



The Chartered
Institute of Logistics
and Transport

CILT(UK)

Awarding Organisation

Policy and Procedures:

Suspected Malpractice

CILT(UK) Awarding Organisation Policy and Procedures: Suspected Malpractice

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1. Introduction

As a regulated Awarding Organisation offering vocational qualifications, CILT(UK) Awarding Organisation (AO) is committed to maintaining the validity, reliability and integrity of its qualifications and assessments by taking all reasonable steps to prevent the occurrence of malpractice or maladministration in the development, delivery and award of qualifications, while meeting regulatory requirements.

‘Malpractice’ and ‘maladministration’ are related concepts, the common theme of which is that they involve a failure to follow the rules of an examination or assessment. This policy and procedure uses the word ‘malpractice’ to cover both ‘malpractice’ and ‘maladministration’.

Where there is evidence that CILT(UK) AO and/or regulatory requirements have not been followed in relation to a qualification or assessment, CILT(UK) AO will take all reasonable steps to investigate thoroughly. Following conclusion of the investigation, if on the balance of probabilities, CILT(UK) AO concludes that malpractice or maladministration has occurred, CILT(UK) AO reserves the right to impose sanctions and will take all reasonable steps to prevent re-occurrence.

Note: Except where noted, this policy and procedure uses the word ‘malpractice’ to cover both ‘malpractice’ and ‘maladministration’. The terms ‘suspected malpractice’ and ‘Malpractice’ will normally be used in all relevant CILT(UK) AO communications. These are standard regulatory and industry terms.

2. Scope

This policy applies to all CILT(UK) AO qualifications and assessments, both Institute and Learning Partner-assessed routes and will:

- Define malpractice and maladministration.
- Set out the roles and responsibilities of CILT(UK) AO, Learners, Learning Partners, their staff and associates.
- Outline the procedures for dealing with suspected, or actual, incidents of malpractice or maladministration.

3. Regulatory Authorities’ criteria

CILT(UK) AO is an awarding organisation recognised by The Office of Qualifications and Examinations Regulation (Ofqual) in England, Qualification Wales and the Council for the Curriculum, Examinations and Assessment (CCEA) Regulation in Northern Ireland.

In addition to statutory duties, this policy is intended to meet relevant regulatory requirements as set out by Ofqual / QW / CCEA and has been compiled with reference to current best practice, including policies and guidance issued by the Federation of Awarding Bodies (FAB) and the Joint Council for Qualifications (JCQ).

Where relevant and appropriate, CILT(UK) AO are obliged to notify the qualifications regulators of malpractice incidents, in accordance with the regulators’ conditions.

4. Definitions

Malpractice

‘Malpractice’ and ‘maladministration’ are related concepts, the common theme of which is that they involve a failure to follow the rules of an examination or assessment. **Note:** This policy and procedure

uses the word 'malpractice' to cover both 'malpractice' and 'maladministration' and it means any act, default or practice which is:

- a breach of the Regulations; and/or
- a breach of CILT(UK) AO requirements regarding how a qualification should be delivered; and/or
- a failure to follow established procedures in relation to a qualification;

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 CILT(UK) AO and/or Learning Partner or any officer, employee or agent of any CILT(UK) AO and/or Learning Partner.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates: Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework, examinations and non-examination assessments, or malpractice in the conduct of examinations/assessments and/or the handling of examination question papers, Learner scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc.

Failure by a Learning Partner to notify, investigate and report to an awarding organisation all allegations of malpractice or suspected malpractice constitutes malpractice in itself.

Note: For the avoidance of doubt, malpractice may be intentional or unintentional (e.g. bringing an unauthorised device into an assessment).

Maladministration

Maladministration is any activity, neglect, default or other practice that results in the Learning Partner or Learner not complying with the specified requirements for delivery of the qualifications as set out in the relevant regulatory requirements, policies, codes of practice **Note:** This policy and procedure uses the word 'malpractice' to cover both 'malpractice' and 'maladministration'.

Learner malpractice

'Learner malpractice' means malpractice by a Learner in connection with any examination or assessment, the preparation and authentication of any controlled assessments, coursework or non-examination assessments, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper, whether paper-based or online / on-screen.

Examples of Learner malpractice are set out in Appendix 1. The list is not exhaustive and does not limit the scope of the definitions set out in this document. Other instances of malpractice may be considered by the CILT(UK) AO at their discretion.

Learning Partner (Centre) malpractice

Learning Partner staff malpractice means malpractice committed by:

- a member of staff, contractor (whether employed under a contract of employment or a contract for services) or a volunteer at a Learning Partner; or
- an individual appointed in another capacity by a Learning Partner such as an invigilator, a Communication Professional, a Language Modifier, a practical assistant, a prompter, a reader or a scribe.

Examples of Learning Partner staff malpractice are set out in Section 6 and Appendix 2. The list is not exhaustive and does not limit the scope of the definitions set out in this document. Other instances of malpractice may be identified and considered by CILT(UK) AO at its' discretion.

'Learning Partner malpractice' means malpractice committed by a member(s) of staff at a Learning Partner or associate organisation, or an individual appointed in another capacity by a Learning Partner such as an invigilator, an oral language modifier, a practical assistant, a prompter, a reader, a sign language interpreter, or a scribe.

Appeal

A process through which an CILT(UK) AO may be challenged on the outcome of an enquiry about results or, where appropriate, other procedural decisions affecting a Learning Partner or individual Learners.

Assessment

The process of making judgements about the extent to which a Learner's work meets the assessment criteria for a qualification or unit (or component), or part of a unit (or component)

Awarding Organisation

An organisation or consortium that awards qualifications. To be eligible to award regulated qualifications, awarding organisations must meet the requirements of the regulatory authorities.

Balance of probabilities

The balance of probability standard means being satisfied an event occurred if, based on the evidence, the occurrence of the event was more likely than not.

Component

A qualification unit may consist of separately assessed components (e.g. multiple assessments and/or forms of assessment).

Generative Artificial Intelligence (AI)

Generative AI is a broad label that's used to describe any type of artificial intelligence that uses learning algorithms to create new digital images, video, audio, text or code (also referred in this document as 'AI')

Learner

A person who is registered to take a qualification and to be assessed as part of that qualification.

Learning Partner (Centre)

An organisation undertaking the delivery of an assessment (and potentially other activities) to Learners on behalf of an awarding organisation. Learning Partners are typically educational institutions, training providers, or employers.

Head of Learning Partner (Learning Partner)

The head of Learning Partner is the individual who is accountable to the CILT(UK) AO for ensuring that the Learning Partner is always compliant with the published regulations and CILT(UK) AO requirements to ensure the security and integrity of the examinations/assessments.

Where an allegation of malpractice is made against a head of Learning Partner, the responsibilities set out in this document as applying to the head of Learning Partner shall be read as applying to such other person nominated to gather information by the relevant CILT(UK) AO, such as the Chair of Governors.

Qualification

An award made by an CILT(UK) AO for demonstration of achievement or competence. To be eligible to award regulated qualifications, awarding organisations must meet the requirements of the regulatory authorities.

Regulatory authorities

Government-designated statutory organisations required to establish national standards for qualifications and secure consistent compliance with them e.g. Ofqual in England, Qualification Wales and CCEA Regulation in Northern Ireland.

Suspected Malpractice

For the purposes of this document, 'suspected malpractice' means all alleged or suspected incidents of malpractice.

Unit

A discrete part of a qualification specification syllabus with specific assessment requirements. A qualification unit may consist of separately assessed components (e.g. multiple assessments and/or forms of assessment). Regulated qualifications consist of one or more units that must be successfully completed for a Learner to achieve the qualification. The qualification specification sets out the number and format of the relevant units.

5. How does malpractice arise

Incidents of malpractice arise for a variety of reasons:

- some incidents are intentional and aim to give an unfair advantage in an examination or assessment;
- some incidents arise due to a lack of awareness of the regulations, carelessness, or forgetfulness in applying the regulations;
- some occur as a result of the force of circumstances which are beyond the control of those involved (e.g. a fire alarm sounds and the supervision of Learners is disrupted).

The individuals involved in malpractice also vary. They may be:

- Learners
- teachers, lecturers, tutors, trainers, assessors or others responsible for the conduct, administration or quality assurance of examinations and assessments including examination officers, invigilators and those facilitating access arrangements (e.g. a prompter, reader, scribe and or practical assistants);
- assessment personnel such as examiners, assessors, moderators or internal and external verifiers;
- other third parties (e.g. parents/carers, siblings, colleagues or friends of the Learner).

Malpractice may or may not relate directly to sitting an examination. Awarding organisations are aware of the possibility of novel or unexpected forms of malpractice emerging as technologies and the nature and organisation of Learning Partners change.

Failure by a Learning Partner to notify, investigate and report to an awarding organisation all allegations of malpractice or suspected malpractice constitutes malpractice in itself.

Also, failure to take action as required by an CILT(UK) AO, as detailed in this document, or to co-operate with an CILT(UK) AO's investigation, constitutes malpractice.

6. Types of malpractice

In order for Learners to demonstrate development of their own knowledge, skills and understanding to meet the requirements of the relevant assessment(s) for the relevant regulated qualification, CILT(UK) AO expects all Learners to produce their own, original responses to all assessments, in their own words. This means responses not copied and/or paraphrased from other source(s) such as online websites or a Generative Artificial Intelligence (AI) tool, and the submitted content reflects their own independent work.

Examination based Assessments

For the avoidance of doubt, use of the Internet and/or Generative Artificial Intelligence (AI) tools is not permitted in paper-based or online examination-based assessments. Devices with potential external communication capabilities (including mobile phones, watches and tablets) are not permitted in CILT(UK) examination-based assessments.

- **Non-Examination based Assessments (e.g. assignments and projects)** For assignments, where other sources are quoted, they must be referenced in accordance with CILT(AO) requirements, This includes online sources and Generative Artificial Intelligence (AI) tools
- Where a source compiles material from other sources (e.g. Wikipedia, Generative AI tools), the relevant content must be checked and the original sources referenced accordingly by the Learner within the assignment text and in the Bibliography before submission

The Learner is responsible for ensuring the accuracy and authenticity of all text and references included in their work before submission **Note:** An assignment consisting of referenced quotations without sufficient evidence of the Learner demonstrating their own knowledge, skills and understanding in their own words will **not** meet the required standard.

For additional guidance on assignments and projects assessments see [Appendix 7](#).

a) Learner Malpractice

Malpractice by a Learner in assessment can occur in:

- The preparation and authentication of any controlled assessments E.g., examinations, assignments and projects
- Conduct during an Awarding Organisation-marked (external) assessment.
- Conduct during a Learning Partner-marked (internal) assessment.
- The compilation of portfolios of Learning Partner-marked and/or Awarding Organisation-marked assessment evidence.
- The presentation of practical work.

Indicative examples of Learner malpractice include:

- **Breach of examination instructions:** including e.g. possession and/or use of unauthorised devices, accessing the internet or other unauthorised sources of information during an assessment, disruptive behaviour, etc
- **Breach of security:** any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of Learners' scripts or their electronic equivalents.

- **Collusion:** working collaboratively with others, beyond what is permitted; for example, working with others when an assessment must be completed by individual Learners, including talking, written notes, electronic devices, or non-verbal communication.
- **Copying from another Learner** (including the use of technology to aid the copying) or knowingly allowing another Learner(s) to copy from their own work (including posting work on social networking sites).
- **Deception:** Any act of dishonesty in relation to an examination or assessment, including fraudulent claims.
- **Personation:** pretending to be someone else, arranging for another person to take one's place in an examination or an assessment.
- **Plagiarism:** unacknowledged copying from, or reproduction of, third party sources or incomplete referencing (including the internet and artificial intelligence (AI) tools); and/or the submission of another person's work as if it were the Learner's own

For further information regarding examples of Learner malpractice see Appendix 1. These lists are not intended to be definitive or exhaustive lists and as such do not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by CILT(UK) AO at its discretion.

Note: One form of malpractice may introduce additional risks of other types of malpractice e.g. possession of an unauthorised device with online connectivity and/or external communication capability during an examination creates the risk of Collusion, Plagiarism, Copying from another Learner, Procurement of assessment evidence from a third party, etc.

b) Learning Partner Malpractice

Learning Partner Malpractice broadly falls into five categories:

- Breach of security: Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of Learners' scripts or their electronic equivalents.
- Deception: Any act of dishonesty in relation to an examination or assessment.
- Improper assistance to Learners: Any act where assistance is given beyond that permitted by the specification or regulations to a Learner or group of Learners, which results in a potential or actual advantage in an examination or assessment.
- Failure to co-operate with a malpractice investigation;
- Maladministration: Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework, examinations and non-examination assessments, or malpractice in the conduct of examinations/assessments and/or the handling of examination question papers, Learner scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc.

Note: One form of malpractice may introduce additional risks of other types of malpractice e.g. possession of an unauthorised device with online connectivity and /or external communication capability during an examination creates the risk of Collusion, Plagiarism, Copying from another Learner, Procurement of assessment evidence from a third party, etc.

For an extended list of examples of Learning Partner Malpractice, see Appendix 2. These lists are not intended to be definitive or exhaustive lists and as such do not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by CILT(UK) AO at its discretion.

c) Third party involvement in malpractice

Learners and Learning Partners should note that the involvement of third parties providing improper assistance can also fall within the scope of malpractice (e.g. friends and /or family of the Learner).

7. Preventing malpractice

CILT(UK) AO seeks to minimise or eliminate the risk of malpractice through a range of approaches which include but are not limited to:

- Ensuring that the design of qualifications reduces, as far as reasonably possible, the opportunity for malpractice to occur.
- Providing clear processes for the administration of qualifications which reduce, as far as reasonably possible, the opportunity for malpractice to occur.
- Issuing clear and robust policies and guidance documents regarding delivery and administration of all qualifications, examples are available in Policies and Procedures section of the CILT(UK) AO website:

- <https://ciltuk.org.uk/AO-Policies-Procedures>

Further relevant information can be found here:

- [Learner Resources \(ciltuk.org.uk\)](https://ciltuk.org.uk)
- [Learning Partner Resources \(ciltuk.org.uk\)](https://ciltuk.org.uk)
- [CILT\(UK\) > My CILT > My Qualifications \(ciltuk.org.uk\)](https://ciltuk.org.uk)
- Carrying out inspections of Learning Partner paper-based examinations by CILT(UK) AO and /or authorised representatives of CILT(UK) AO
- Online assessments offered via a record and review remote proctoring service.
- Publishing, reviewing and updating policies and associated guidance as appropriate in line with evolving regulatory requirements and best practice, where relevant and appropriate, e.g. suspected malpractice, conduct of examinations and assignments, appeals, etc
- Integrating into Learning Partner Monitoring: data, including entry data, to identify patterns, trends (e.g. qualifications, assessments, Learning Partners), double-entering and any other information that points to suspected malpractice.
- Monitoring social media, where appropriate, for any indication of malpractice and maladministration.
- Reviewing proven cases of malpractice to analyse what, if anything, the awarding organisation should learn from the occurrence.

8. Roles and responsibilities

a) Awarding Organisation

CILT(UK) AO are responsible for:

- Providing guidance to Learners and Learning Partners regarding CILT(UK) AO assessment requirements and policies.
- Taking all reasonable steps to prevent any malpractice.
- Establishing and maintaining written up to date procedures for the investigation of suspected or alleged malpractice.
- Keeping under review the arrangements put in place by Learning Partners for preventing and investigating malpractice.
- Providing guidance to Learning Partners (upon request) as to how best to prevent, investigate, and deal with malpractice.
- Overseeing all investigations into suspected or alleged malpractice.
- Taking timely steps to ensure the integrity of assessment, for example, replacing assessments where potentially compromised, postponing and or cancelling assessment series where appropriate and ensuring that such investigations are carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in their outcome.
- Deciding what information should be gathered and who it deems the most appropriate person(s) to gather information on its behalf. The investigation itself, its progress and any decisions made in relation to an investigation are owned by the relevant CILT(UK) AO persons.
- Determining whether to withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants a sanction.
- Applying appropriate sanctions in cases of proven malpractice or where the balance of probabilities has been determined as requiring a sanction.
- Taking appropriate and proportionate action against those who are responsible for the malpractice.
- Promptly taking all reasonable steps to prevent (or mitigate) any adverse effects arising from the malpractice and prevent malpractice from recurring.
- Reporting the matter to the regulators and other awarding organisations in accordance with the regulators' Conditions of Recognition as appropriate.
- Where the investigation of suspected or proven malpractice provides reasonable suspicion and/or evidence of criminal activity (e.g. fraud), report the matter to law enforcement authorities.
- Where relevant, considering reporting the matter to other appropriate authorities, e.g. Industry regulators, professional bodies, etc.
- Protecting the interest of Learners affected through no fault of their own by an incident of malpractice.
- Maintaining secure records of malpractice cases including documents and evidence for 3 years after the investigation outcome.

b) CILT(UK) AO Examiners, Moderators and Assessors

Examiners and Moderators who suspect malpractice in an examination or assessment must report this suspicion immediately. Examiners are required to identify Learner numbers and suspect questions and/or Learner responses in the report.

c) Learning Partners

Learning Partners must take all reasonable steps to prevent malpractice. These can include but are not limited to:

- Ensuring that Learners and staff are aware of CILT(UK) AO requirements and policies for each assessment, including the Suspected Malpractice, Examination Instructions, Reasonable Adjustment and Special Consideration policies.

- Producing and maintaining their own internal policies for identifying and dealing with malpractice including procedures for reporting and investigating malpractice internally. Learning Partners may be expected to provide these as part of ongoing monitoring and/or as part of a malpractice investigation.
- Being vigilant to possible instances of malpractice within the Learning Partner.
- Ensuring that assessment administrators and invigilators are appropriately trained, resourced and supported.
- Ensuring that all staff who manage and implement special consideration and access arrangements are aware of the requirements and are appropriately supported and resourced.
- Immediately notifying the appropriate CILT(UK) AO persons of all alleged, suspected or actual incidents of malpractice using the CILT(UK) AO Report of Suspected Malpractice Form: [AO Policies \(ciltuk.org.uk\)](https://ciltuk.org.uk/AO_Policies).
- Being accountable for ensuring that the Learning Partner and Learning Partner staff comply at all times with the CILT(UK) AO's instructions regarding an investigation.
- Co-operating with an enquiry into an allegation of malpractice and ensuring that their staff do so also, whether the Learning Partner is directly involved in the case or not.
- Making information requested by an CILT(UK) AO available speedily and openly.
- Where required by CILT(UK) AO, the Head of Learning Partner must personally supervise investigations, where it is necessary the Head of Learning Partner may delegate this to a member of Learning Partner staff once CILT(UK) AO's agreement is obtained in a timely manner in advance, the Head of Learning Partner must show that the staff member chosen has no personal or other conflict of interest regarding the case, including not being connected to the department or Learner involved in the suspected malpractice.
- Ensuring that relevant Learning Partner staff involved in assessment administration and management (including the Head of Learning Partner, invigilators, etc) are aware that CILT(UK) AO to contact them directly for information in relation to CILT(UK) AO policies, including during a malpractice investigation.
- Ensuring that exams at all venues are conducted in accordance with CILT(UK) AO requirements.
- Ensuring that examination clash arrangements are planned and managed effectively.
- Ensuring that members of staff do not communicate any confidential information about examinations and assessment materials, including via social media.
- Ensuring that where a Learner who is a child/vulnerable adult is the subject of a malpractice investigation, the Learner's parent/carer/appropriate adult is kept informed of the progress of the investigation.
- Ensuring staff members and Learners are informed of their individual responsibilities and rights as set out in this document.
- Maintaining confidentiality in relation to any malpractice investigation. This includes details of the complainant or whistleblower, the alleged Learner(s) or Learning Partner staff and the nature of the incident, in accordance with the principles and detail of the General Data Protection Regulation.
- At all times, complying with Data Protection law.
- Passing on, to the individuals concerned, any warnings or notifications of sanctions and ensuring compliance with any requests made by the CILT(UK) AO as a result of a malpractice case.
- Communicating to relevant staff any warnings or notification of sanctions or penalties and ensure any corrective action requested by CILT(UK) AO is taken in a timely manner.
- Implementing any actions required during and after investigation into a case of malpractice in a timely manner.

- Maintaining secure records of all suspected malpractice cases, in accordance with current Data Protection Law, including investigation details, written statements, relevant Learner work, internal assessment records and details of remedial action for 3 years after the date of the investigation outcome. Making this information available to the Awarding Organisation during quality assurance activities on site and/or on request.

Note: Heads of Learning Partners are reminded that a failure to comply with these requirements may itself constitute malpractice.

Learner malpractice

- Ensuring that all relevant information, e.g. CILT(UK) AO policies, instructions and guidance for the relevant assessment, Malpractice and Maladministration policy and risks relevant to the specific assessment(s) are communicated to each Learner, in a timely manner in advance of each assessment and take all reasonable steps to ensure these are understood by each Learner for each assessment.
- Ensuring Learners are informed verbally and in writing about the required conditions under which the assessments are conducted, including warnings about the introduction of prohibited materials and devices into the assessments, and access to restricted resources, in a timely manner in advance of each assessment, and taking all reasonable steps to ensure these are understood by each Learner for each assessment.
- Ensuring that Learners are aware of actions that constitute malpractice and the sanctions that can be imposed on those who commit malpractice, in a timely manner in advance of each assessment.
- Ensuring that Learners are aware of the sanctions of passing on or receiving (even if the information was not requested) confidential assessment materials, in a timely manner in advance of each assessment. If a Learner receives confidential information, they must report it to a member of Learning Partner staff immediately.
- Ensuring that Learners involved in examination clash arrangements are aware of appropriate behaviour during supervision, i.e. ensuring that Learners cannot pass on or receive information about the content of assessments, thereby, committing Learner malpractice.
- Ensuring that Learners completing assignments or non-examination assessments are aware of the need for the work to be their own original work both for assessment and progression purposes (e.g. to develop and be able to properly and appropriately apply their knowledge and understanding in the workplace).

d) Invigilators

It is the responsibility of the Invigilator to inform CILT(UK) AO, in writing, and the Head of Learning Partner of any suspected malpractice identified. Failure to report suspected malpractice by internal assessors will be treated as malpractice in itself and investigated in accordance with this policy and its procedures.

e) Learning Partner assessment staff

It is the responsibility of Learning Partner assessment staff to inform CILT(UK) AO, in writing, and the Head of Learning Partner of any suspected malpractice identified. Failure to report suspected malpractice by internal assessors will be treated as malpractice in itself and investigated in accordance with this policy and its procedures.

f) Learners

Each Learner must be familiar with CILT(UK) AO's requirements of the assessment(s) they are undertaking, including the relevant Examination and/or Assignment Instructions and CILT(UK) AO Malpractice policy. Learners should contact their Learning Partner regarding any queries well in advance of the assessment, so the Learning Partner can contact CILT(UK) AO for further information if necessary.

9. Identifying and reporting malpractice

Suspected malpractice can be identified and reported by any of the following:

- Learning Partners (including by Learning Partner staff)
- CILT(UK) AO (including by examiners, moderators and CILT(UK) AO staff)
- Learners
- Other individuals (such as funding agency staff, anonymous sources, or members of the public).

To report suspected malpractice, the CILT(UK) AO Report of Suspected Malpractice must be used, available on the CILT(UK) AO website: [AO Policies \(ciltuk.org.uk\)](https://ciltuk.org.uk/AO%20Policies) Completed forms (with relevant supporting evidence attached, where available) to be submitted to qualityassurance@ciltuk.org.uk.

10. Dealing with cases of suspected malpractice

CILT(UK) AO has two separate procedures for dealing with cases of suspected malpractice, depending on the nature of the evidence initially available to CILT(UK) AO:

a) Summary investigation procedure

In cases where the evidence does not appear to be in doubt, CILT(UK) AO will invoke a summary procedure. Examples of when a summary procedure may be invoked include:

- the initial information received from the Learning Partner is sufficient for an immediate decision to be made by an CILT(UK) AO member of staff;
- the evidence available to the Awarding Organisation clearly indicates that malpractice has occurred;
 - For example, in a remote proctored online examination: recorded video and/or audio evidence of malpractice (e.g. presence and /or use of an unauthorised device during the assessment)
 - For example, in a paper-based examination, the presence of offensive language in an assessment script.

The case will be considered by the relevant staff and in such circumstances, CILT(UK) AO may conclude that malpractice is proven and impose a sanction or sanctions, (see **Appendices 3-5** of this policy), relevant guidance, industry best practice and precedents established in relevant previous cases. For further information see 11. Decision and 12. Sanctions and Penalties.

The individual(s) and Learning Partner affected will be informed of the malpractice findings and notified of the outcome and where appropriate, the sanction imposed; the evidence supporting the conclusion of malpractice; that a summary procedure has been invoked; and the right of Appeal (to be made within 10 working days of the date of the decision). See also 13. Communicating the Decision and 14. Appeals against Malpractice Decisions.

- the evidence available to the Awarding Organisation clearly indicates that malpractice has occurred.
 - For example, in a remote proctored online examination: recorded video and/or audio evidence of malpractice (e.g. presence and /or use of an unauthorised device during the assessment)
 - For example in a paper-based examination, the presence of offensive language in an assessment script.

Note: Where the summary investigation procedure is used, the Learning Partner and the Learner will be informed at the outcome stage. CILT(UK) AO will inform the regulatory authorities of these cases where relevant and appropriate to meet regulatory requirements.

This summary procedure is based on Joint Council for Qualifications (JCQ) guidance and best practice.

b) Full investigation procedure

Where the evidence does not appear to be definitive and further investigation is required (e.g. in relation to a paper-based assessment where video evidence is not available), CILT(UK) AO will follow the full investigation procedure:

i) Communication

CILT(UK) AO will communicate with the Head of Learning Partner (or senior staff member assigned by the Head of Learning Partner in writing to CILT(UK) AO) and affected Learner(s) regarding malpractice and/or maladministration.

Where CILT(UK) AO deems it appropriate to an investigation, CILT(UK) AO will advise the Head of Learning Partner in writing where it proposes to deal directly with Learner(s). Once advised by CILT(UK) AO, the Learning Partner should not ordinarily communicate further with affected Learner(s) regarding the case, except, where advised by CILT(UK) AO. Learning Partners must facilitate communications and individuals.

Where CILT(UK) AO deems it appropriate to undertake an investigation, CILT(UK) AO may communicate directly with members of Learning Partner staff who have been accused of malpractice. If the Head of Learning Partner is under investigation, communications may be made with other appropriate authorities.

Note: Except where noted, this policy and procedure uses the word 'malpractice' to cover both 'malpractice' and 'maladministration'. These are standard regulatory and industry terms. 'Malpractice' will normally be used in all communications from CILT(UK) AO.

The CILT(UK) AO process for dealing with malpractice allegations consists of the following stages:

- Identification and notification
- Awarding organisation response
- Notifying the regulatory authorities
- Investigation
- Report
- Decision
- Sanctions and penalties
- Appeals against decisions
- Maintaining records
- Alerting regulatory authorities and other Awarding Organisations.

All those interviewed or making a statement should be made aware by the Learning Partner that CILT(UK) AO reserves the right to share their statements, records, transcripts, etc with others involved in the investigation and with the qualification regulators and/or other relevant authorities (e.g. law enforcement) where required to do so.

ii) Identification and Notification

Individuals (whether a Learner, Learning Partner staff or Awarding Organisation staff) who identify or are made aware of suspected, or actual, incidents malpractice must inform the CILT(UK) AO Awarding Organisation immediately. This is essential in order to prevent the issue of invalid results and certificates.

Informing CILT(UK) AO

Complete and submit the Notification of Suspected Malpractice and/or Maladministration Form at the earliest opportunity, available with this policy on the CILT(UK) AO website:
<https://ciltuk.org.uk/Qualifications>

The completed form should be sent, attaching relevant supporting evidence to:
qualityassurance@ciltuk.org.uk

Whistleblowing – Protecting identity in reporting suspected cases of malpractice

- CILT(UK) AO will seek the permission to use the name of the individual reporting the case to communicate the details of the allegation to the Learning Partner and to confirm whether the Learning Partner's internal procedures have already been exhausted.
- If the individual does not grant permission to use their name, and the allegation still merits investigation, CILT(UK) AO will take all reasonable steps to preserve their anonymity in bringing the matter to the attention of the Head of Learning Partner or their nominee.
- Those reporting suspected malpractice should be aware that non-disclosure of their identity by CILT(UK) AO may restrict the scope of a CILT(UK) AO investigation.
- However, CILT(UK) AO may be required to disclose an informant's identity to:
 - The relevant qualification regulatory authorities
 - The police, fraud prevention or other law enforcement agencies (to investigate or prevent crime, including fraud)
 - The courts (in connection with court proceedings)
 - Another person or organisation to whom CILT(UK) AO is required by law to disclose this information.
- They should also be aware that CILT(UK) AO disclosing the circumstances of the incident to relevant parties as part of the investigation may make the individual identifiable, even if their identity is not disclosed by CILT(UK) AO.
- **Note:** Investigations are confidential to the affected Learners and Learning Partners and CILT(UK) AO will not be in a position to provide progress updates.

iii) Awarding Organisation Response

CILT(UK) AO will review the completed form and information provided and decide on the appropriate course of action:

- Take no further action.
- Require the Head of Learning Partner to conduct a full investigation into the alleged malpractice and submit a written report (if it has not done so already) and/or
- Investigate the matter directly (or nominate a third party to carry the investigation on CILT(UK) AO's behalf)

- Consider whether the qualification regulatory authorities should be notified of the matter. In the event of a potential Adverse Effect, e.g. cases with alleged fraud or threat to the integrity of certification regulated CILT(UK) AO are required to report the matter to the appropriate regulatory bodies. In these circumstances, the CILT(UK) AO and the Learning Partner are required to co-operate in full, providing information and taking action specified by the regulator.

iv) Withholding of results and certificates

Affected Learners will not be permitted to register for any further CILT(UK) AO assessments and the affected results and certificates will not be released until the investigation is concluded.

v) Suspension of accreditation

Learning Partners should also note that depending on the circumstances (e.g. to protect the integrity of assessments and qualifications, a breach of the Learning partner agreement), at CILT(UK) AO's discretion it may be necessary for CILT(UK) AO to suspend the Learning Partner(s) from further enrolments, registrations and/or holding of some or all assessments until the investigation is completed.

The review will take place at the earliest opportunity after receipt of a written submission and no later than **20 working days** after receipt.

vi) Investigation

The fundamental principle of investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant information is considered without bias. Under normal circumstances, CILT(UK) AO will deal directly with the Head of Learning Partner.

CILT(UK) AO will select investigator(s) that have no personal interest in the outcome and have knowledge of the relevant policies and procedures.

vii) Investigation Objectives

- Establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred. It is important to remember that just because an allegation has been made it should not be assumed that malpractice has actually occurred.
- Establish the facts, circumstances, and scale of the alleged malpractice. In considering the scale of the malpractice it is important that the investigation is not too narrowly focused and considers the broader impact the malpractice could have had on the Learning Partner, Learners and qualifications.
- Identify the cause of the irregularities and those involved.
- Identify and, if necessary, take action to minimise the risk to current Learners and requests for certification.
- Evaluate any action already taken by the Learning Partner.
- Determine whether remedial action is required to reduce the risk to current Learners and to preserve the integrity of the qualification.
- Ascertain whether any action is required in respect of certificates already issued.
- Obtain evidence to support any sanctions to be applied to the Learning Partner, and/or to members of staff, in accordance with awarding organisation procedures.
- Identify any patterns or trends.

- Identify any changes to policy or procedure that need to be made by CILT(UK) AO and/or the Learning Partner(s).

viii) Timescales

CILT(UK) AO will aim to complete investigations within **50 working days** of all relevant information being received.

NB: In the event that a case of suspected malpractice requires a more complex investigation, CILT(UK) AO may need longer than 50 working days to provide an outcome. In the event that this occurs, CILT(UK) AO will inform the Learning Partner and/or Learning Partner as soon as possible.

ix) During the Investigation

During any investigation the following principles will be adhered to:

- Confidentiality – by their very nature investigations usually necessitate access to information that is confidential to a Learning Partner or individuals. All material collected as part of an investigation must be kept secure and not normally disclosed to any third parties (other than the regulatory or law enforcement authorities, where appropriate).

Rights of individuals – where an individual is suspected of malpractice they will:

- Be informed of the allegation made against them (preferably in writing) and the evidence that supports the allegation.
- They will be provided with the opportunity to consider their response to the allegation and submit a written statement or seek advice, if they wish to.
- The appeals process will also be communicated to them.
- CILT(UK) AO will normally request written statements from all relevant parties involved.
- CILT(UK) AO may find it necessary to arrange interviews with relevant parties to gather information regarding the alleged malpractice. Interviews may be conducted in person, by telephone or via video call or meeting applications such as Skype, Teams, or Zoom, at CILT(UK) AO's discretion.
- Where Learning Partner staff members are interviewed during an investigation that is being carried out by the Learning Partner, these interviews should be carried out in line with Learning Partner policy and procedures (including the Learning Partner's policy for conducting disciplinary enquiries). Learning Partner staff may request that they are accompanied by a friend or colleague and these requests should be processed in line with Learning Partner policy.
- Where a Learner is to be interviewed and they are a minor or vulnerable adult, the Learning Partner must arrange to have an appropriate adult (e.g. parent or guardian or carer present or to have the written permission of a parent or guardian or carer prior to the interview taking place.
- Where legal advisors are to be present during interviews this must be made known to other parties involved (including CILT(UK) AO) in a timely manner to provide other parties with the same opportunity to be similarly supported. Where necessary, the interview may be terminated and/or postponed to ensure this takes place.
- The person accompanying the interviewee must not take an active part in the interview e.g. They will not be permitted to answer questions on the Learner's behalf.

Retention and storage of evidence and records

- All relevant documents and evidence will be retained for a **minimum of three years** after the date of the final outcome issued by CILT(UK) AO regarding the case.

Decisions and action plans

- All conclusions and decisions will be evidence-based. Where an outcome identifies the need for changes to Learning Partner policies and/or procedures and/or arrangements, CILT(UK) AO will provide the Learning Partner with an action plan including timescales, implemented by the Learning Partner and monitored by CILT(UK) AO to the point of completion. The actions should address the improvements that are required to the Learning Partner's policies and procedures as well as any action that is related to staff or other resources.

Sanctions

- Where a sanction is considered appropriate, sanctions applied to Learner and Learning Partners are considered on a case-by-case basis, based on the circumstances and the available evidence.
- These will be proportionate with the level of non-compliance identified (and evidenced) during the investigation, using industry guidance, best practice, and where CILT(UK) AO considers it appropriate, precedents established by sanctions previously applied in similar cases, and will be in line with the sanctions set out in **Appendices 3-5** of this policy.
- Any sanctions applied to Learning Partner by CILT(UK) AO will be commensurate with the level of non-compliance identified (and evidenced) during the investigation and will be in line with CILT(UK) AO's published Learning Partner Sanctions policy.

x) Report

Where the investigation into the alleged malpractice has been carried out by the Learning Partner, the Head of Learning Partner or their nominee must submit a written report to the CILT(UK) AO (**see Appendix 6 for guidance**). CILT(UK) AO will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The Head of Learning Partner will be informed accordingly.

Where the investigation into the alleged malpractice has been carried out by the CILT(UK) AO, a written report would normally be prepared by CILT(UK) AO.

The report may include the following documentation, as appropriate:

- a statement of the facts, including a clear and detailed account of the circumstances of the alleged malpractice and an objective assessment of the evidence gathered.
- the evidence relevant to the allegation, such as written statement(s) from the tutor(s), invigilator(s), assessor, internal verifier(s) or other staff who are involved.
- written statement(s) from the Learner(s) in their own words.
- information about the Learning Partner, Learning Partner's procedures for advising Learners and Learning Partner staff of the CILT(UK) AO's assessment requirements and policies.
- for paper-based examinations, seating plans showing the exact position of Learners in the examination room.
- unauthorised material found in the examination room. **Note:** Where it is not practicable to physically submit specific relevant material, detailed photographs (or where available copies of the material) must be provided CILT(UK) AO.
- any Learner work and any associated material (e.g. source material for coursework) which is relevant to the investigation such as internal assessment or verification records.
- any teaching resources/material relevant to the investigation.
- details of the actions to be taken by the Learning Partner to mitigate the impact of any malpractice or actions to be taken to avoid a recurrence and ensure the integrity of assessment and/or certification.

xi) Mitigating factors

- The report must also include any relevant mitigating factors, evidence that should be considered.

Note: The following do **not**, by themselves, constitute mitigating factors:

- the individual did not intend to commit malpractice.
- the individual has an unblemished academic record.
- the individual could lose a place on a course of study or employment.
- the individual may suffer reputational damage.
- the individual regrets his/her actions.
- Lack of awareness of the relevant assessment requirements and policies, e.g. the CILT(UK) AO Malpractice and Examination Instructions.

The investigation report will be submitted to the CILT(UK) AO for a final decision on the investigation.

The decision stage will aim to:

- Identify the regulatory/Learning Partner approval criteria which it is alleged have been compromised.
- Consider the facts of the case.
- Decide using the facts that, based on the balance of probabilities, whether malpractice has occurred.
- Establish who is responsible if criteria have been compromised.
- Determine an appropriate level of remedial action to be applied.

In the event of malpractice by a Learning Partner, the CILT(UK) AO will consider action to:

- Minimise the risk to the integrity of certification now and in the future.
- Maintain public confidence in the delivery and awarding of qualifications.
- Discourage others from doing likewise.
- Ensure there has been no gain from compromising our standards.
- Advise the regulatory authorities of the outcome, where relevant (see 12.)

To ensure the integrity and/or public confidence in future assessment, CILT(UK) AO may undertake additional monitoring and/or require the Learning Partner to take remedial action whether the malpractice allegation is proven or not.

CILT(UK) AO's decision to take further action following the outcome of the investigation will be based only on the evidence available. The decision aims to be justifiable, reasonable and consistent.

11. Decision

Decisions on suspected malpractice cases will be taken by the CILT(UK) AO staff and management involved in the investigation. If there is evidence based on the balance of probabilities, that the malpractice policy and/or other requirements and/or Learning Partner criteria has been breached, the appropriate measures to be taken to protect the integrity of the assessment and to prevent future breaches will be determined and where appropriate, the nature of the sanction to be applied.

12. Sanctions and Penalties

CILT(UK) AO will determine and impose sanctions on Learners, Learning Partner Staff and Learning Partners responsible for malpractice in order to:

- Minimise the risk to the integrity of the qualifications, both now and in the future.
- Ensure that only those Learners who have reached the required standard are awarded the qualification.
- Maintain the confidence of the public in the delivery and awarding of qualifications.

- Ensure as a minimum that there is nothing to gain from breaking the regulations.
- Deter others from doing likewise.

CILT(UK) AO will determine the application of a sanction according to the evidence presented, the nature and circumstances of the malpractice (including reviewing relevant regulatory and industry guidance and precedents set in relevant previous cases), the type of qualification and assessment(s) involved.

Sanctions will usually be applied in cases where there has been a risk to the integrity of the qualification. The individuals who receive sanctions will usually be the Learner(s) or the responsible member(s) of staff. However, when malpractice is judged to be the result of a serious management failure within a department or the whole Learning Partner, the CILT(UK) AO may apply sanctions against the Learning Partner and/or Learning Partner management.

When determining the appropriate sanction(s) to be applied, CILT(UK) AO will also consider whether the malpractice committed undermined, or attempted to undermine, the integrity of its examinations and assessments, or had the potential to undermine public confidence.

Examples are set out below and further details are available in Appendices 3-5. Appendices 4-6 of the current version of the Joint Council for Qualifications (JCQ) “*Suspected Malpractice Policies and Procedures*” document provides indicative examples of how sanctions may be applied.

Learner sanctions (appendix 3)

- A warning (that if the offence is repeated within a set period of time that further specified sanctions will be applied).
- Loss of marks/recognition for a section, component, unit etc.
- Disqualification from a unit, whole qualification or all qualifications taken in that series.
- Debarral from entering one or more exams for a specified period of time.

Learning Partner Staff (individual) sanctions (appendix 4)

- A written warning.
- A requirement to undergo training before they are involved in the delivery and/or assessment of the qualification in the future. This may include an on-going period of supervision/regular monitoring.
- Imposition of special conditions on the future involvement (in qualification delivery and/or assessment) of a member of Learning Partner staff.
- Suspension from any involvement in the administration, delivery and/or assessment of a qualification (or all of the CILT(UK) AO's qualifications).

Learning Partner (organisation) sanctions (appendix 5)

- A review and report action plan (issued to the Learning Partner, requiring improvement activity and regular reporting of progress by the Learning Partner).
- Additional monitoring or inspection (for example, increased frequency of external verification and increased sampling across the qualification or Learning Partner as a whole).
- Removal of direct claims status (requiring all certificate requests to be authorised by the external verifier).
- Restrictions on examination and assessment materials (e.g. delivery shortly before intended time of use, supervision of distribution by the CILT(UK) AO, collection of scripts by the CILT(UK) AO etc.).
- A requirement for the use of independent invigilators (at the Learning Partner's own expense) .
- Suspension of access to registration of Learners.
- Suspension of access to Learner certification.

- Withdrawal of qualification approval.
- Withdrawal of Learning Partner approval.

This is not intended to be definitive or exhaustive list. CILT(UK) AO reserves the right to apply sanctions flexibly, outside of the defined ranges, if particular mitigating or aggravating circumstances are found to exist.

Determining and applying Learning Partner sanctions

- Sanctions will be based on the evidence available, using the sanctions set out in Appendix 5.
- All sanctions must be justifiable and reasonable in their scale, and consistent in their application. Relevant guidance regarding sanctions and precedents established in outcomes of previous cases may be considered, where relevant.
- Following a finding that malpractice has been committed, CILT(UK) AO will normally impose sanctions on individuals. Sanctions will usually be applied in cases where there has been a risk to the integrity of the qualification. The individuals who receive sanctions will usually be the Learner(s) or the responsible member(s) of Learning Partner staff. However, when malpractice is judged to be the result of a serious management failure within a department or the whole Learning Partner, CILT(UK) AO may apply sanctions against the Learning Partner and/or Learning Partner management.
- In these cases, CILT(UK) AO may make special arrangements to safeguard the interests of Learners who might otherwise be adversely affected (see next section).
- When determining the appropriate sanction(s) to be applied, CILT(UK) AO will consider whether the malpractice committed undermined, or attempted to undermine, the integrity of its examinations and assessments, or had the potential to undermine public confidence.
- Sanctions imposed upon Learners will only be applied in relation to assessments in which malpractice has been identified and, where appropriate, future assessments (where a Learner is prohibited from taking CILT(UK) AO qualifications for a period of time).
- For consistency of approach in the application of sanctions, CILT(UK) AO will not normally attach significant weight to the consequential effects (e.g. on applications for further study and/or employment) of any particular sanction which might arise from the circumstances of the individual.
- In these cases, CILT(UK) AO may make special arrangements to safeguard the interests of Learners who might otherwise be adversely affected.
- A permanent record will be kept of the impact of any sanctions on an individual Learner's results.
- Learners involved in a Malpractice investigation will not be permitted to withdraw their enrolment until the investigation has been completed and the outcome issued.
- Where there is a finding that malpractice has been committed, the Head of Learning Partner must inform the individuals involved that information may be passed on to other Awarding Organisations, qualification regulators and/or other appropriate authorities. This information will typically include names, offences and sanctions applied.

Learners affected by (but not involved in) a malpractice case

- CILT(UK) AO will endeavour to protect Learners who, through no fault of their own, are caught up in a malpractice incident. It should, however, be accepted that there may be instances where the work submitted for assessment does not represent the efforts of the individual Learners and it may not be possible to give those Learners a result, or permit a result to be retained.
- When considering the action to be taken, CILT(UK) AO will balance responsibilities towards the rest of the cohort and the individuals caught up in the malpractice incident.
- Results may also not be issued or may be revoked in cases where malpractice has occurred, but it was not established clearly who was to blame.
- In cases where it is not reasonable or possible to determine responsibility for malpractice, and where it is clear that the integrity of the examination or assessment has been impaired in respect

of an individual or individuals, CILT(UK) AO may decide not to accept the work submitted or undertaken for assessment or may decide it would be unsafe to make awards or permit awards to be retained.

- In these cases, the Learner(s) may re-take, where available, the examination/assessment at the next opportunity or, where the qualification permits, provide additional proof of competence.
- Sanctions will be chosen from a defined range, in order to reflect the particular circumstances of each case and any mitigating factors. The level of sanction for a particular offence is set out in Appendices 1-3.
- CILT(UK) AO reserves the right to apply sanctions flexibly, outside of the defined ranges, if particular mitigating or aggravating circumstances are found to exist.

13. Communicating the decision

CILT(UK) AO will normally inform the Learner(s) under investigation and their Learning Partner directly in writing. Where the Learning Partner and/or Learning Partner staff are under investigation, the Learning Partner will be made aware of the outcome. There may be circumstances, where CILT(UK) AO deems necessary or appropriate to communicate the decision to the Learner or Learning Partner only.

14. Appeals against Malpractice decisions

Please consult the CILT(UK) AO Appeals policy and procedures document available on the CILT(UK) AO website for details of the Appeals process: <https://ciltuk.org.uk/qualifications>

15. Maintaining Records of investigations

In conducting an investigation, Learning Partners are required to retain the following records and documentation for **3 years** from the date of the final outcome of the case. In an investigation involving a criminal prosecution or civil claim, records and documentation should be retained for the required period after the case and any appeal has been heard. Records should include:

- A report containing a statement of the facts, a detailed account of the circumstances of alleged malpractice, and details of any investigations carried out by the Learning Partner into the suspected case of Learner malpractice.
- Written statements from the Learning Partner staff and Learners involved.
- Any work of the Learner and internal assessment or verification records relevant to the investigation.
- Details of any remedial action taken to ensure the integrity of certification now and in the future.

16. Alerting other Awarding Organisations

The qualification regulatory authorities require that CILT(UK) AO notifies other Awarding Organisations of cases of malpractice that could have an Adverse Effect and where these cases are likely to impact on the other Awarding Organisations. CILT(UK) AO must pay due regard to this requirement and notify other awarding organisations, as appropriate.

This will usually be appropriate where:

- The Learning Partner where the Adverse Effect has occurred (or is suspected) is also approved with another Awarding Organisation (for the same or different qualifications) and the (suspected) malpractice could potentially impact on the activities undertaken on behalf of that other awarding organisation.
- The Learning Partner where the incident has occurred (or is suspected) is also approved with another Awarding Organisation for the same qualifications and there is the potential for the

Learning Partner to move their operations to the other Awarding Organisation in an attempt to avoid sanctions and continue sub-standard practices.

- The Learning Partner where the malpractice has occurred (or is suspected) has indicated that they are seeking approval with another awarding organisation (for the same or different qualifications).

17. Alerting qualification regulators, industry (licence to practice) regulators and other authorities

- Where relevant and appropriate (e.g. where an adverse effect has been identified) and to meet regulatory requirements, CILT(UK) AO will report the outcome of suspected malpractice investigations to the relevant qualification regulator(s) (e.g. Ofqual).
- For cases related to licence to practice qualifications such as Transport Manager Certificate of Professional Competence (CPC) qualifications, CILT(UK) AO is also required to meet the reporting requirements of, and co-operate with, relevant industry regulators, including the Office of Traffic Commissioner (OTC) and the Driver and Vehicle Standards Agency (DVSA).
- For cases related to licence to practice qualifications, in addition to an Awarding Organisation suspected malpractice investigation and outcome, Learners and / or Learning Partners may be subject to separate civil and/or criminal investigations and sanctions by relevant industry regulators, the outcome of which may affect the Learner and/or Learning Partner's professional standing.

In the event of possible criminal activity being identified as a part of a malpractice case, CILT(UK) AO will pass on the details to the relevant law enforcement authorities.

18. References

CCEA Regulation, 2023 “*General Conditions of Recognition (January 2023)*”

Federation of Awarding Bodies, 2013 “*FAB Malpractice and Maladministration Guide (September 2013)*”

HM Government, 2022 “*Balance of Probabilities*”

Joint Council for Qualifications, 2023 “*Instructions for Conducting Coursework 1 September 2023 to 31 August 2024 (Revision 1, December 2023)*”

Joint Council for Qualifications, 2023 “*Instructions for conducting non-examination assessments 1 September 2023 to 31 August 2024 (Revision 1, December 2023)*”

Joint Council for Qualifications, 2023 “*Information for candidates: Using social media and examinations/assessments (April 2023)*”

Joint Council for Qualifications, 2023 “*Suspected Malpractice Policies and Procedures (1 September 2023 to 31 August 2024)*”

Joint Council for Qualifications, 2024 “*AI Use in Assessments: Protecting the Integrity of Qualifications (Revision 1, February 2024)*”

Office of Qualifications and Examinations Regulation, 2023 “*Artificial Intelligence (May 2023)*”

Office of Qualifications and Examinations Regulation, 2023 “*Ofqual Handbook: General Conditions of Recognition (September 2023)*”

Qualifications and Curriculum Authority, 2006 “*NVQ Code of Practice - Revised*”

Qualification Wales, 2023 “*Standard Conditions of Recognition (December 2023)*”

Turnitin, 2023 “*AI vocabulary glossary*”

Turnitin, 2023 “*Updating your academic integrity policy in the age of AI (February 2023)*”

Appendix 1 Examples of Learner malpractice

The following are examples of malpractice. This is not an exhaustive list and as such does not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by CILT(UK) AO at their discretion.

- **Alteration or falsification** of any results document, including certificates.
- **A breach of the instructions or advice** of an invigilator, supervisor, or the awarding organisation (or authorised representative) in relation to the examination or assessment rules and regulations.
- **accessing** the internet, online materials or AI tools during remote assessment and remote invigilation, where this is not permitted.
- **failing to abide by the conditions of supervision** designed to maintain the security of the examinations or assessments.
- **allowing others to assist in the production of** controlled assessments, coursework, non-examination assessments, examination responses or assisting others in the production of controlled assessments, coursework, non-examination assessments or examination responses.
- **collusion:** working collaboratively with others, beyond what is permitted; For example, working with others when an assessment must be completed by individual Learners, including talking, written notes, electronic devices or non-verbal communication.
- **copying from another Learner** (including the use of technology to aid the copying) or knowingly allowing another Learner(s) to copy from their own work (including posting work on social networking sites).
- **allowing work to be copied**, e.g. posting work on social networking sites prior to an examination/assessment.
- **behaving in a manner so as to undermine** the integrity of the examination.
- **bringing into the examination room notes in the wrong format** (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations).
- **deliberate deletion of, and/or damage to, and/or destruction** of another Learner's work.
- **disruptive behaviour** in the examination room or during an assessment session (including the use of offensive language);
- **exchanging, obtaining, receiving, passing on information** (or the attempt to) which could be assessment related by means of talking, electronic, written or non-verbal communication.
- **facilitating malpractice** on the part of other Learners.
- **failing to report to the Learning Partner or Awarding Organisation** the Learner having unauthorised access to assessment related information or sharing unauthorised assessment related information online.
- **making false declaration of authenticity** in relation to the authorship of controlled assessment, coursework, non-examination assessment or the contents of a portfolio.
- **Fraudulent claims** for Reasonable Adjustments and/or Special Consideration and/or Malpractice and/or Enquiry About Results (EAR) and/or Appeals.
- **Frivolous content:** Producing content that is unrelated to the assessment in scripts or coursework.

- **the misuse, or the attempted misuse**, of examination and assessment materials and resources (e.g. exemplar materials).
- **the inclusion of offensive comments**, obscenities or drawings; discriminatory language, remarks or drawings directed at an individual or group in scripts, controlled assessments, coursework, non-examination assessments or portfolios.
- **Personation**, pretending to be someone else, arranging for another person to take one's place in an examination or an assessment.
- **Plagiarism**, unacknowledged copying from, or reproduction of, third party sources or incomplete referencing (including the internet and artificial intelligence (AI) tools); and/or the submission of another person's work as if it were the Learner's own.
- **Possession (whether used or not) of unauthorised material** during an examination or assessment, for example: study guides (when prohibited) and personal organisers, own blank paper, wordlists, glossaries, dictionaries (when prohibited).
- **Possession (whether used or not) of unauthorised devices** during an examination or assessment, for example: watches, calculators (when prohibited), ear phones, headphones, instruments which can capture a digital image, electronic dictionaries (when prohibited), translators, and devices with online connectivity and /or external communication capability such as iPods, mobile phones, 'AirPods', MP3/4 players, pagers, earpieces or other similar electronic devices (regardless of whether the device(s) is functional or not; if functional whether it is switched on or off or in any other mode; whether none, some or all functionality has been enabled or not).

Note: For the avoidance of doubt, possession of an authorised device is sufficient to warrant a suspected malpractice investigation and a sanction (see Appendix for a list)
- **Theft** of another Learner's work.
- **Unauthorised access to and/or being in possession of unauthorised confidential information** about an examination or assessment (before and/or during and/or after the assessment takes place).
- **Unauthorised use of authorised aids**, where use of specific tools are authorised for a specific assessment (e.g. Use of the internet for assignment research purposes), using these sources in an unauthorised way, e.g. bringing into the examination room notes in the wrong format (where notes are permitted) in examinations or inappropriately annotated texts (in open book examinations); using calculators with data storage and/or online connectivity and /or external communication capabilities to access notes, the internet, etc
- **Unauthorised use of a memory stick or similar device** where a Learner uses a word processor.
- **Unauthorised use of unauthorised** electronic devices or technology during remote assessment and remote invigilation, e.g. accessing the internet, online materials or AI tools during remote assessment and remote invigilation, where this is not permitted.
- **Unauthorised use of translation material, software and / or devices**, where an assessment is required to be written in English, writing it in a language other than English and then using unauthorised assistance including translation software or use of a third party to convert text into English, meaning the Learner is not demonstrating the English language requirements for the qualification.

Appendix 2 Examples of Learning Partner malpractice

The following are examples of malpractice. This is not an exhaustive list and as such does not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by CILT(UK) AO at its discretion.

1. Breach of security

Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of Learners' scripts or their electronic equivalents.

It could involve:

- **failing to keep examination material secure** prior, during and after an examination.
- **discussing or otherwise revealing information about examinations** and assessments that should be kept confidential, e.g. internet forums/social media.
- **moving the time or date of a fixed examination** beyond the arrangements permitted by CILT(UK) AO, without written authorisation from CILT(UK) AO. Conducting an examination before the published date constitutes Learning Partner staff malpractice and is a clear breach of security.
- **failing to adequately supervise Learners** who have been affected by a timetable variation (this would apply to Learners subject to overnight supervision by Learning Partner personnel or where an examination is to be sat in an earlier or later session on the scheduled day).
- **releasing Learners from an assessment earlier** than permitted by CILT(UK) AO.
- **permitting, facilitating or obtaining unauthorised access to examination** material prior, during or after an examination.
- **failing to retain and secure examination question papers and associated materials (including marking guidance for centre-assessed assessments)** before, during and after an assessment for return to CILT(UK) AO.
- **tampering with examination question papers and associated materials before and return to CILT(UK) AO** (Note: this would additionally include photocopying question papers at any time after receipt from CILT(UK) AO prior to secure return to CILT(UK) AO.
- **tampering with Learner scripts, controlled assessments, assignments, coursework or non-examination assessments after collection and before despatch** to CILT(UK) AO/examiner/moderator (this would additionally include reading Learners' scripts or photocopying Learners' scripts prior to despatch to the CILT(UK) AO/examiner).
- **Damage to and/or deletion, disposal and/or destruction of Learner scripts, assignments, assessment evidence** and/or CILT(UK) AO assessment materials.
- **failing to keep secure computer files** which contain Learners' controlled assessments, coursework or non-examination assessments.
- **Failure to comply** with requirements for accurate and secure retention of Learner evidence, assessment and internal verification records e.g. for centre-assessed assessments.
- **unauthorised damage to and/or disposal of scripts**

2. Deception

- **any act of dishonesty** in relation to an examination or assessment including, but not limited to:
- **inventing or changing marks for centre-assessed components** (e.g. non-examination assessments) where there is no actual evidence of the Learners' achievement to justify the marks awarded;
- **tampering with, modifying (including amending and/or deleting and /or adding to) and /or manufacturing** assessment evidence and/or marking decisions

- **fabricating assessment and/or internal verification records** or authentication statements;
- **entering fictitious Learners for examinations or assessments**, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud);
- **substituting one Learner's controlled assessment, coursework or non-examination assessment for another's.**
- **providing misleading or inaccurate information** to CILT(UK) AO and/or Learners and/or employers Fraudulent claims and/or falsifying evidence for Reasonable Adjustments and/or Special Consideration and/or Malpractice and/or Appeals and/or Certificates and/or other relevant policies and procedures (e.g. Applications for Learning Partner accreditation)

3. Improper assistance to Learners

- **Any act where assistance is given beyond that permitted by the specification or regulations** to a Learner or group of Learners, which results in a potential or actual advantage in an examination or assessment.

For example:

- **assisting** Learners in the production of controlled assessment, coursework, non-examination assessments or portfolios, beyond that permitted by the regulations.
- **sharing or lending** Learners' controlled assessments, coursework or non-examination assessments with other Learners in a way which allows malpractice to take place.
- **assisting or prompting** Learners with the production of assessment scripts before, during or after an assessment.
- **permitting Learners in an examination to access prohibited materials** (dictionaries, calculators, unauthorised devices with data storage and/or online connectivity and /or external communication capabilities etc.).
- **prompting Learners** in an examination/assessment by means of visual and/or verbal and/or non-verbal and/or written prompts.
- **assisting Learners** beyond that permitted by the regulations e.g. where granted the use of a Communication Professional, a Language Modifier, a practical assistant, a prompter, a reader or a scribe.
- **Colluding with Learners**, or permitting collusion, or failing to report a Learner or Learning Partner staff in any activity that constitutes malpractice.
- **Knowingly assisting in and/or failing to report to CILT(UK) AO** instances of Learner and /or Learning Partner malpractice.

4. Failure to co-operate with an investigation

- **failure to make available information reasonably requested** by CILT(UK) AO in the course of an investigation, or in the course of deciding whether an investigation is necessary; and/or
- **failure to investigate on request in accordance with CILT(UK) AO instructions** or advice; and/or
- **failure to investigate or provide information according to agreed deadlines**; and/or
- **failure to immediately report all alleged, suspected or actual incidents of malpractice** to CILT(UK) AO.

5. Maladministration

Failure to adhere to the regulations regarding the conduct of controlled assessments, assignments coursework, examinations and non-examination assessments, or malpractice in the conduct of examinations/assessments and/or the handling of examination question papers, Learner scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc.

For example:

- **Failure to adhere** to CILT(UK) AO awarding organisation policies, procedures and stated requirements (e.g. with regard to assessment invigilation and Learner identification).
- **Failing to adequately check and record Learner identification** before permitting entry to the examination room e.g. to ensure the individual undertaking the examination is the Learner as enrolled by the Learning Partner with CILT(UK) AO.
- **failing to ensure that Learners' controlled assessment, coursework, non-examination assessment or work to be completed under controlled conditions is adequately completed and/or monitored and/or supervised.**
- **failure, on the part of the Head of Learning Partner, to adhere to CILT(UK) AO specification requirements** in the delivery of examination and non-examination assessments required as part of a qualification.
- **failing to adhere to CILT(UK) AO key dates and deadlines** relating to the delivery of examinations and assessments (such as those relating to the return of scripts, reporting of centre-assessed marks/grades, making entries/claims, and Head of Learning partner declarations).
- **failure to use the correct tasks/assignments** for assessments.
- **failure to train and / or use adequately trained invigilators and those facilitating access arrangements adequately**, e.g. readers and scribes familiar with CILT(UK) AO assessment requirements.
- **failing to adequately prepare Learners to undertake CILT(UK) paper-based and/or online assessments** in a timely manner in advance of the assessment, e.g. in relation to assessment and/or venue access and conditions, CILT(UK) Examination Instructions, Malpractice and other relevant policies.
- **failure to consult and/or inform CILT(UK) AO of alternative venue** for an assessment in a timely manner in advance of an assessment.
- **Failure to comply** with Awarding Organisation procedures for managing and transferring accurate Learner data.
- **failing to post notices relating to a paper-based examination or assessment outside all rooms, where examinations and assessments are held.**
- **not ensuring that the examination venue conforms to the requirements as stipulated in the CILT(UK) A examination instructions.**
- **failing to prevent the introduction of unauthorised material into the examination room**, either prior to or during the examination (NB: this includes the use of the examination room to coach Learners or give subject-specific presentations, including power-point presentations, prior to the start of the examination);
- **failing to take all reasonable steps to remind Learners and ensure that any mobile phones, watches or other unauthorised items found in their possession must be handed to the invigilator (or in the case of online examinations, switched off and left outside the examination room) prior to the examination starting.**
- **failure to invigilate examinations in accordance with the CILT(UK) Examination Instructions and/or any additional advice, clarification, guidance and/or information provided by CILT(UK) AO.**
- **failure to have in place a malpractice policy.**
- **failure to have on file for inspection purposes appropriate evidence**, to substantiate approved reasonable adjustments and/or special consideration.
- **unauthorised granting of reasonable adjustments and/or special consideration** to Learners who do not meet the requirements of the CILT(UK) AO Reasonable Adjustments and/or Special Consideration policies.

- **unauthorised granting reasonable adjustments and/or special consideration** to Learners where prior approval has not been obtained in a timely manner in advance as required by CILT(UK) AO.
- **permitting the use of a reasonable adjustment** over and above the extent permitted by CILT(UK) AO policy.
- **unauthorised granting reasonable adjustments and/or special consideration** to Learners where prior approval has not been obtained in a timely manner in advance as required by CILT(UK) AO.
- **failure to effectively supervise the printing of computer-based assignments** when this is required.
- **failing to retain Learners' controlled assessments, coursework, or non-examination assessments** securely after the authentication statements have been signed or the work has been marked.
- **failing to maintain the security of Learner scripts** prior to despatch to the CILT(UK) AO or examiner.
- **failing to despatch Learners' scripts, controlled assessments, coursework, or non-examination assessments to CILT(UK) AO**, examiners or moderators in a secure and timely manner as required by CILT(UK) AO.
- **failing to notify the appropriate CILT(UK) AO immediately** of all alleged, suspected, or actual incidents of malpractice.
- **failing to conduct a thorough investigation into suspected examination or assessment malpractice** or otherwise fail to comply with the CILT(UK) AO malpractice policy when asked to do so by an CILT(UK) AO.
- **breaching arrangements for the release of examination results** as required by CILT(UK) AO.
- **failing to recruit Learners with integrity**, including the recruitment of Learners who have not met the qualification's minimum entry requirements wherever stipulated and/or the recruitment of Learners who are unable and/or otherwise unlikely to complete the qualification.
- **Avoidable administrative issues**, where intended or not. Avoidable delays, faulty procedures, failure to follow correct procedures, inadequate communication, poor record keeping, failure to take action, providing misleading and / or inaccurate and / or inadequate information to Learners and/ or other Learning Partner Staff and/or CILT(UK) AO.
- **any action likely to lead an Adverse Effect** under the Ofqual / QW / CCEA "Conditions of Recognition".

Appendix 3: Learner sanctions

CILT(UK) AO will determine the application of a sanction according to the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved.

Not all the sanctions are appropriate to every type of qualification or circumstance. Sanctions may be applied individually or in combination. Appendices 4-6 of the current Joint Council for Qualifications (JCQ)“Suspected Malpractice Policies and Procedures” document provides indicative examples of how sanctions may be applied.

In determining the appropriate sanction, CILT(UK) AO will consider factors including:

- the potential risk to the integrity of the examination or assessment.
- the potential adverse impact on Learners.
- the number of Learners and/or Learning Partners affected; and
- the potential risk to those relying on the qualification (e.g. employers or members of the public).

CILT(UK) AO may consider, at its discretion, mitigating factors supported by appropriate evidence.

Note: The following do not, by themselves, constitute mitigating factors:

- the individual did not intend to commit malpractice.
- the individual has an unblemished academic record.
- the individual could lose a place on a course of study or employment.
- the individual regrets his/her actions.
- lack of awareness of the relevant assessment requirements or the CILT(UK) AO Malpractice policy.

Individuals may be subject to one or more sanctions.

In addition to Awarding Organisation sanctions, Heads of Learning Partner may wish to take further action themselves in cases of Learner malpractice.

CILT(UK) AO may, at its discretion, impose the following sanctions against Learners:

1. Warning

The Learner is issued with a warning that if he/she commits malpractice within a set period of time, further specified sanctions will be applied.

2. 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 non-examination assessment if this consists of several items.

3. Loss of all marks for a component

The Learner loses all the marks gained for a component. A component is more often a feature of a linear qualification than a unitised qualification, and so this sanction can be regarded as an alternative

to sanction. Some units also have components, in which case a level of sanction between numbers 2 and 4 is possible.

4. Loss of all marks for a unit

The Learner loses all the marks gained for a unit. This sanction can only be applied to qualifications which are unitised. For linear qualifications, the option is sanction 3. This sanction usually allows the Learner to aggregate or request certification in that series, albeit with a reduced mark or grade.

5. Disqualification from a unit

The Learner is disqualified from the unit. This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 7. The effect of this sanction is to prevent the Learner aggregating or requesting certification in that series, if the Learner has applied for it.

6. Disqualification from all units in one or more qualifications

If circumstances justify, sanction 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous examination series are retained.) This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 8.

7. Disqualification from a whole qualification

The Learner is disqualified from the whole qualification taken in that series or academic year. This sanction can be applied to unitised qualifications only if the Learner has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a Learner has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications.

8. Disqualification from all qualifications taken in that series.

If circumstances justify, sanction 7 may be applied to other qualifications. For unitised qualifications, any units banked in a previous examination series are retained, but the units taken in the present series are lost. It may also be used with linear qualifications.

9. Learner debarral

The Learner is barred from entering for one or more examinations for a set period of time. This sanction is applied in conjunction with any of the other sanctions above, if the circumstances warrant it.

Unless a sanction is accompanied by a bar on future entry, all Learners penalised by loss of marks or disqualification may re-take the component(s), unit(s) or qualification(s) affected in the next examination series or assessment opportunity if the specification permits this.

Appendix 4: Learning Partner staff (individual) sanctions

CILT(UK) AO will determine the application of a sanction according to the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved.

Not all the sanctions are appropriate to every type of qualification or circumstance. These sanctions may be applied individually or in combination. Appendices 4-6 of the JCQ “*Suspected Malpractice Policies and Procedures*” document provides indicative examples of how sanctions may be applied.

When determining the appropriate sanction which should be applied to an individual, CILT(UK) AO will consider whether the integrity of its qualifications might be at risk if the individual found to have committed malpractice were to be involved in the future conduct, supervision or administration of the CILT(UK) AO’s examinations or assessments.

It is not the role of the CILT(UK) AO to be involved in any matter affecting the member of staff’s or contractor’s contractual relationship with their employer or engager. CILT(UK) AO recognises that employers may take a different view of an allegation to that determined by CILT(UK) AO. An employer may wish to finalise any Learning Partner-based decision after the CILT(UK) AO has reached its conclusion.

In determining the appropriate sanction, CILT(UK) AO will consider factors including:

- the potential risk to the integrity of the examination or assessment.
- the potential adverse impact on Learners.
- the number of Learners and/or Learning Partners affected; and
- the potential risk to those relying on the qualification (e.g. employers or members of the public).

CILT(UK) AO may consider, at its discretion, mitigating factors supported by appropriate evidence.

Note: The following do not, by themselves, constitute mitigating factors:

- the individual did not intend to commit malpractice.
- the individual has an unblemished employment record at the Learning Partner.
- the individual could lose a place on a course of study or employment.
- the individual regrets his/her actions.
- lack of awareness of the relevant assessment requirements or the CILT(UK) AO Malpractice policy.

Individuals may be subject to one or more sanctions.

Where a member of staff or contractor has been found guilty of malpractice, an awarding organisation may impose one or more of the following sanctions:

1. Written warning

A written warning that if the member of staff commits malpractice within a set period of time, further specified sanctions will be applied.

2. Training

The member of staff, as a condition of future involvement in the delivery of the CILT(UK) AO’s examinations and/or assessments, to undertake specific training or mentoring within a particular period of time. The awarding organisation may request written confirmation of the delivery of the training.

3. Special conditions

Special conditions are imposed on the member of staff regarding their future involvement in the delivery of the awarding organisation examinations and/or assessments. For example, the member of staff must be supervised.

4. Suspension/debarment

The member of staff is suspended/debarred from all involvement in the delivery or administration of the CILT(UK) AO examinations and assessments for a set period of time. Other awarding organisations, regulators, and other organisations such as the Teaching Regulation Agency (TRA) and Education Workforce Council (EWC) may be informed when a suspension/debarment is imposed.

These sanctions will be notified to the Head of Learning Partner who must ensure that they are communicated to the member of staff and adhered to.

If a member of staff moves to another Learning Partner while being subject to a sanction, the Head of Learning Partner must notify CILT(UK) AO of the move. CILT(UK) AO reserves the right to inform the Head of the Learning Partner to which the staff member is moving as to the nature of, and the reason for, the sanction.

If a Learning Partner changes Awarding Organisation for a qualification, and a member of staff involved in the delivery or assessment of the qualification is subject to a sanction, the Head of Learning Partner must notify the new Awarding Organisation.

CILT(UK) AO may, at its discretion, ask for monitoring activity to be undertaken, or devise a plan to provide assurance that sanctions against Learning Partner staff are being appropriately applied. Such requirements are distinct and separate from the sanctions described elsewhere.

Appendix 5: Learning Partner (organisation) sanctions

The CILT(UK) AO will determine the application of a sanction according to the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved.

Not all the sanctions are appropriate to every type of qualification or circumstance. These sanctions may be applied individually or in combination. Appendices 4-6 of the current version of the Joint Council for Qualifications (JCQ) “*Suspected Malpractice Policies and Procedures*” document provides indicative examples of how sanctions may be applied.

In determining the appropriate sanction, CILT(UK) AO will consider factors including:

- the potential risk to the integrity of the examination or assessment.
- the potential adverse impact on Learners.
- the number of Learners and/or Learning Partners affected; and
- the potential risk to those relying on the qualification (e.g. employers or members of the public).

CILT(UK) AO may consider, at its discretion, mitigating factors supported by appropriate evidence.

Note: The following do not, by themselves, constitute mitigating factors:

- the organisation did not intend to commit malpractice.
- the organisation has an unblemished qualification delivery record.
- the organisation may suffer reputational, financial or business loss.
- the organisation regrets their actions.
- lack of awareness of the relevant assessment requirements or the CILT(UK) AO Malpractice policy.

Learning Partners may be subject to one or more of the below sanctions. CILT(UK) AO may, at their discretion, impose the following sanctions against Learning Partners:

1. Written warning

A written warning to the Head of Learning Partner advising of the malpractice and warning that further action may be taken (including the application of sanctions and special conditions) should there be a recurrence, or subsequent malpractice at the Learning Partner.

2. Review and report procedures/action plans

The Head of Learning Partner will be required to review the Learning Partner’s procedures for the conduct or administration of a particular examination/assessment, or all examinations/assessments in general. The Head of Learning Partner will additionally be required to report back to the Awarding Organisation on improvements implemented by a set date. Alternatively, an action plan will be agreed between the Awarding Organisation and the Learning Partner which will need to be implemented as a condition of continuing to accept entries or registrations from the Learning Partner.

3. Approval of specific assessment tasks

The approval by the CILT(UK) AO of specific assessment tasks in situations where these are normally left to the discretion of the Learning Partner.

4. Additional monitoring or inspection

The Learning Partner may increase, at the Learning Partner’s expense, the normal level of monitoring that takes place in relation to their qualification(s).

5. Restrictions on examination and assessment materials

For a specified period of time a Learning Partner will be provided with examination papers and assessment materials shortly before such papers and materials are scheduled to be used. These papers might be opened and distributed under the supervision of the Awarding Organisation representative (or appointed agent) responsible for the delivery. The Learning Partner might also be required to hand over to an Awarding Organisation representative (or appointed agent) the completed scripts and any relevant accompanying documentation, rather than using the normal script collection or despatch procedures. These measures may be applied for selected subjects or all subjects.

6. Independent invigilators

The appointment for a specified period of time, at the Learning Partner's expense, of independent invigilators to ensure the conduct of examinations and/or assessments is in accordance with the published regulations.

7. Suspension of Learner registrations or entries

CILT(UK) AO may, for a period of time, or until a specific matter has been rectified, refuse to accept Learner entries or registrations from a Learning Partner. This may be applied for selected subjects/occupational areas or all subjects/occupational areas.

8. Withdrawal of approval for a specific qualification(s)

CILT(UK) AO may withdraw the approval of a Learning Partner to offer one or more qualifications issued by that Learning Partner.

9. Withdrawal of Learning Partner recognition/approval

The Awarding Organisation may withdraw its recognition or approval for the Learning Partner. This would mean that the Learning Partner will not be able to deliver or offer Learners the Awarding Organisation's qualifications. The regulators, relevant awarding organisations and other appropriate authorities will be informed if this action is taken.

At the time of withdrawal of Learning Partner recognition, where determined by an Awarding Organisation, a Learning Partner will be informed of the earliest date at which it can reapply for registration and any measures it will need to take prior to this application. Learning Partner which have had Learning Partner recognition withdrawn should not assume that re-approval will be treated as a formality.

Any expense incurred in ensuring compliance with the sanctions and/or special conditions will be borne by the Learning Partner.

Appendix 6: Guidance for Learning Partners on carrying out Malpractice investigations

Note: Learning Partners must seek permission from CILT(UK) AO in a timely manner before commencing a malpractice investigation on behalf of CILT(UK) AO. Depending on the circumstances, CILT(UK) AO reserves the right to conduct its own investigation.

Learner malpractice

The person gathering information on an allegation of Learner malpractice within a Learning Partner must collect the information and submit a report to CILT(UK) AO.

The person gathering information must have no personal or other potential conflict of interest in the outcome of that investigation.

The report must detail:

- who was involved in the incident, including candidates, members of staff and/or invigilators.
- the facts of the case, as established from information and/or statements from those involved.

The report must include:

- a clear account, as detailed as necessary, of the circumstances.
- details of the activities carried out by the Learning Partner.
- written statements from any tutors, invigilators, members of staff or other witnesses concerned, which must be signed and dated (where members of staff accused of malpractice decline the opportunity to provide a statement this must be made clear to CILT(UK) AO).
- written statements from any candidates concerned including in particular the Learner(s).
- alleged to have engaged in malpractice, which must be signed and dated (where Learners accused of malpractice decline the opportunity to provide a statement this must be made clear to CILT(UK) AO).
- any other information relevant to the allegation.

And, where appropriate:

- information about how the Learning Partner makes Learners aware of the awarding bodies' regulations.
- seating plans.
- any unauthorised material found in the examination room.
- photographic evidence of any material written on hands/clothing etc.
- any candidate work/associated material which is relevant to the investigation.
- any other relevant evidence.

If an allegation is delegated to a senior member of Learning Partner staff, the Head of Learning Partner retains overall responsibility for gathering the information and must first seek approval from CILT(UK) AO to delegate the information gathering.

In selecting a suitable senior member of staff, the head of Learning Partner must take all reasonable steps to avoid a conflict of interest.

Where a conflict of interest may be seen to arise, investigations into suspected malpractice must not be delegated to the manager of the section, team or department involved in the suspected malpractice. The person conducting the investigation must have no personal interest in the outcome of the investigation.

Malpractice investigation reports, evidence and supporting statements must be sent to CILT(UK)AO by email to: qualityassurance@ciltuk.org.uk

If at any stage during the investigation, the Learning Partner is unsure what to do, or requires advice and /or guidance, CILT(UK) AO must be contacted at qualityassurance@ciltuk.org.uk

Appendix 7: Additional guidance regarding malpractice in non-examination based assessments (e.g. Assignments and Projects)

This additional information for non-examination-based assessment is provided for the avoidance of doubt. The entirety of this policy continues to apply to these assessments, unless otherwise stated.

a) Types of malpractice in non-examination based assessments

Indicative examples of malpractice in non-examination based assessments are listed below, this list is not intended to be definitive or exhaustive.

Learners must not:

- Submit work which is not their own;
- Make available their work to other Learners through any medium
- Allow other Learners to have access to their own independently sourced material;
- Assist other Learners to produce work;
- Copy work from someone else or allow another Learner to copy from them
- Work with others (in person or remotely) so the Assignment is not the Learner's own independent work;
- Use Generative Artificial Intelligence (AI) tools, books, the internet or other sources without acknowledgement or attribution;
- Submit work that has been word processed by a third person without acknowledgement;
- Include inappropriate, offensive or obscene material;
- Publicise or share the Assignment Brief or their work. This includes sharing paper or electronic copies (e.g., in person or via email, screen sharing, online or social media)
- This includes after the work has been completed and results and/or certificates have been issued.

Learning Partners also must not:

- Go beyond the stated limits of advice to Learners preparing their assignments so the Assignment is not the Learner's own independent work
- Allow Learner's to collaborate in the writing of their Assignments or allow copying of work by or from another Learner
- Amend Learner's work e.g. after it has been submitted to the Learning Partner but before it is submitted to CILT(UK) AO
- Submit work that is not the Learner's own
- Publicise or share Learner assignments. This includes sharing paper or electronic copies

b) Plagiarism

Definition:

“unacknowledged copying from, or reproduction of, third party sources or incomplete referencing (including the internet and AI tools);” (Joint Council for Qualifications)

Plagiarism refers to a Learner copying work and submitting it as their own. This can involve published resources (whether in print or on the internet), AI-generated content, essays, or pieces of work previously submitted for assessments by others or manufactured artefacts. Copying can involve memorisation and reproduction of text.

It is a form of academic Malpractice which is taken very seriously.

Plagiarism can be detected in a number of ways:

- Assessors can identify changes in the style of writing and use of language
- Assessors are highly experienced subject specialists who are very familiar with work on the topic concerned and the relevant sources
- Internet search engines and specialised computer software can be used to match phrases or pieces of text with original sources and to detect changes in the grammar and style of writing or punctuation

Learners, Tutors and Learning Partners must bear in mind that each Assignment must be the Learner's own original and independent work.

- Where a source compiles material from other sources (e.g. Wikipedia, Generative A.I. tools), the relevant content must be checked, and the original sources referenced accordingly by the Learner within the assignment text and in the Bibliography before submission
- The Learner is responsible for ensuring the accuracy and authenticity of all text and references included in their work before submission.

Learners must always bear in mind that each Assignment must be their own original and independent work. An Assignment submitted that substantially consists only of material taken from one or multiple sources (whether referenced or not), is likely to be the subject of a Suspected Malpractice investigation.

c) Suspected malpractice identified prior to the Learner signing a declaration of authenticity

If suspected irregularities related to an Assignment are identified by a Learning Partner before the Learner has signed the declaration of authentication, the Head of Learning Partner must report the case to CILT(UK) AO immediately, as set out in [Section 9](#) of this policy document: .

d) Suspected malpractice identified after the Learner has signed a declaration of authenticity

If suspected irregularities related to an Assignment are identified by a Learning Partner after the Learner has signed the declaration of authentication, the Head of Learning Partner must report the case to CILT(UK) AO immediately, as set out in [Section 9](#) of this policy document: .

Where a report of suspected malpractice is received from an Assessor during the marking process, CILT(UK) AO will, where necessary, conduct a full investigation into the alleged malpractice and report his/her findings to the Head of Learning Partner. In some cases, CILT(UK) AO may request the Head of Learning Partner to conduct the investigation and to report the findings to CILT(UK) AO. Full details will be provided to the Learning Partner where a suspected malpractice investigation is launched.

CILT(UK) AO reserves the right to submit Learner work to third party IT service providers to detect potential and suspected malpractice. Any such submissions will be done in a way which protects the identity of the Learner.

e) Role of the Learning Partner and Tutors in preventing and identifying potential malpractice

The Head of Learning Partner must ensure that those members of tutorial staff involved in the direct supervision of Learners writing Assignments are aware of the potential for malpractice.

Teaching staff must be reminded that failure to report allegations of malpractice or suspected malpractice constitutes malpractice in itself. Teaching staff must:

- Be vigilant in relation to Learner malpractice and be fully aware of the published regulations;
- Escalate and report any alleged, suspected or actual incidents of malpractice to the Head of Learning Partner's or directly to CILT(UK) AO, following the Learning Partner's whistleblowing procedures where relevant
- Learning Partners found not complying with CILT(UK) AO requirements regarding Assignments may be subject to a Suspected Malpractice investigation.

f) Role of Learners in identifying and preventing potential malpractice

Learners that suspect malpractice during the Assignment preparation process may report this to CILT(UK) AO directly, as set out in [Section 9](#) of this policy document.

g) Investigations and Sanctions

For the avoidance of doubt, if an Assignment is submitted and the outcome of a Suspected Malpractice investigation finds that CILT(UK) AO regulations have been broken, penalties include but are not limited to:

- the Assignment will be awarded zero marks;
- the Learner is disqualified from that unit for that examination series;
- the Learner is disqualified from the whole qualification for that examination series;
- the Learner is disqualified from one or more qualifications and barred from entering again for a period of time decided by CILT(UK) AO.

h) Further information

Detailed information is available in this policy document.

If in doubt or circumstances arise which are not covered in this document, a Learner should contact their Learning Partner in the first instance. The Learning Partner can then contact CILT(UK) AO for advice if necessary via: qualityassurance@ciltuk.org.uk