

# Malpractice and Maladministration Policy and Procedure

## Introduction

The Chartered Institute of Procurement & Supply (CIPS) is the world's largest procurement and supply professional organisation, awarded a royal charter in 1992. Our qualifications are regarded by other purchasing and supply institutes as setting 'the global standard'.

CIPS is a recognised and regulated Awarding Body. CIPS Awarding Body is committed to high levels of quality assurance and policies that are open, transparent and free from bias.

CIPS contracts with its network of UK study centres to deliver qualifications leading to assessments. Approved study centres are required to have their own policy and procedure for preventing and dealing with malpractice and maladministration<sup>1</sup>. These procedures are monitored and reported on annually during the study centre's monitoring review, when advice on how best to prevent, investigate and deal with malpractice and maladministration will also be provided.

Individual candidates, as new members to the profession, are expected to conduct themselves at all times in an ethical manner, and to sign and be bound by the CIPS Code of Conduct. Our Royal Charter includes disciplinary procedures that enable the governing body to investigate complaints against members and, if it is found that the Code of Conduct has been breached, to take appropriate action.

## Terminology

For the purpose of this policy and procedure, the term 'malpractice' is used to include both malpractice and maladministration.

For clarity, malpractice is deemed to be those deliberate actions and practices that threaten the integrity of any CIPS qualification, or threaten the reputation of CIPS. Maladministration can be deliberate or accidental, but has the same effect.

## Our policy on malpractice

CIPS Awarding Body strives to prevent the occurrence of malpractice in the development, delivery and award of its qualifications, in order to safeguard the consistency and integrity of all assessments.

We work with consultants, advisers, external assessors and moderators, study and examination centres to maintain rigorous quality assurance and control arrangements in relation to our qualifications. These arrangements, combined with internal and external assessment administrative procedures, ensure that assessment decisions are as far as possible accurate and consistent, and that opportunities for malpractice are kept to the minimum.

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<sup>1</sup> CIPS provides a 'malpractice policy template' for study centres, to help them meet this requirement.

Where malpractice is suspected or is alleged, and where there are reasonable grounds for that suspicion or allegation, the Awarding Body will promptly take all reasonable steps to establish whether or not malpractice did occur, and to prevent any adverse effect. Should any such adverse effect be unpreventable, the Awarding Body will mitigate it as far as possible and correct it.

## Examples of malpractice

The following are examples of malpractice by exam centre staff:

- moving the time or date of fixed assessments without permission from the Awarding Body
- failure to keep assessment questions / materials secure
- obtaining unauthorised access to assessment materials prior to or following an assessment
- failure to adhere to CIPS' published exam regulations and procedures, or to issue to candidates the appropriate notices and warnings before the exam begins
- failure to carry out invigilation in accordance with CIPS' requirements/regulations
- assisting or prompting candidates with the production of answers
- colluding with, or permitting collusion, or failing to report a candidate in any activity that constitutes candidate malpractice
- deliberate failure to adhere to, or to circumnavigate, the requirements of CIPS' Reasonable Adjustments and Special Considerations Policy
- administrative error with serious effect on candidate performance or results
- any action likely to lead to an Adverse Effect.

The following are examples of candidate malpractice:

- obtaining examination or assessment material without authorisation
- introduction of unauthorised material into the exam room, for example notes, study guides, own blank paper, personal stereos, mobile phones and other similar electronic devices
- obtaining, receiving, exchanging or passing on information during an examination (or the attempt to) by means of talking, using written notes, electronic devices or non-verbal communication
- copying from another candidate, or knowingly allowing another student to copy from their own work
- collusion - working collaboratively with other candidates in an examination
- disruptive behaviour, including the use of offensive language, or damaging another candidate's work
- entering offensive or inappropriate material into the exam script
- failure to abide by the instructions or advice of an invigilator, supervisor, or CIPS in relation to the assessment rules and regulations
- impersonation - pretending to be someone else or arranging for another to take one's place in an exam.
- plagiarism - presenting ideas, research, theories, or words of others as one's own
- fraudulent claims for special consideration.

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## Procedure for dealing with malpractice

All incidents of malpractice, irrespective of the nature of the incident, must be reported to the Awarding Regulation team (via the Awarding Operations team; [assessment.team@cips.org](mailto:assessment.team@cips.org)) who is independent of the management of normal working relationships with centres. Incidents may be reported by a study or exam centre, an invigilator or any other person present at the time the alleged malpractice took place. Anonymous reports of malpractice will be acted upon only if there is supporting evidence, or if the nature of the report warrants it.

1. A malpractice allegation is received by the Assessment Operations Team and escalated to the Awarding Regulation team.
2. The Awarding Regulation team will seek to establish the full facts and circumstances of the alleged malpractice and, where appropriate, the candidate's conduct in other assessments before deciding to initiate an investigation.
3. A report from the candidate's study centre may be required, but an investigation will only be initiated if reasonable suspicion of malpractice exists. Where possible, the confidentiality of the 'whistleblower' will be respected.
4. Determine if an interview is warranted with the person(s) involved within the alleged malpractice incident.
5. Determine if a visit to the centre involved is required.
6. CIPS may suspend the issue of results to the candidate and/or examination centre concerned until the issue is resolved.
7. Candidates or centre staff accused of malpractice will be informed in writing at the earliest opportunity of the nature of the alleged malpractice, and of the possible consequences should malpractice be found. They may be invited to provide a written statement to explain the incident from their perspective.
8. Centres should ensure that all actions taken as part of the investigation are fully documented.
9. The Awarding Regulation Manager will oversee the investigation and determine:
  - whether the regulations have been adhered to
  - where the culpability lies for the breach in regulations
  - appropriate measures to be taken to protect the integrity of the award and to prevent future breaches as well as mitigate against any adverse effect
  - the nature of any sanction/penalty to be applied.
10. Sanctions (penalties) will be based only on the evidence presented, and must be justifiable, reasonable in scale, and consistent with previous decisions in similar circumstances. (See the Sanctions section below)
11. Candidates/centres will be notified of all decisions via email within 5 working days of the decision. Our aim is to complete the investigation and reach a decision within 30 working days of notifying the candidate/centre of the allegation. Candidates/centres will be kept informed of any unavoidable delays in the process.
12. A report covering all stages of the above process will be kept on file. The report will include a summary of the origin of the complaint or mode of discovery of the alleged irregularity, the investigations carried out, the evidence secured, the conclusions drawn and the decision reached, including any sanctions or recommendations for action.
13. All parties will be given the opportunity to seek a review of the decision should a judgement be made against them. (See the Sanctions section below)
14. Study centres, other awarding bodies, qualifications regulators and/or the police will be notified if an issue of malpractice is likely to have an adverse effect on other candidates or providers involved in CIPS' qualifications, or the general public.

15. The Awarding Regulation Manager may require actions to be taken to prevent similar incidents of malpractice from recurring. Where any further action is required at a study centre, the Awarding Regulation Manager will establish an action plan with the centre.

## Sanctions

Following a decision on malpractice, the Awarding Body may impose penalties on individuals or centres found guilty of breaking assessment regulations. This is in order to:

- maintain the integrity of the award
- create a remedy, so that there is no advantage to be gained from breaking the regulations
- deter others from doing likewise.

Sanctions applied against centres for malpractice could include:

- the centre is required to complete an action plan, which could include a requirement for staff training
- the centre is required to undergo additional monitoring, or an inspection visit, or adhere to special conditions for any subsequent sittings of the same or different examinations at a cost to the Centre.
- the centre is charged for any additional costs resulting from the malpractice case, e.g. new certificates, or re-sits.
- the appointment for a specified period of time, at the centre's expense, of independent invigilators (appointed/approved by CIPS) to ensure that the conduct of examinations is in accordance with the regulations.
- disallowing the future involvement of a member of staff, such as an invigilator, in CIPS' qualifications or assessments
- Suspension of certification for either the award concerned or for all other assessments
- withdrawal of study or examination centre approval

If applicable and relevant, CIPS will inform other awarding organisations of the centre's malpractice and the sanctions applied.

Sanctions applied against candidates may include:

- issue of a warning
- no marks awarded for a whole assessment module
- results for all the candidate's outstanding assessments withheld
- suspension from taking CIPS assessments for up to three years.
- notification to an employer, regulator or police
- no marks for the whole cohort's assessments.

Malpractice by an individual candidate may breach the CIPS Code of Conduct, depending on the nature of the malpractice. The Awarding Body is not empowered to impose membership-related sanctions against individuals. It is however, the role of the Awarding Body to report all instances of individual malpractice to the CIPS Disciplinary Committee.

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## Review and Appeal procedure

Candidates or centres may request a review of the decision made following the above process.

### Stage 1 – Review

Candidates or centres may request a review of the decision made following the above process. The review is conducted by a panel consisting of representative(s) of the Assessment Quality Board (AQB), who have had no involvement in the original decision process and have no personal interest in the decisions under consideration. The panel will consider the report made at the initial stage (step 9 above), as well as any new information or evidence subsequently provided by other relevant parties. Following a review, the initial decision may be upheld or overturned, or upheld but with a change to the penalties originally imposed.

### Stage 2 – Appeal

If the candidate or centre does not agree with the outcome of the review, they may have the right to take the process to Stage 2, which would involve an independent review of the case. However, Stage 2 appeals do not re-investigate the circumstances of the original review. An appeal at Stage 2 will only be considered if the appellant can show that the Awarding Body did not apply procedures consistently during the original investigation, or that procedures were not followed properly and fairly.

**An appeal at Stage 2 will only consider whether the Awarding Body applied its procedures consistently, properly and fairly during the original investigation and/or the Stage 1 review. The original incident will not be re-investigated at the appeal stage.** There is a fee of £125 for Stage 2 appeals, which would be refunded if the appeal were successful.

Appeals are heard by a panel chaired by the Awarding Regulation Manager or the CIPS Responsible Officer, with at least one independent member, who is not an employee of CIPS, an assessor working for CIPS, or otherwise connected to CIPS. The appeal panel will have had no involvement with the assessment or the administration of assessments and have no personal interest in the decisions under consideration.

The appeal panel may uphold the original decision, or overturn it on the grounds that procedures were not properly followed. The appeal panel will not review the original investigation.

The Awarding Regulation Manager is responsible for ensuring that all parties affected by decisions on malpractice or maladministration are informed of the outcome of the above processes.

### Further Guidance

If further guidance is required, the Awarding Regulation Manager will advise stakeholders including exam and study centres on any issues pertaining to malpractice.