

# Malpractice and Maladministration Policy

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# Malpractice and Maladministration Policy

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### **Policy Statement**

Trinity College London (“Trinity”) is committed to upholding the integrity of its qualifications. It is also committed to ensuring that all candidates taking Trinity exams at a Registered Exam Centre (‘centre’) do so under similar conditions at each centre and therefore have an equal opportunity to demonstrate their abilities.

Accordingly, Trinity will not tolerate any act or omission, or any attempted act or omission, that is or results in cheating, unfair practice or a breach of its rules and regulations. Candidates found to have committed any of the above will, at Trinity’s discretion, be disqualified from the exam. Similarly, centres found to have committed or colluded in any of the above will, at Trinity’s discretion, be deregistered, and affected candidates will have their marks voided.

### **Scope**

This policy applies to all candidates taking Trinity exams and to all centres registered with Trinity to provide Trinity exams. This includes all Secure English Language Test (SELT) exams taken at Trinity’s dedicated SELT centres.

### **Purpose of the Policy**

This purpose of this policy is to:

- define malpractice and maladministration;
- set out the rights and responsibilities of Trinity, centres and candidates in relation to such matters; and
- describe the procedures to be followed in cases where there is reason to suspect malpractice or maladministration.

### **Definitions of malpractice and maladministration**

Malpractice means any act or omission, or attempted act or omission which:

- breaches Trinity’s rules and regulations for its exams;
- compromises the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- prejudices or otherwise damages the authority, reputation or credibility of Trinity as a regulated awarding organisation or damages the authority, reputation or credibility of a centre or its staff (including any contractor, consultant or other person acting on the centre’s behalf).

Malpractice can arise from a variety of reasons. It can be intentional, done with the aim of giving a candidate an unfair advantage in an exam or assessment. It can be unintentional or negligent, arising through ignorance, carelessness or forgetfulness about Trinity’s rules and regulations. It can also arise through circumstances beyond the control of those involved, such as where disruption is caused to an exam by an external event or unplanned incident.

Maladministration is a type of malpractice committed by a centre relating to the administration of exams. Maladministration is usually unintentional and arises from mistake, ignorance, carelessness or forgetfulness about Trinity’s rules and regulations for its exams.

Irrespective of the underlying causes of the malpractice or maladministration, or the people involved, all allegations of malpractice or maladministration in relation to Trinity exams and assessments need to be investigated by Trinity in order to protect the integrity of its qualifications, and to be fair to all candidates and centres.

### **Candidate malpractice**

‘Candidate Malpractice’ means malpractice by a candidate in the course of any exam or assessment, including in the compilation of portfolios, the writing of any exam paper, and in oral and practical exams. Examples of candidate behaviour which would be the subject of an investigation into malpractice are set out below. This is not an exhaustive list and as such does not limit the scope of the definitions set out in this policy. Moreover, as Trinity’s requirements vary depending on the subject and type of exam, not all of the examples may be applicable. Trinity reserves the right to define instances of malpractice at its discretion.

- Behaving in such a way that enables the candidate to gain an unfair advantage.
- Altering official documentation such as exam report forms, individual marksheets and certificates.
- Impersonating a candidate.
- Providing a false form of identification.
- Plagiarising texts from another source including the internet.
- Cheating or attempting to cheat by copying another’s work or allowing another candidate to copy his/her work.
- Colluding or attempting to collude with other candidates.
- Communicating with a third party or being communicated to by a third party during the exam, either in person or via an electronic device.
- Talking to, giving anything to or distracting another candidate during the exam.
- Being in possession of and/or using unauthorised aids such as notes or electronic devices in the exam room.
- Wearing or using smart glasses or any other wearable technology capable of recording, transmitting, receiving, or displaying information during an exam.
- Obtaining or attempting to obtain confidential exam material (prior to and/or during the exam).
- Disseminating confidential exam material to others.
- Making an audio or video recording of an exam (e.g. on a mobile phone).
- Attempting to influence the examiner’s assessment by offering incentives of any kind or by using threatening behaviour before, during or after the exam session.
- Attempting to influence the steward, supervisor, invigilator or other centre staff by offering incentives of any kind or by using threatening behaviour before, during or after the exam session.
- In written exams, starting the exam before being told to do so, or failing to stop writing at the end of the exam when told to do so, by the supervisor or invigilator.

- Removing any materials other than the candidate's personal possessions from the exam room.
- Using unauthorised photocopies (e.g. of sheet music) in an exam.

### **The use of AI in Trinity exams**

Trinity does not prohibit the use of AI in assignments that are submitted for assessment as part of an exam. However, any use of AI must be listed in the relevant assignment reference section, as with any other external resources that have been used for an assignment.

Failure to declare use of AI resources will be treated in the same way as any other omission of references and be considered as plagiarism, resulting in a fail grade being awarded for the relevant assignment and possible disqualification from the overall qualification. Please refer to the relevant qualification specifications for details on referencing and plagiarism.

### **Centre malpractice**

'Centre malpractice' means malpractice committed by a member of staff (including any contractor, consultant or other person acting on the centre's behalf) at a centre. Examples of centre behaviour which would be the subject of an investigation into malpractice are set out below. This is not an exhaustive list and as such does not limit the scope of the definitions set out in this policy. Moreover, as Trinity's requirements vary depending on the subject and type of exam, not all of the examples may be applicable. Trinity reserves the right to define instances of malpractice at its discretion.

- Altering official documentation such as exam report forms, individual marksheets and certificates.
- Attempting to influence the examiner's assessment by offering incentives of any kind or by using threatening behaviour before, during or after the exam session.
- Attempting to influence others involved in the delivery of the exams.
- Removing confidential exam material or retaining copies of such.
- Disseminating confidential exam material.
- Failing to keep exam papers secure before an exam session.
- Tampering with candidates' papers or allowing candidates to tamper with papers before or after the exam.
- Providing unauthorised assistance to candidates, for example in their ISE portfolios or in their preparation time for drama exams.
- Assisting candidates during exams by interpreting questions or providing answers.
- Enabling candidates to have access to forbidden material in the exam room.
- Enabling candidates to communicate during exam sessions.
- Making an audio or video recording of an exam.
- Allowing the impersonation of a candidate.
- Providing false supporting documentation, e.g. a false course attendance letter.

### **Centre maladministration**

Examples of centre behaviour which constitute maladministration are set out below. This list is divided into examples of minor and serious maladministration. However, it should

be noted that minor maladministration may constitute serious maladministration if it is persistent or intentional.

This is not an exhaustive list and as such does not limit the scope of the definitions set out in this policy. Moreover, as Trinity's requirements vary depending on the subject and type of exam, not all of the examples may be applicable. Trinity reserves the right to define instances of maladministration at its discretion.

### **Examples of minor maladministration**

- Not issuing full instructions to candidates as specified in the 'Instructions for Supervisors and Invigilators' before the start of the exam.
- Failing to provide the candidates with sufficient information to complete the details on the question paper or answer sheet.
- Failing to start the exam on time.
- Not announcing and/or displaying the start and finish time for each exam.
- Failing to display the 'Notice to Candidates' where it can be seen easily by candidates.
- Having no working clock visible in the exam room or having a clock at the back of the room behind candidates (not visible without turning round).
- Allowing candidates to leave the room within the last 15 minutes of the exam (Not applicable for written SELT exams where candidates are not permitted to leave before the end of the exam).
- Not checking that candidates have completed their details.
- Failing to remind candidates of the time remaining in the exam.

### **Examples of serious maladministration**

- Not carrying out ID checks as required by Trinity.
- Opening the security bag prior to entering the exam room or opening it in an incorrect manner (e.g. by pulling the bag apart in a way that suggests it has been tampered with).
- Failing to allocate the correct time for an exam or conducting the exam at a time different from the authorised time.
- In drama exams, failing to give candidates the correct time for preparation or failing to isolate candidates during the preparation time.
- Seating candidates too closely together or so that they are facing each other.
- Candidates being left unsupervised during the exam or the invigilator(s) not giving full attention to invigilating.
- Allowing candidates to leave the room unsupervised during an exam or between consecutive exams.
- Allowing persons other than the steward, supervisor, invigilator or candidates into the exam room during the exam.
- Not completing the exam documentation accurately, such as the seating plan and supervisor's report.

### **Reporting Suspected Malpractice and Maladministration**

Cases of suspected malpractice and maladministration may be reported by a number of sources, such as:

- By the centre, e.g. in a report from the supervisor.
- By the candidate, e.g. in a letter to Trinity or its representatives.
- By an examiner, marker or inspector, e.g. in the examiner's report.

### **Investigation Procedure for Suspected Malpractice and Maladministration Information collection**

Trinity has various ways of collecting information regarding the conduct of an exam session, for example:

- Centre report forms completed by examiners and/or centres for each centre visited. Examiners are required to report any incidence of suspected malpractice.
- Recordings of speaking and listening, and interview sessions.
- Supervisors' reports of written exam sessions, including seating plans.
- Inspection visit reports completed by Trinity inspectors.
- Centre reports and candidate statements which are requested at the time of notification of an investigation being conducted.
- Appeals documentation.
- Reports from written paper markers.

### **Suspected malpractice by a candidate**

In the case of suspected malpractice by a candidate, the Malpractice Investigations Panel (the 'Panel') will look at the available evidence (e.g. written papers, supervisor's report etc.) and decide whether there is a case to answer. If the Panel feels that there is no case to answer, it will recommend that the candidate's results are released. If it feels that there is a case to answer, it will recommend that the candidate's results are withheld. In some cases, a decision to void the result will be made at this stage in the process. In such cases, the candidate will be informed of this decision, either directly or via the centre.

If the Panel decides to investigate the case further, the candidate will be informed of its decision either directly or via the centre. In the case of the latter, the centre is asked to inform the candidate and to act as an intermediary between Trinity and the candidate during the investigation.

The candidate will be informed which results will not be released until the investigation is complete and may be requested to provide a statement concerning the alleged malpractice. The candidate will be given 10 working days from the date of the notification in which to respond.

Further evidence may be sought by the Panel from the centre, the examiner, marker or, if applicable, inspector about the session or the candidate's work or behaviour.

The Panel will then reconsider all the evidence, taking into account any additional information, including any statement by the candidate.

If it is decided that the candidate's results can be released, the original results will be issued. If it is decided that the results should be withheld indefinitely, the paper for each component in which malpractice has been confirmed will be voided and zero marks awarded. Please note that any candidate whose exam is voided for malpractice will not be allowed to take another Trinity exam. In addition, a candidate whose SELT exam has been voided for malpractice will be reported to the Home Office, which could impact any existing or future visa or settlement application.

The procedure is designed to ensure that all decisions are fair, consistent and based on the fullest information available. We usually aim to complete the investigation of malpractice cases within 30 working days of Trinity having all the information necessary to conduct its investigation (21 days from the date of the exam for SELT ISE and 7 days from the date of the exam for SELT GESE investigations).

There is an appeals procedure for candidates who wish to appeal against a malpractice decision. Information about the appeals procedure can be found on [www.trinitycollege.co.uk/appeals](http://www.trinitycollege.co.uk/appeals)

### **Suspected malpractice or maladministration by a centre**

In the case of suspected malpractice or maladministration by a centre, the Panel will look at the available evidence (e.g. written papers, seating plan, examiner's report, etc.) and decide whether there is a case to answer. If the Panel feels that there is no case to answer, it will recommend that the relevant results are released. If it feels that there is a case to answer, it will recommend that the relevant results are withheld. The results withheld could be the results of an individual candidate or selected candidates, or of the whole exam session at a particular centre.

If the Panel decides to investigate the case further, the centre will be informed that an investigation is being conducted. The Panel will either notify affected candidates directly or through the centre. In the case of the latter, the centre is asked to inform the affected candidates and to act as an intermediary between Trinity and the candidate in the investigation if appropriate. For SELT exams, any concerns with SELT candidates are raised by SELT centres via the Central Operations team in Preston and referred to Trinity's SELT Security team. Candidates are informed by SELT centre staff that their result will be withheld pending a decision by the SELT Security team.

The centre will be informed which results will not be released until the investigation is complete and will be requested to provide a report concerning the alleged malpractice or maladministration. If required, specific information may be sought at this point. The centre will be given ten working days from the date of the notification in which to respond.

The centre may also be suspended from enrolling new candidates for Trinity exams or from holding exams for enrolled candidates until the investigation is complete. If this happens, the centre may be required to permit affected candidates to take their exams during the investigation at another centre designated by Trinity.

Further evidence may be sought from candidates, the examiner, marker or, if applicable, inspector about the session.

The Panel will then reconsider all the evidence, taking into account the centre's report and any additional information.

If it is decided that there is no case to answer, the candidate's original results will be issued. If the suspected malpractice or serious maladministration is confirmed, the following action can be taken:

- All results for the session in question may be voided;
- All the results for the component of the exam for which there is confirmation of malpractice or serious maladministration may be voided;
- Trinity may, at its discretion, offer re-sits to affected candidates and, if so, the centre may be required to hold those re-sits with a Trinity inspector in attendance or permit the affected candidates to take their re-sits at another centre designated by Trinity;
- The centre may have its status downgraded to 'restricted' meaning that it will be restricted in the actions it is permitted to perform in connection with the conduct of Trinity exams at the centre; and/or
- The centre may be deregistered or suspended indefinitely.

In the case of a finding of maladministration that is deemed to be minor, the centre will be given guidance as to how to prevent such actions from being repeated in the future.

The procedure is designed to ensure that all decisions are fair, consistent and based on the fullest information available. We usually aim to complete the investigation of malpractice or maladministration cases within 30 working days of Trinity having all the information necessary to conduct its investigation.

There is an appeals procedure for candidates and/or centres that wish to appeal against a malpractice or maladministration decision. Information about the appeals procedure can be found on [www.trinitycollege.co.uk/appeals](http://www.trinitycollege.co.uk/appeals)

### **Reporting Malpractice**

Reporting an instance of malpractice is different from making a complaint or appeal. A complaint is usually a grievance and could relate to poor administration or customer service. Appeals are generally made against the outcomes of assessment. Malpractice, on the other hand, involves misconduct or illegal behaviour.

If you have a concern that malpractice has taken place in relation to a Trinity qualification, you should address your concerns directly to Trinity.

Please refer to Trinity's [Reporting Malpractice Policy](#), which outlines the procedure for reporting a malpractice concern and how to submit your report to Trinity.

### **Review**

This policy is subject to the review of Trinity's Policy Management Group and/or as required by changes to legislation.

## Change History

The following changes have been made to this document:

| Version | Date       | Author                        | Change Summary  |
|---------|------------|-------------------------------|---|
| 0.1     | 01/12/2012 | Examinations Security Officer | Original Malpractice and Maladministration policy   |
| 0.2     | 16/09/2022 | Examinations Security Officer | Merge Malpractice Policy and SELT Malpractice Policy into one document  |
| 0.3     | 07/11/2023 | Examinations Security Officer | Add Use of AI and communication with a third party to examples of candidate malpractice   |
| 0.4     | 08/01/2024 | SELT Compliance Manager       | Update to clarify full consequences for SELT candidates if exam is voided for malpractice.  |
| 0.5     | 30/08/2024 | Examinations Security Officer | Amendment to wording to cover occasions where evaluation of the suspicion raised and the final decision can be made in one process and also add the word 'candidates' to the appeals process. |
| 0.6     | 12/11/2024 | Examinations Security Officer | Amend wording to clarify full consequence for all candidates whose exam is voided for malpractice.  |
| 0.7     | 08/01/2026 | Examinations Security Officer | Add use of smart glasses and other wearable technology to examples of candidate malpractice   |

## Change Approval

The changes to this document have been approved by the following personnel:

| Version | Date       | Approver                |
|---------|------------|-------------------------|
| 0.3     | 2023-12-18 | Policy Management Group |
| 0.4     | 2024-01-30 | Policy Management Group |
| 0.5     | 2023-08-30 | Policy Management Group |
| 0.6     | 2024-11-12 | Policy Management Group |
| 0.7     | 2026-01-20 | Policy Management Group |
|         |            |                         |