

# LAMDA

## LAMDA Examinations Malpractice and Maladministration Policy

### Introduction

This document sets out LAMDA's policy with respect to the management of suspected, alleged or actual malpractice or maladministration on the part of Learners, Centre Staff, LAMDA staff and/or any others involved in the examinations process.

This policy explains the steps a Centre, Learner, or others must follow when reporting alleged or actual cases of malpractice / maladministration, and LAMDA's responsibilities and processes when investigating suspected, alleged or actual malpractice or maladministration.

LAMDA will ensure that those who submit an allegation regarding Malpractice or Maladministration will not be disadvantaged in any way by doing so.

### What are Malpractice and Maladministration?

**Malpractice** is defined as any deliberate action or practice undertaken with the intention to compromise:

- The assessment process.
- The integrity of a qualification.
- The validity of a result or certificate.
- The reputation and credibility of LAMDA Examinations.
- The qualification or the wider qualifications community.

Failure by any party to notify, investigate and / or report any allegations of malpractice, or suspected malpractice to LAMDA Examinations, constitutes malpractice in itself.

**Maladministration** is defined as any actions or practices which result in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a Centre. This is usually the result of carelessness and / or inexperience.

OFQUAL and CCEA Regulation set out the regulatory requirements for awarding organisations with regard to malpractice and maladministration in the General Conditions of Recognition, Condition A8: Malpractice and Maladministration. In addition, Malpractice and Maladministration regulations relating to Qualifications Wales can be found in the Standard Conditions of Recognition, Condition A8.

### Identification of Malpractice and Maladministration

Instances of Malpractice and Maladministration arise for a variety of reasons:

- Some are intentional actions which aim to give an unfair advantage in an assessment.
- Some arise due to a lack of knowledge or understanding of the regulations or carelessness in applying the regulation.

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Some occur as a direct result of circumstances which are beyond the control of those involved.

There are a number of ways LAMDA identifies cases of suspected malpractice and maladministration, including:

- Feedback and referrals from Examiners and Stewards.
- On-going quality assurance activity and monitoring.
- Intelligence, complaints or feedback received.
- Information provided by other organisations e.g. other Awarding Organisations or the Regulators.

Suspected malpractice and maladministration may be identified by:

- Internal or External Quality Assurance Staff.
- Examiners.
- Centre Coordinators.
- Whistleblowers (please see the LAMDA Examinations Whistleblowing Policy for further information).
- Learners.
- OFQUAL, CCEA Regulation or Qualification Wales.
- Employees of LAMDA.
- Other stakeholders e.g. Parents or members of the public.

Irrespective of the underlying cause, or the people involved in the allegation of malpractice or maladministration, LAMDA Examinations will conduct a full investigation and will take action with respect to the individual(s) / centre(s) concerned, to maintain the integrity of LAMDA qualifications.

## Reporting Procedure

If an allegation of malpractice or maladministration is to be made, LAMDA Examinations should be contacted as soon as possible:

Email: [exams@lamda.ac.uk](mailto:exams@lamda.ac.uk)  
Telephone: 0208 834 0530

Receipt of the allegations will be acknowledged within three working days. All allegations will be passed to the Quality and Compliance Manager (QCM) for further investigation.<sup>1</sup>

## Confidentiality and Whistleblowing

LAMDA always encourages openness and accountability and as such the preference would be to reveal identity when reporting. Where there are concerns about possible adverse consequences however, anonymous claims can be made via the LAMDA Examinations Whistleblowing Policy.

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<sup>1</sup> Should the report, allegation, or evidence indicate that the malpractice or maladministration may involve a member of the Quality and Compliance Team, the case will be passed to the Head of Examinations.

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## Investigation Procedure

Upon receipt of a report, an allegation, or evidence of suspected or actual malpractice or maladministration, LAMDA will allocate a relevant member of the team to the role of 'Lead Investigator' (LI). The LI will always be a person who has a suitable level of training, authority and has had no previous involvement or personal interest in the matter.

LAMDA will aim to conclude all investigations within 15 working days, however where the case is more complex and this is not possible, updates will be provided at least every 15 working days until outcomes can be communicated.

Malpractice or maladministration investigations will:

- Aim to establish the facts and identify whether malpractice or maladministration has occurred.
- Be rigorous, fair, courteous, legal and will be carried out without bias or prejudice.
- Be carried out in a manner that is sensitive to the effects on the reputation of those involved.
- Collect evidence which will be stored securely for five years.

As part of the investigation, the LI may make contact with Learners, Centre Coordinators, Examiners to ask questions, or request evidence. All requests will be carefully considered to ensure they are reasonable, fair and effectively inform the investigation.

## Investigation outcomes

If there is sufficient evidence to suggest that a centre/individual has committed malpractice or maladministration, LAMDA will:

- Inform the involved parties of the allegation and the evidence.
- Provide them with a reasonable opportunity to consider and respond to the allegations.
- Consider responses and additional evidence received, prior to making final decisions.

If the investigation confirms that malpractice or maladministration took place, LAMDA will:

- Promptly apply reasonable steps to prevent, correct and mitigate the risk of Adverse Effects<sup>2</sup>.
- Take proportionate action against those responsible, in line with the LAMDA Examinations Sanctions Policy.
- Inform relevant parties of the outcome and any Sanctions to be applied.
- Provide those implicated with an opportunity to Appeal via the LAMDA Examinations Appeals Policy.

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<sup>2</sup> Adverse effects are defined by Ofqual as 'an act, omission, event, incident or circumstance that gives risk to prejudice to Learners or potential Learners; or adversely affects the ability of the awarding organisation to undertake the development, delivery or award of qualifications in a way that complies with its Conditions of Recognition, the standards of qualifications or public confidence in qualifications.'

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**Please note:** Where allegations have been made by a third party, we will aim to provide updates and summaries of the outcomes, however, depending on the sensitivity of the case, this may not be possible.

## Appendix 1 – Examples of Malpractice and Maladministration

### Examples of Malpractice

The following are examples of **Centre** malpractice. This is not an exhaustive list and does not limit the scope of the definitions set out earlier in this document:

- Giving inappropriate assistance to Learners during the examinations.
- Impersonating a Learner or conniving at impersonation.
- Attempting to influence the Examiner's assessment by:
  - Offering incentives.
  - Using threatening or intimidating behaviour.
- Providing false supporting documentation e.g. a falsified letter from SENCO.
- Falsifying results sheets, report forms or certificates.
- Discriminating against learners.
- Deliberate misuse of the LAMDA Examinations logo and / or misrepresentation of a centre's relationship with LAMDA Examinations.
- Intentional withholding of information which is critical to maintaining the rigour of quality assurance and standards of qualifications.

The following are examples of **Learner** malpractice. This is not an exhaustive list and does not limit the scope of the definitions set out earlier in this document:

- Assuming the identity of another learner, or having someone else assume their identity during an examination.
- Plagiarism.
- Deliberately behaving in such a way as to undermine the integrity of the assessment.
- The use of unauthorised aids during an examination.
- Deliberate submission of false information to gain a qualification.
- The alteration or falsification of any assessment document, including examination reports or certificates.
- The deliberate destruction of another Learner's work.
- Unauthorised third parties being present in the Exam Room during remote on line assessments.
- Notes or scripts being used when not allowed and authorised as part of the assessment (e.g. unless explicitly stated in the relevant syllabus, or authorised as part of a Reasonable Adjustment application).
- The Learner not using their own words to create written or verbal answers to knowledge questions.
- Inappropriate use of Generative Artificial Intelligence to generate responses, or to offer prompts.

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## Examples of Maladministration

The following are examples of maladministration. This is not an exhaustive list and does not limit the scope of definitions set out earlier in this document:

- Failing to ensure that the examination venue conforms to LAMDA Examinations' requirements as stated in the relevant Centre and Teacher Guides.
- Failing to post notices relating to examinations or assessments outside all rooms where examinations and assessments are taking place.
- Unreasonable delays in responding to requests and / or communications from LAMDA Examinations.
- Failing to provide information and / or documentation when requested.
- Failing to start an examination on time.
- Making unauthorised changes to examination timetables, including adding unregistered Learners to the timetable on the day.

## Version control

Version number	Date	Initial	Comments
V1	08.09.2022	KR	New Document
V1.1	01.06.2023	KR	Updated examples of MP and investigation SLAs