of centre staff, advising of the breach (including the report) and advising of the further action that may be taken (including the application of penalties and special conditions) should there be a reoccurrence of this breach, or subsequent breaches at the centre.

- **Action plan**

The Head of Centre or an appropriate member of centre staff will be required to review the centre's procedures for the conduct and/or administration of a particular examination/assessment, or all examination/assessments in general.

The Head of Centre or an appropriate member of centre staff will be required to report back to City & Guilds on improvements or procedural changes implemented by a certain date.

Alternatively, an action plan will be agreed between City & Guilds and the centre. Failure to implement the action plan will likely impact a centre's risk rating and may lead to further, more serious sanctions/penalties.

- **Additional monitoring for a set period of time**

An increase in the normal level of monitoring that takes place in relation to the qualification(s) in question for a set period of time.

- **Suspension of registration and certification for a set period of time**

A suspension of the centre's ability to register and/or certificate learners for a qualification(s) for a period of time, if there is a significant concern or risk to the validity of certificates being issued from that centre.

- **Withdrawal of approval for specific qualification(s)**

The withdrawal of approval for any number of qualifications for a set period of time, if there is found to be a significant breakdown in the quality assurance or management of the qualification(s) in question that has, or may, endanger the validity of certificates issued by the centre.

If the centre wishes to recommence the delivery of the qualification after the period of time has elapsed, they must apply for re-approval. The centre is required to inform City & Guilds that previous approval has been withdrawn. Centres which have had approval withdrawn should not assume that re-approval will be granted.

- **Withdrawal of centre approval**

The withdrawal of centre approval for a set period of time. This means that, the centre will not be able to deliver or offer City & Guilds qualifications until the period of time detailed in the withdrawal letter has elapsed.

If the centre wishes to recommence the delivery of City & Guilds qualifications after the period of time has elapsed, they must apply for approval as a new centre. The centre is required to inform City & Guilds that previous approval had been withdrawn. Centres which have had approval withdrawn should not assume that re-approval will be granted. Centres are required to disclose at the application of (re)approval if their approval has been removed.

## **5.1. Malpractice Panel**

The Case Manager may refer any decision regarding the application of penalties to a Malpractice Panel. This could include where there is conflicting evidence, or when the application of high-level penalties is under consideration. A high-level penalty is defined by the Investigation & Compliance team, as an action that will prohibit an individual or a centre's further involvement with City & Guilds qualifications.

The key principles underpinning the purpose of a Malpractice Panel is that it ensures that:

- Correct procedures have been followed throughout the investigation
- Individuals/centres facing potential penalties/sanctions have been given the opportunity, where possible, to consider what the panel will be provided with specifically in relation to them, and to make a statement

- Sanctions/penalties are proportionate, applied fairly and are standardised across the team
- The investigating Case Manager is supported in the decision-making process.

If the Malpractice Panel recommends that the removal of centre or qualification approval is applicable, the case will be escalated to the City & Guilds Quality Board, which is comprised of senior City & Guilds staff, and the Responsible Officer.

The members of the Quality Board will be provided with any relevant evidence, including investigation reports, appendices, and statements from the centre prior to meeting. The Quality Board will then meet to consider the authorisation of the proposed sanctions.

## **5.2. Appeals against City & Guilds' decision to impose sanctions/penalties**

If a centre wishes to appeal against City & Guilds' decision to impose sanctions/penalties as a result of the identification of malpractice, details should be requested from:

[policy@cityandguilds.com](mailto:policy@cityandguilds.com)

Additional information related to appeals can be found on the City & Guilds website, [here](#).

## 6. Appendix 1: Suspected learner malpractice notification form – Confidential

Centres may use either form JCQ/M1, which can be found in the JCQ malpractice policy document ([www.jcq.org.uk/](http://www.jcq.org.uk/)), or the form below to notify City & Guilds of suspected learner malpractice in examinations or assessments. For guidance on how to complete this form, please refer to Appendix 2 of the Managing Cases of Suspected Malpractice document. Please note, **this notification form does not constitute a malpractice report**. Reports must follow the guidelines laid out in the Guidance to Centres on conducting investigations.

1. Date of incident	<input style="width: 95%;" type="text"/>	Time	<input style="width: 95%;" type="text"/>
2. Centre number	<input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/>	Centre Suffix (if applicable)	<input style="width: 40px; height: 25px;" type="text"/>
3. Centre Name	<input style="width: 95%;" type="text"/>		
4. Country	<input style="width: 95%;" type="text"/>		
5. Examination/assessment details			
Qualification number	<input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/>	Title	<input style="width: 95%;" type="text"/>
Assessment/ component/ unit number	<input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/>	Title	<input style="width: 95%;" type="text"/>
6. Is this a Technical Qualification?			<input style="width: 30px; height: 20px;" type="text"/> Yes <input style="width: 30px; height: 20px;" type="text"/> No <input style="width: 30px; height: 20px;" type="text"/>
7. Date incident was reported to the Head of Centre	<input style="width: 95%;" type="text"/>		
8. Details of learner(s) involved			
<b>Enrolment Number</b>	<b>Learner name</b>		
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>		
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>		
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>		


9. Details of invigilator(s)/assessment personnel or other witnesses

Role	Name

10. Describe the nature of the suspected malpractice, including details as to how it was discovered, by whom and when.

11. Describe how the learner(s) was made aware of the examination or assessment regulations.

--

12. If the incident involved disruptive behaviour, did the learner's behaviour cause disturbance to other learners?

Yes	
No	

13. If the answer to the above question is 'yes' and you wish to request special consideration for other learners, please submit an application for special considerations in the normal way.

Yes	
No	

14. If the incident involved the introduction of unauthorised material, is the unauthorised material enclosed?

Yes	
No	

If the answer to the question 14 is 'no', please give details below of the nature of the unauthorised material.

--

15. Has this learner previously been involved in an incident of malpractice that was reported to City & Guilds?

Yes	
No	



16. If the case involves plagiarism, please provide full details of the incident, including copies of the plagiarised material, the detail of original text, together with your conclusions. If available, include similarity index reports from plagiarism software.

--

17. Had the learner(s) been issued with a declaration of authentication (where applicable)?

Yes	
No	

18. Had the learner(s) signed the declaration of authentication stating that all work completed was the learner's own (where applicable)?

Yes	
No	

19. To be completed in the case of written examinations and online tests only

a. Was the 'Warning to Candidates' displayed outside the examination room? (See JCQ document *Instructions for conducting examinations* – [www.jcq.org.uk](http://www.jcq.org.uk) – Appendix 4).

Yes	
No	

b. Had the learner(s) been issued with a copy of the 'Information for candidates' (either electronically or in hard copy paper format) prior to signing the declaration of authentication? (See JCQ Instructions for conducting examinations, Appendix 5/6 as appropriate).

Yes	
No	

c. Was the 'Mobile Phones' poster displayed outside the examination room? (See JCQ Instructions for conducting examinations, Appendix 7).

Yes	
No	

d. Were learners reminded of examination regulations at the beginning of this particular examination?

Yes	
No	

20. Other information

If there are any other details you feel are relevant to this allegation, including mitigating circumstances, please give further information below.

--

## 21. Supporting information and materials

Please check (x) the appropriate boxes to indicate the supporting information and materials submitted with this form.

Information/materials submitted with this form	Yes	No
Procedures for advising learner(s) of the examination/assessment regulations		
Statement(s) from invigilator(s)		
Statement(s) from tutor/head of subject/assessor/internal quality assurer		
Statement from examinations officer		
Statement(s) from learner(s)		
Statement from employer		
Seating plan of the examination room		
Question paper and script(s) or other learner evidence		
Copies of plagiarised material		
Copies of plagiarism detection software reports		
Unauthorised material		
Assessment and internal quality assurance/moderation records		
Other (please give details)		

If a statement(s) from the learner(s) is not enclosed, please check (X) this box to indicate that the learner(s) has been given the opportunity to make a statement but has chosen not to do so. If **no** statement is included, please provide a reason why in the text box in '20 – Other information'.

## 22. Individual proposed to gather evidence

Name:	
Role within centre/organisation:	
Reason why suitable to gather evidence (e.g., experienced senior leader):	
I confirm that the individual proposed to gather evidence does not have any known conflicts of interest or personal interest in the outcome of the investigation.	Choose an item.

23. To be completed by the Head of Centre

Head of Centre Name (please print)	
Job title	
Tel no	
Email	
Signature*	
Date	

\*Submission by email from the centre's registered email address will be accepted in place of a signature. When submitting the form by email, all supporting documents should be scanned and attached (preferably as PDF documents) to the same email, and the originals retained by the centre. Notification forms which require the inclusion of lengthy documents or learner work should be sent by post. Please do not submit the same form with both methods.

Please submit the form to [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com)

## 7. Appendix 2: Suspected learner malpractice: guidance notes

### What information should be included on the form?

This form should be used by the Head of Centre to notify City & Guilds of an instance of suspected malpractice by a learner in the conduct of examinations or assessments. As indicated in section 2.1 of this document for the purpose of reporting suspected malpractice, the Head of Centre position includes individuals with a senior level of authority and independence from the day-to-day activities associated with the delivery of City & Guilds qualifications.

In order to prevent the issue of erroneous results and/or certificates, it is essential that instances of suspected malpractice are reported as soon as possible. The checklist in Appendix 5 should also be completed and submitted.

Information must include:

- a detailed account of the circumstances surrounding the malpractice including, in the case of disruptive behaviour, an indication as to whether the;
  - behaviour continued after warnings were given
  - learner was removed from the examination room/assessment session
- the procedures for advising learners of the regulations concerning the conduct of examinations and/or assessments
- the procedures for advising learners of the plagiarism policy and guidance on submitting evidence
- signed and dated statements from the staff concerned
- signed and dated statements from the learner(s) concerned or a clear indication that they have been given an opportunity to make a statement; in circumstances which make it inappropriate to obtain statements, the centre should discuss the case in confidence with City & Guilds
- a signed and dated statement from the learner's employer (if applicable)
- seating plan of the examination room showing the exact position of the learners in the room
- Internally marked question papers and script(s) or other relevant learner evidence
- copies of plagiarised material (as applicable)
- unauthorised material removed from the learners/found in the examination room or during assessment
- assessment and internal quality assurance/moderation records
- name and contact details of the Head of Centre.

**What should I do with the completed form?**

The form should be submitted by email. If it is to be submitted by email, please refer to the instructions provided at the end of the form (under Head of Centre's signature). The completed form and checklist should be sent to [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com).

## 8. Appendix 3: Guidance to centres when dealing with suspected learner plagiarism

This guidance has been produced to focus on plagiarism, which is a form of malpractice. Any allegations of suspected plagiarism are taken very seriously.

The aim of this guidance is to provide a useful aid to those working with our qualifications to be able to define and detect plagiarism and the processes to follow should suspected plagiarism be identified.

### Definition of plagiarism

City & Guilds' definition of plagiarism is learners authenticating and submitting any work for assessment that is attributable to another identifiable person or source without referencing the work to the source from which it was obtained.

This could be **any** percentage of work that has not been referenced and has been copied from published work, the internet, or any other sources.

The JCQ '*Plagiarism in Assessment, Guidance for Teachers/Assessor*' defines plagiarism as "unacknowledged copying from or reproduction of published sources or incomplete referencing"

Examples of plagiarism include:

- The use of downloaded content including text, images, diagrams etc. from the internet without acknowledgement of the source
- Copying and pasting extracts or whole texts from published or unpublished sources, without the use of quotation marks and/or acknowledgement of the source
- Use of diagrams, images, course notes without acknowledgement of the source paraphrasing/summarising extensively the work of another or using their ideas without an acknowledgement of the source
- The use of purchased essays submitted as a learner's own work.

It is the responsibility of the centre to ensure that they educate learners as to how published sources should be referenced in their work and that they are aware of what constitutes plagiarism.

The City & Guilds policy: Quality Assurance Standards: Centre assessment, states the following:

“Centres must ensure that all candidates:

- Understand that information from published sources must be referenced
- Receive guidance on setting out references
- Are aware that they must not plagiarise other material.”

## Referencing

Referencing is the correct acknowledgement of sources cited within a body of submitted text.

The author of the submitted text must ensure that they provide detailed and clear referencing for all the work that is not their own.

Referencing from a book should include the name of the author, the year of publication and the page number.

Referencing from internet sources should include the date the material was downloaded/copied from, and the web address of the website.

Wording that is the same as the used source must be shown by placing quotation marks around the passage and stating where the source has been taken from.

The author should also include a bibliography at the end of the work.

The Harvard system for referencing is well-established and guidance can be found on the internet.

## Examples of Harvard system

An example of correct referencing when citing internet sources:

*“Plagiarism is considered a violation of academic integrity and a breach of journalistic ethics. It is subject to sanctions such as penalties, suspension, expulsion from school[15] or work,[16] substantial fines[17][18] and even incarceration.[19][20] Recently, cases of*

*"extreme plagiarism" have been identified in academia.[21] The modern concept of plagiarism as immoral and originality as an ideal emerged in Europe in the 18th century, particularly with the Romantic movement."*

Wikipedia, (21/06/21) <https://en.wikipedia.org/wiki/Plagiarism>

In-text citations are used when directly quoting or paraphrasing a source. They are located in the body of the work and contain a fragment of the full citation. Depending on the source type, some Harvard Reference in-text citations may look something like this:

*"After that I lived like a young rajah in all the capitals of Europe..."* (Fitzgerald, 2004).

Reference Lists are located at the end of the work and display full citations for sources used in the assignment.

Here is an example of a full citation for a book found in a Harvard Reference list:

Fitzgerald, F. (2004). *The Great Gatsby*. New York: Scribner.

### **Plagiarism detection guidance**

Below is a non-exhaustive guide on how to detect plagiarism in a learner's submitted work:

- Differences in style and tone throughout the text
- Well written work and badly constructed passages within the same document
- Vocabulary changes throughout the document, such as American spelling or terminology not normally used by the learner
- Inconsistent spelling, punctuation and font style/size
- What referencing is used in the assignment, has the learner also expressed an understanding in their own words?
- Well written work that does not fit to the assignment being undertaken
- The body of the text does not correspond to the introduction and conclusion of the assignment
- References to events or processes that are considered out of date
- Differences in style to learner's normal way of working.



Below is a list of helpful tips on what to do if you suspect a submitted body of text has been plagiarised:

- Type a passage or phrase directly into a search engine (using quotation marks around the copied text will offer direct search results for that text.)
- Use of plagiarism detection software
- Review of commonly used web pages that learners regularly use (Wikipedia, etc)
- Review of websites that offer assignments for free or to purchase.

Detailed information on how to prevent and detect plagiarism, and how to appropriately reference within assignments can be found in JCQ's 'Plagiarism in Assessment, Guidance for Teachers/Assessors' which can be found on the JCQ website ([www.jcq.org.uk](http://www.jcq.org.uk)).

### **Centres who detect suspected plagiarism**

Centres are required to report any percentage of work that has not been referenced correctly and has been copied from published work, the internet or other sources.

City & Guilds will only investigate incidents of learner plagiarism when a declaration of authenticity has been signed by the learner. City & Guilds will consider learner work submitted for assessment electronically via an e-portfolio or by any other electronic means as having been declared as authentic by the learner. Centre's who discover plagiarism should follow the process detailed in Section 2.1 of this document.

Plagiarism found in learner work that has not been declared by the learner as their own, will not be investigated by the Investigation & Compliance team and should be managed by the centre.

Centres who detect suspected plagiarism, where an authenticity statement has been signed, should report the matter to the Investigation & Compliance team within 10 working days of it being reported to the Head of Centre.

Those who are investigating and reporting the suspected malpractice should have no conflict of interest to the learner involved in the suspected malpractice.

Centres should report the suspected plagiarism using the Suspected learner malpractice notification form, along with the supporting evidence as detailed in Appendix 2 and accompanied with the Appendix 5 notification checklist.

The supporting documents **must** include:

- Procedures for advising learners of the plagiarism policy and guidance on submitting evidence
- Signed and dated statements from the staff concerned, such as the assessor/tutor who identified the suspected plagiarism
- Signed statements from the learner(s) concerned or clear indication/evidence that they have been given the opportunity to provide a statement
- Copies of the full assignment(s) that contain the suspected plagiarised work
- Clear indication within the assignment of the areas you suspect to be plagiarised
- Clear indication of what work has been reviewed and that the suspected plagiarism is limited to the work that has been provided
- The centre's overall conclusion to the circumstances surrounding the plagiarism
- Any action the centre intends to take to prevent a similar occurrence.

If there is a delay in collecting the required supporting documentation, the notification form must still be provided within the 10 working days, with clear indication of what supporting evidence is missing and timeframes of when it will be provided.

Learners who are currently being investigated for suspected plagiarism must not be allowed to submit further work towards their qualification until the Investigation & Compliance team have advised that the learner(s) may be permitted to do so.

### **Process – Notification received from Centre**

If all the required information and supporting documentation, as detailed above, is provided with the notification form the Investigation & Compliance team will normally be able to make a decision regarding an appropriate outcome for the learner. Failing to provide the required information may lead to a delay in the process and the Investigation & Compliance team having to contact the centre for further information.

Please note where there is a high amount of suspected plagiarism, conflicting evidence, or when a learner penalty has previously been issued, the evidence provided may be presented to the Malpractice Panel. Further details on the Malpractice panel is available under section 5.1.

Where plagiarism has been identified learners may be subjected to penalties, examples of the penalties that City & Guilds can apply to learners are detailed in section 5.

### **Suspected plagiarism detected at an External Quality Assurance activity**

Associates who identify suspected plagiarism (in work that has been authenticated by a City & Guilds learner) should provide detail of the suspected plagiarism in the CAR form and generate an action for the Centre to report the suspected plagiarism using the Suspected learner malpractice notification form to the Investigation & Compliance team. The timescale of the action should be within 10 working days of receipt of the CAR form.

Centres are required to report the suspected plagiarism, which was identified at the activity, but also provide a clear indication of other work that has been reviewed to ensure no further incidents of suspected malpractice has been identified in the learner's work.

### **Suspected plagiarism identified by City & Guilds:**

Examiners, Moderators, IEPAs/LIEPAs, and Assessment Service Assessors who identify suspected plagiarism should follow the process as detailed in Section 2: Responsibilities to report malpractice.

The Investigation & Compliance team will review the information and decide if the matter will be progressed. Should an investigation be required, the Investigation & Compliance team will inform the Head of Centre of the details required so that an investigation can be undertaken.

## 9. Appendix 4: Suspected centre staff maladministration and malpractice notification form – Confidential

Centres may use either form JCQ/M2(a), which can be found in the JCQ malpractice policy document ([www.jcq.org.uk/](http://www.jcq.org.uk/)), or the form below to notify City & Guilds of suspected malpractice involving centre staff. Please note, this notification form does not constitute a malpractice report. Reports must follow the guidelines laid out in the Guidance to Centres on conducting investigations document/Appendix 10.

---

1. Date of incident	<input style="width: 95%;" type="text"/>	Time	<input style="width: 95%;" type="text"/>				
2. Centre number	<input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/>	Centre Suffix (if applicable)	<input style="width: 50px; height: 25px;" type="text"/>				
3. Centre Name	<input style="width: 95%;" type="text"/>						
4. Country	<input style="width: 95%;" type="text"/>						
5. Examination/assessment details							
Qualification number	<input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/>	Title	<input style="width: 95%;" type="text"/>				
Assessment/ component/ unit number	<input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/> <input style="width: 25px; height: 25px;" type="text"/>	Title	<input style="width: 95%;" type="text"/>				
6. Is this a Technical Qualification?	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 50px; text-align: center;">Yes</td> <td style="width: 50px; text-align: center;"><input type="checkbox"/></td> <td style="width: 50px; text-align: center;">No</td> <td style="width: 50px; text-align: center;"><input type="checkbox"/></td> </tr> </table>		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>				
7. Date incident was reported to Head of Centre	<input style="width: 95%;" type="text"/>						
8. Name(s) of centre staff involved							
Position		Staff name					
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>					
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>					
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>					
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>					

9. Describe the nature of the suspected malpractice, including details as to how it was discovered, by whom and when.

10. Could the learner(s) have been unfairly advantaged or disadvantaged by the suspected malpractice? If so, please give details.

11. Has the individual been subject to any penalties, including a warning, from City & Guilds in the last two years? If so, please give details.

--

12. Individual proposed to gather evidence

Name:	
Role within centre/organisation:	
Reason why suitable to gather evidence (e.g., experienced senior leader):	
I confirm that the individual proposed to gather evidence does not have any known conflicts of interest or personal interest in the outcome of the investigation.	Choose an item.

13. To be completed by the Head of Centre

Head of Centre Name (please print)	
Job title	
Tel no	
Email	
Signature*	
Date	

\*Submission by email from the centre's registered email address will be accepted in place of a signature.

Please submit the form to [investigationandcompliance@cityandguilds.com](mailto:investigationandcompliance@cityandguilds.com)

## 10. Appendix 5: Notification form checklist

### What is this checklist for?

This checklist is intended to assist centres when completing a notification of suspected malpractice by learners or staff.

Reference is made to the requirements contained in the JCQ document *Suspected Malpractice in Examinations and Assessments – Policies and Procedures*.

### Please indicate by ticking the appropriate box for the following points.

Staff members and learners have been informed of their rights (as outlined in the relevant section of the above-mentioned JCQ document).

Yes	
No	

The individual, whether a learner or a member of staff accused of malpractice:

- has been informed (preferably in writing) of the allegation made against him or her
- knows what evidence there is to support the allegation
- knows the possible consequences or penalties that City & Guilds may apply should malpractice be proven
- has had the opportunity to consider their response to the allegation (if required)
- has had the opportunity to submit a written statement
- has had the opportunity to seek advice (as necessary) and provide a supplementary statement if required
- has been informed of the applicable appeals procedures should a decision be made against him or her
- has been informed of the possibility that information relating to the malpractice may be shared with other Awarding Organisations, the regulators and/or other agencies.

Yes	
No	

Yes	
No	

Yes	
No	

Yes	
No	

Yes	
No	

Yes	
No	

Yes	
No	

Yes	
No	

**Please enclose the completed checklist with the notification form.**

# 11. Appendix 6: Guidance to Centres on conducting investigations

This guidance is intended for centres who have been authorised by City & Guilds to conduct an investigation into an allegation of malpractice.

## 1. Introduction

- 1.1 Centres may be requested to undertake an investigation following the receipt of a notification of suspected malpractice from a centre, an allegation of suspected malpractice from an informant or as a result of information from City & Guilds own staff or associates.
- 1.2 The Investigation & Compliance team will determine whether it is appropriate for the centre to investigate the suspected malpractice or whether City & Guilds will lead the investigation.
- 1.3 When City & Guilds requests that a centre undertake an investigation, the Case Manager will contact the Head of the Centre, or relevant quality person to inform them of the allegation and the next steps.
- 1.4 Centres are advised to thoroughly read through and refer to this document whilst undertaking investigations, in order to understand the content and evidential requirements of the report.
- 1.5 Malpractice may include a range of issues that have been detailed in section 3 of this document. City & Guilds may also consider a failure to conduct a thorough investigation into malpractice, as malpractice.
- 1.6 At any point during an investigation, City & Guilds may decide to use its own personnel to investigate malpractice. This is in addition to, and not a substitution for, the requirement for centres to provide any requested information and evidence.
- 1.7 In cases where the centre has undertaken an investigation, City & Guilds may be required to conduct follow up activities in order to validate the centre's findings.
- 1.8 Your centre must not communicate results to the affected learners and must hold their certificates until the investigation has been concluded.
- 1.9 To safeguard the integrity of City & Guilds qualifications, the Head of the Centre may wish to consider suspending staff implicated in an incident of malpractice from the involvement and administration of City & Guilds qualifications.

## 2. Objectives of an investigation

- 2.1 To establish the facts relating to of the suspected malpractice in order to determine whether any malpractice or non-compliances have occurred.
- 2.2 To identify the cause of the malpractice and those involved.
- 2.3 To establish the scale of the malpractice.
- 2.4 To determine whether any action is required to preserve the integrity of the qualification and reduce the risk of the malpractice occurring in the future.



### **3. Establishing the facts**

- 3.1 The fundamental principle of investigations is to conduct them with integrity, and in a fair, objective and professional manner, ensuring that all relevant facts and circumstances are considered without bias. It should not be assumed that, because an allegation has been made, it is true.
- 3.2 Those undertaking investigations should review the evidence and associated documentation, including City & Guilds' guidance on the delivery of the qualification concerned and related quality assurance arrangements. The following facts should be determined:
- What occurred (the nature of the malpractice or the substance of the complaint/allegation)
  - When it occurred
  - Where it occurred (there may be more than one location)
  - How the malpractice occurred
  - Why the malpractice occurred
  - Who was responsible for the malpractice
  - Who was involved in the malpractice. This may include learners, as well as members of centre staff.

### **4. Responsibilities**

- 4.1 In carrying out an investigation and writing a report, the person responsible for undertaking the investigation acts on behalf of City & Guilds. The person responsible for investigating is required to:
- Supervise personally the investigation into the malpractice and ensure that it is conducted in a timely manner
  - Ensure that, if it is necessary to delegate an investigation to a member of staff, the member of staff chosen must be at an appropriate level of authority. They must also consider any conflict of interest and ensure that the person is independent and not connected with the department involved in the allegation
  - Respond speedily and openly to all requests for an investigation or information
  - Cooperate and ensure their staff cooperate fully with the investigation, whether the centre is directly involved in the case or not
  - Inform staff members and learners of their individual rights as set out in paragraph 5 of this guidance note. They must also ensure that, where possible, the person(s) found to be responsible for malpractice, have been given an opportunity to provide a statement
  - Ensure that, where it is necessary to interview anyone as part of an investigation, the interview is conducted in accordance with the centre's own

policies. A full transcript or detailed notes of interviews must be provided with the centre's investigation report

- Ensure that all information and evidence relevant to the investigation is included in the report. If information or evidence is required after a report has been submitted to City & Guilds, it is likely to cause a delay in the resolution of the incident
- If formal disciplinary proceedings are undertaken all records/documentation/letters which are relevant to the malpractice must be provided to City & Guilds
- Ensure compliance with any requests made by City & Guilds as a result of a malpractice investigation
- Pass on to the individuals concerned any warnings or notifications of penalties. This may include members of staff or learners who are no longer at the centre or learners.

## **5. Rights of accused individuals**

5.1 Learners or members of staff suspected of malpractice must:

- Be informed in writing of the allegation made against them
- Be informed of the City & Guilds '*Managing cases of suspected malpractice in examinations and assessments*' document
- Know what evidence there is to support the allegation
- Know the possible consequences should malpractice be proven
- Have the opportunity to consider their response to the allegation (if required)
- Have an opportunity to submit a written statement
- Be informed that they will have the opportunity to read the submission and make an additional statement in response, should the case be put to the malpractice panel
- Be informed of the applicable appeals procedure should a decision be made against them
- Be informed that information relating to the malpractice may be shared with other Awarding Organisations, the regulators and other external agencies, as appropriate.

5.2 In relation to remotely invigilated examinations, it may not always be possible to disclose recorded video evidence in order to protect secure examination/assessment material that is captured as part of the recording. In these instances, the Case Manager will disclose the circumstances of the malpractice in writing.

## 6. The report

6.1 After an investigation, the person responsible for undertaking the investigation must submit a full written report. The report must include a detailed account of the circumstances of the alleged malpractice and details of the investigation carried out by the centre with an objective assessment of the evidence gathered.

Where applicable, the report must be accompanied by the following:

- The procedures for advising learners and/or staff of the regulations concerning the conduct of examinations/assessments
- Evidence that staff who are implicated in the alleged malpractice have been given the opportunity to make a statement
- Transcripts of any interviews undertaken as part of the investigation process. These must be signed and dated
- Written statements from the learner(s), Examination Officer(s), Invigilator(s), Assessor(s), Internal Quality Assurer(s) or other staff who have been involved in the investigation of the alleged malpractice, in their own words. This should be signed and dated
- Written statement from the learner's employer, if required
- Seating plan showing the exact position of each learner in the examination room
- Any work of the learner(s) which is relevant to the investigation
- Copies of plagiarised material
- Assessment and internal quality assurance/moderation records
- Any other material which is relevant to the investigation
- Any exonerating evidence and/or mitigating factors (e.g., relevant medical reports)
- Other relevant details which may be specific to the qualification or incident concerned, as requested by City & Guilds.

6.2 City & Guilds will give detailed consideration to the centre's investigation report and will aim to respond to it within 10 working days of receipt. Failure to provide City & Guilds with all requested documentation/evidence may cause a delay.

## 12. Appendix 7: Technical Qualifications - Moderator notification of suspected malpractice

### Confidential

Moderators must complete and submit this form to the Technicals Quality team at [technicals.quality@cityandguilds.com](mailto:technicals.quality@cityandguilds.com) to notify City & Guilds of any incident of suspected malpractice relating to the delivery of Technical Qualifications.

The Technicals Quality team will review and discuss the notification form with the Investigation & Compliance team and a decision will then be made as to how to proceed.

<b>Date and time when the suspected malpractice was identified</b>					
<b>Centre number</b>		<b>Suffix</b>		<b>Centre name</b>	
<b>Qualification number</b>			<b>Assessment(s)/ Component(s) the concerns relate to</b>		
<b>Qualification level and title</b>					
<b>Description of the nature of the suspected malpractice</b> Please include the specific AOs/tasks/sections/pages in the work submitted this relates to, as applicable					
<b>Specific requirement(s)/policy the concerns are in breach of</b> Please indicate the page/section and City & Guilds document in which the requirement is specified					
<b>Extent of the suspected malpractice</b> (contained to specific learners/across a cohort or entire centre)					
<b>Learner Enrolment number(s)</b>					
<b>Learner Name(s) and Surname(s)</b>					
<b>Has the <i>Declaration of Authenticity</i> been signed by the learner(s)</b>				Yes/No	
<b>Have the concerns been discussed with centre staff</b>				Yes/No	
<b>If so, please provide their name(s), position(s) and date</b>					

<b>Have the concerns been discussed with the Principal Moderator.</b> If so, please provide their name	Yes/No
---	--------

Notification form completed and submitted by:

<b>Name and Surname</b>		<b>Position/role</b>	
<b>Tel no</b>		<b>email</b>	
<b>Signature</b>		<b>Date</b>	

## 13. Appendix 8: End-point Assessment – notification of suspected malpractice

### Confidential

LIEPAs and/or IEPAs who discover, or suspect malpractice must complete this form and contact their EPA Team Leader to discuss their concerns. Staff there will liaise with the Investigation & Compliance team and a decision will be made as to how to proceed. Further guidance on Malpractice and Maladministration can be found in the IEPA Manual.

1 Date of incident  Time

2 Customer number (inc. suffix if applicable)

3 Customer name

4 Apprenticeship standard

Title and product number

EPA component - title and product code

EPA activity the malpractice was found in – check the box as appropriate

Professional discussion	<input type="checkbox"/>	Interview	<input type="checkbox"/>	Assessment	<input type="checkbox"/>	Observation	<input type="checkbox"/>
Presentation	<input type="checkbox"/>	Synoptic or work-based project	<input type="checkbox"/>	Portfolio	<input type="checkbox"/>	Employee reference	<input type="checkbox"/>

5 Details of apprentice(s) involved

Name	Apprentice enrolment no.

--	--

6 Details(s) of Customer/Employer staff and/or witnesses involved

Name	Position

7 Describe the nature of the suspected malpractice, including details as to how it was discovered, by whom and when. Please note any high risk or urgent concerns. Ensure details are included of what sections, pages etc. the malpractice is present in.

In addition, please ensure the supporting evidence of malpractice is attached with the completed form.

8 Could the apprentice(s) have been unfairly advantaged or disadvantaged by the suspected malpractice? If so, please give details.

--

9 IEPA details

Name (please print)	
Email	
Date	
Signature	

10 Additional details

LIEPA name	
LIEPA email address	
Has the LIEPA been made aware? (Y/N, date and how e.g., email)	
Has EPA Operations team been advised to hold results? (Y/N, date, whom, how e.g., email)	



## 14. Appendix 9: Examiner notification of suspected malpractice

To be used by Examiners reporting suspected malpractice in learner scripts.

Marker Name				
Marker vendor no				
Team Lead				
Team Lead vendor no				
Learner Name				
Enrolment number				
Centre number				
Date of test				
Exam component				
Version				
Exam ref no (MM) or QP reference (evolve)				
Screenshots attached (MM/evolve)	Please confirm that these are attached. Include: front sheet (MM), audit report (evolve), example of content			
Detail of the malpractice.				

## 15. Appendix 10: Centre Investigation Malpractice Report



### Section 1: Administration

Please ensure the following details are completed.

<b>Centre Name:</b>	
<b>Centre Number:</b>	
<b>City &amp; Guilds Malpractice Reference:</b>	
<b>Date investigation commenced:</b>	
<b>Date investigation concluded:</b>	
<b>Names/position of staff involved in the investigation:</b>	
<b>Qualification(s) affected:</b>	

### Section 2: Investigation submission checklist

2.1 Please complete this checklist **prior** to the submission of the report to the Investigation & Compliance team.

Item	Y/N
All relevant evidence submitted:	
All statements signed and dated by interviewer/interviewee	
Learner sample provided (if applicable/requested)	
Evidence that all implicated individuals have been given an opportunity to provide a statement if one has not been provided. (Email delivery/read receipts, letter tracking, etc.)	

2.2 Conflict of interest declaration

A conflict of interest is defined as a situation where an individual's vested interests raise a question of whether their actions, judgment, and/or decision-making can be unbiased. For instance, a member of staff with a personal relationship or direct line management responsibility for the individual they are investigating.

If a conflict of interest cannot be avoided, for instance, where the centre is a small training provider with few staff, then the Investigation & Compliance team must be notified so that an alternative investigation strategy can be considered.

I confirm that all individuals involved in the investigation and the production of this report did <b>not</b> have a conflict of interest in doing so.	
--	--

<b>Name</b>	
<b>Position</b>	
<b>Date</b>	

### Section 3: Investigation activity

3.1 Please provide a complete timeline of key investigation activities.

<b>Date</b>	<b>Investigation Activity</b>

3.2 Below is the list of allegations/concerns. Please ensure that all allegations/concerns are listed and that you have detailed whether you have concluded that there is evidence to substantiate the allegation.

<b>Ref</b>	<b>Allegation/concern</b>	<b>Substantiated Y/N</b>
<b>1</b>		
<b>2</b>		
<b>3</b>		
<b>4</b>		
<b>5</b>		

3.3 Against each of your conclusions, please use the space below to detail your investigation activities, including references to any evidence that substantiates (or does not) the malpractice allegations/concerns.

<b>Allegation ref:</b>	<b>Conclusion</b>
<b>1</b>	
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>5</b>	

### Section 4: Conclusions

Against each of findings, please detail your conclusions.

<b>Allegation ref:</b>	<b>Finding</b>
<b>1</b>	
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>5</b>	

### Section 5: Mitigations

Please use the space below to detail any mitigating circumstances that City & Guilds may wish to consider when deciding if a penalty/sanction is applicable. Please note that ignorance

of regulations and requirements will not, by itself, be considered a mitigating factor e.g.: refusing to take notice of regulations or failing to consider requirements.

<b>Allegation ref:</b>	<b>Mitigation</b>

### **Section 6: Next steps**

Please use the space below to detail what action you will be taking as a centre to mitigate against further, similar incidents in the future.

<b>Allegation ref:</b>	<b>Action</b>

### **Section 7: Head of Centre Declaration**

The Head of Centre must complete this declaration.

I confirm that the findings in this report are based upon facts and knowledge, as they appeared to the individuals who carried out the investigation, and that this report is a true reflection of the findings.	Choose an item.
--	-----------------

<b>Date:</b>	
<b>Name:</b>	
<b>Signed:</b>	

## Contact us

Giltspur House 5-6 Giltspur Street London EC1A 9DE

[general.enquiries@cityandguilds.com](mailto:general.enquiries@cityandguilds.com)

01924 930 801

[www.cityandguilds.com](http://www.cityandguilds.com)

## About City & Guilds

Since 1878 we have worked with people, organisations and economies to help them identify and develop the skills they need to thrive. We understand the life changing link between skills development, social mobility, prosperity and success. Everything we do is focused on developing and delivering high-quality training, qualifications, assessments and credentials that lead to jobs and meet the changing needs of industry.

We work with governments, organisations and industry stakeholders to help shape future skills needs across industries. We are known for setting industry-wide standards for technical, behavioural and commercial skills to improve performance and productivity. We train teams, assure learning, assess cohorts and certify with digital credentials. Our solutions help to build skilled and compliant workforces.

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