

# Malpractice Procedure

## Peep Progression Pathway

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## 1 Introduction

Malpractice encompasses a wide range of inappropriate behaviour by either the Delivery Centre or the learner - these two aspects of malpractice are explained in more detail below. Depending on the seriousness of these behaviours this can result in the learner not being allowed to continue with the unit, or the Delivery Centre's authorisation to offer Peep Progression Pathway units being withdrawn.

## 2 Learner malpractice

Learner malpractice includes:

- **Plagiarism** – taking someone else's work or ideas and trying to pass them off as their own. This includes, but is not limited to:
  - direct copying.
  - cutting and pasting from the internet.
  - using another person's work without the use of quotation marks or identifying them as being the sources. This includes diagrams and illustrations that are not labelled.
- **Collusion** – working together on a task with another person then submitting it as their own work when the task should have been completed by them alone. This may include:
  - two or more learners working together on their respective coursework.
  - a learner submitting the work of another learner (with their consent) as their own individual work.
  - paying someone to produce a piece of work on the learner's behalf.
- **Offensive or inappropriate behaviour** or using **offensive or inappropriate material** in an assessment.
- **Cheating** –
  - an Assessor providing too much support (can lead to disempowering a learner).
  - pretending to be someone else, or having someone pretend to be you.
  - copying or reading from the work of another learner.
  - offering a bribe to an Assessor or IQA Officer.
  - learner fabricating or falsifying information (learner or Assessor).

### 2.1 Minimising the risk of learner malpractice

Assessors can help learners avoid malpractice by:

- clearly defining the different types of malpractice during the learner induction/highlighting through the group agreement and emphasising their seriousness and potential consequences.
- providing guidance on the 'boundaries' of joint working. For example, it is fine to discuss and share ideas but each learner must prepare and present their own evidence.
- encouraging creative approaches for candidates to collect and present their evidence.
- creating additional 'group portfolio pages' to record non-assessed group learning.

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Assessment processes should include questioning and observation to ensure that assessment evidence is the learner's own work. Each learner will be required to sign a declaration confirming that the evidence in their portfolio is their own work ([Learner Registration and Declaration](#)).

Learners will be supported by their Assessors on practical tasks. However, there is a difference between providing support, and taking over their work – this can result in disempowering a learner. Learners who are deemed as competent in the Peep Progression Pathway units that have been SCQF credit-rated by SQA should feel confident they can undertake other courses with the same SCQF credit rating. It is therefore in their own interests to get an accurate assessment of their performance so that they can plan further progression as learners.

## 2.2 Responding to learner malpractice

Learner malpractice should not be tolerated by Delivery Centres, although it can be difficult to ascertain whether there has been plagiarism, collusion, copying or impersonation where learners complete written exercises in pairs or small groups, or with a learning buddy. In such cases learners' answers may be very similar, in which case practitioners and Assessors can ask supplementary oral questions to confirm candidates have the required level of knowledge and understanding, which should be recorded in the [Assessment Log & Declaration](#). Assessors should look for work which reflects the learners' personal style.

If an Assessor or IQA Officer suspects a learner of malpractice, they must challenge it by following the process below.

### Step One

An informal discussion between **Assessor** and **Learner** to establish:

- The source of the work presented
- The learner's understanding of the concepts or theories which the assessment is measuring

**Either** the learner shows sufficient knowledge and understanding to confirm the work is their own  
**Or** if this is in doubt but the learner maintains the work is their own, proceed to **Step Two**.



### Step Two

A formal meeting between **Assessor** and **Learner**

- The **Assessor** provides evidence of malpractice, e.g. copies of other learners work/sources of text.
- The learner is asked to resubmit the work.



### Step Three

An assessment of resubmitted work

- a) If the work is now clearly the learner's own the assessment can proceed.
- b) If some changes have been made but evidence of malpractice remains – the learner is issued with a warning and given the opportunity to resubmit their work.
- c) If the work is unchanged – the learner is withdrawn from completing the unit and the People EQA officer are notified of the reasons for this.

### 3 Delivery Centre malpractice (learner complaints)

#### **Important note**

*Delivery Centres who already have a Malpractice or Complaints Procedure in place for learners may use their own. The system described below is an example Malpractice Procedure for Delivery Centres to follow if they do not have one in place. Please contact the People Qualifications Manager ([pathwayscotland@people.org.uk](mailto:pathwayscotland@people.org.uk)) if you require further support and guidance.*

*Please note that Delivery Centre malpractice does not include concerns relating to assessment. Where a learner is unhappy with an assessment decision, please follow the [Appeals Procedure](#).*

Delivery Centre malpractice relating to the Peep Progression Pathway may include incidents where:

- the Delivery Centre staff have not provided enough care or support for learners, or have not observed their own policies and procedures correctly.
- the standards of programme delivery – assessor conduct, the learning environment, organisation, course materials, timekeeping, resources or information – or the course, are not of high enough standard.

If a learner wishes to raise an issue relating to Delivery Centre malpractice, they will need to follow the following process and complete a [Learner Complaints Form](#) (included in this document).

#### **3.1 Learner complaints process**

Learners who feel that any aspect of programme delivery is unfair or not of an appropriate standard should feel confident that their comments or complaints will be listened to and responded to. Delivery Centres should aim to provide an open and fair approach to their work at all times. They should ensure that there is no negative attitude by staff towards learners who wish to report Delivery Centre malpractice.

Informal discussions often resolve issues that arise. Approaching staff for an informal discussion does not affect the learner's right to make a formal complaint.

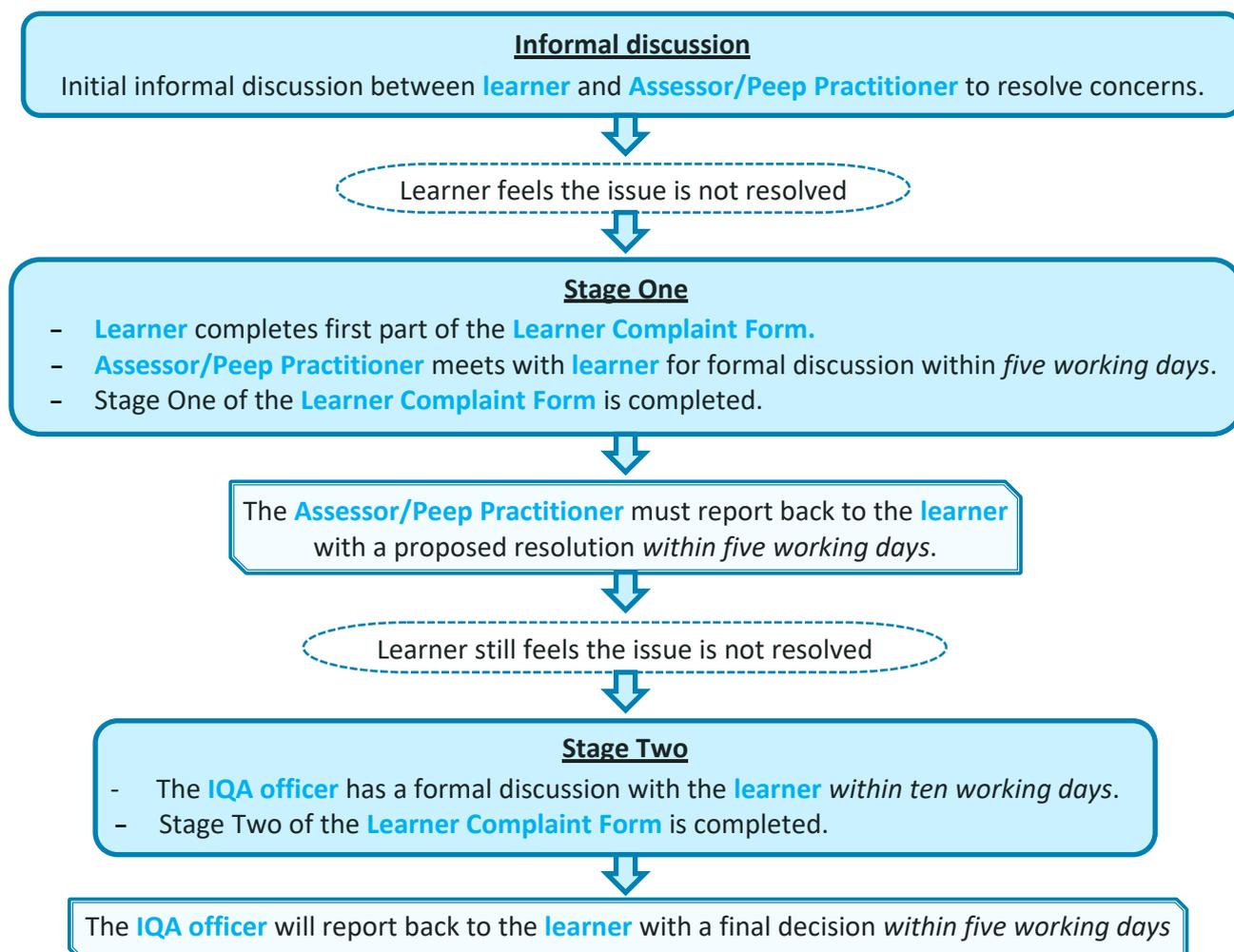
##### **3.1.1 Meetings**

The learner can always ask for someone to accompany them to any meetings for support. The Assessor or IQA Officer can also ask for someone to accompany them to meetings, but this should not be anyone who may be involved in any later stages of the complaints process.

##### **3.1.2 Records of Delivery Centre malpractice**

The [Learner Complaints Forms](#) should be stored securely throughout the process in accordance with GDPR requirements. They should be available to the People External Quality Assurance (EQA) Officer on request and during the annual visit to ensure they have been dealt with fairly and properly. These will not prejudice the final outcomes of awards to learners. To ensure we continue to learn and improve, People will review the complaints that Delivery Centres have received as part of our internal annual review of Peep Progression Pathway delivery.

### 3.1.3 Learner complaints – Flow diagram



### 3.1.4 Stage One

- The **Learner** completes the first section of the **Learner Complaint Form** and passes it to the **Assessor/Peep Practitioner**. It will be accepted as a paper copy or by email.
- The **Assessor/Peep Practitioner** (as appropriate) will arrange a formal meeting with the **learner** to discuss the complaint *within five working days* of receiving the **Learner Complaint Form**. (Note: In the case of absence or holiday, the time commences from the point that the **Assessor/Peep Practitioner** first sees the document.)
- At the end of the discussion both **learner** and **Assessor/Peep Practitioner** must complete **Stage One** of the **Learner Complaint Form**. This formally records both their views.
- If follow up action is required to resolve the complaint this should be reported to the **learner** *within five working days* of the meeting. This will contain a proposed resolution and timescales for action.

If at the end of this process the **learner** feels that their complaint remains unresolved they should proceed to Stage Two.

### 3.1.5 Stage Two

- The **Peep Practitioner/Assessor** should pass the **Learner Complaint Form** to the **IQA Officer**.
- The **IQA Officer** will arrange a formal meeting with the **learner** *within ten working days* of receiving the **Learner Complaint Form** to discuss the complaint. *(Note: In the case of absence or holiday, the time commences from the point that the **IQA Officer** first sees the document.)*
- In the meeting, the learner must be given the fully opportunity to state the grounds for their complaint, giving evidence where appropriate.
- At the end of the discussion both **learner** and **IQA Officer** must complete **Stage Two** of the **Learner Complaint Form**. This formally records both their views.
- The IQA Officer must provide a written response to the candidate *within five working days* of the meeting. The response should give details of their decision and the reasons for it.
- The letter will state that this is the final stage of the process.

# Malpractice procedure

## Learner Complaint Form

**Initiating a complaint** – We recommend you discuss the reason for your complaint with your Peep Practitioner/Assessor before starting this complaints process. If your complaint has not been resolved, please complete the questions below and pass a copy of this form to your Peep Practitioner/Assessor

<b>Learner Name</b>		<b>Contact telephone No.</b>	
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Name of course (e.g. <i>Development of Babies</i> )	
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Approx. end date of course	
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Course location	
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Name of Peep Practitioner/Assessor	
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Have you had an informal discussion with your Peep Practitioner/Assessor about the reasons for your complaint?	Yes / No (Please circle)
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What aspect of the course does your complaint refer to?	
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Please give a brief description of the reason for your complaint.	Signature:.....
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**Stage One (The questions below must be completed by the learner and the Peep Practitioner/Assessor.)**

Date form received by Peep Practitioner/Assessor	
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Date of meeting between learner and Assessor	
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<b>Details of other people present</b>	Requested by the learner	
	Requested by the Assessor	

<b>Outcome of discussion – Resolved?</b>	Yes / No (Please circle)
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<b>Continue to Stage Two?</b>	Yes / No (Please circle)
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Comments from the learner	Signature:.....
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Comments and/or follow up action from the Assessor	Signature:.....
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<b>Stage Two – Pass this form to the Internal Quality Assurance (IQA) Officer (Peep Manager). (The questions below must be complete by the learner and IQA Officer.)</b>			
Name of IQA Officer (Peep Manager)			
Date form received by IQA Officer			
Date of meeting between learner and IQA Officer			
<b>Details of other people present</b>	Requested by the learner		
	Requested by the IQA Officer		
<b>Written response provided to learner</b>		Yes / No <i>(Please circle)</i>	Date
Comments from the learner			
Comments and/or follow up action from the IQA Officer (Peep Manager)	<p style="text-align: right;"><b>Signature:</b>.....</p>		
<b>Learner data sharing consent</b>			
<p><b>By signing this form I confirm that the details provided are accurate to the best of my knowledge and agree with the following statements (please tick <input checked="" type="checkbox"/>).</b></p> <p><input type="checkbox"/> I agree that &lt;&lt;name of Delivery Centre&gt;&gt; will keep the personal details on this Learner Malpractice form and transfer my data to Peep. This data will be used by the delivery centre offer the appropriate support needed to conduct your appeals case. Your data will be stored securely on the Peep database for fifteen months to allow us to carry out quality assurance and to respond to appeals queries. For more information, please view our privacy policy at <a href="https://www.peep.org.uk/privacy-policy">https://www.peep.org.uk/privacy-policy</a>.</p> <p>I confirm that the details I have provided on this form are accurate to the best of my knowledge.</p>			
<b>Learner Signature</b> .....		<b>Date</b> .....	