Form Title: Malpractice and Maladministration Policy
Form Ref: TPOL_005
Author: Lisa Edwards
Date: March 2025
Version: 1.0

Malpractice and maladministration policy for NIS Group

Version	Reviewed by	Date
Version 1	Dave Sargent	March 2025

Review date: March 2026

Contents

1. Introduction 3

2. Scope and Definitions 3

3. Examples of Malpractice and Maladministration 4

4. Reporting and investigating malpractice 4

5. Appeals process 6

6. Prevention and awareness 6

Appendix 1: Artificial Intelligence (AI) Guidance Document 7

1. Introduction

NIS Group is committed to ensuring fairness, integrity, and transparency in all aspects of its teaching, learning, and assessment processes. This policy sets out the procedures for identifying, investigating, and addressing malpractice and maladministration, ensuring compliance with regulatory and awarding body requirements.

This policy aligns with regulatory requirements from awarding bodies, including Ofqual, ESFA, and relevant sector-specific standards, ensuring that all assessments are conducted fairly and in accordance with national qualifications frameworks.

2. Scope and Definitions

This policy applies to:

- **Learners** undertaking any NIS Group course or qualification.
- **Tutors/Trainers/Assessors** responsible for teaching, training, and assessment.
- **External stakeholders**, including employers and partner organisations.
- **Awarding Bodies and Regulators** engaging with NIS to ensure compliance.

Definitions:

- **Plagiarism** – Presenting work, excerpts, ideas, or passages of another author without appropriate referencing or attribution.
- **Collusion** – When two or more learners submit work that is so alike in ideas, content, wording, and/or structure that the similarity goes beyond coincidence. While discussion of ideas, group work (as directed by NIS Group), and verbal collaboration are acceptable, sharing a learner's written response to an assessment is not permitted. Even if shared with good intent, it may lead to allegations of collusion.
- **Artificial Intelligence (AI) Use in Assessment** – The use of AI tools and technologies to acquire, generate, or modify content for assessments. This includes AI-powered algorithms, machine learning models, and AI-driven text generation tools, such as AI chatbots. While AI may be used for research, summarisation, or study assistance, its use must comply with ethical and academic integrity standards.
- **AI Misuse** – The inappropriate or unethical use of artificial intelligence in assessment, teaching, or verification processes, leading to potential academic dishonesty. This includes submitting AI-generated content as original work, using AI to evade assessments, or relying on AI-generated sources without verification.
- **Malpractice** – Any deliberate action that compromises the integrity of assessments, including plagiarism, cheating, collusion, and falsification of records.

- **Maladministration** – Any inefficient, negligent, or improper administration of assessments or learner records that may result in a disadvantage to learners.

3. Examples of Malpractice and Maladministration

Learner Malpractice:

- Plagiarism (copying work without proper attribution).
- Using artificial intelligence (AI) to generate content in a way that breaches assessment regulations.
- Collusion (unauthorised collaboration).
- Cheating during examinations or assessments.
- Falsifying assessment evidence.
- Contract cheating (using third parties to complete assessments).
- Fabricating results or data to mislead assessors.

Staff Malpractice:

- Assisting learners in producing unauthentic work.
- Tampering with assessment evidence.
- Failing to adhere to awarding body regulations.
- Inappropriate use of AI for marking or feedback without verification.
- Breach of confidentiality regarding assessment materials.
- Intentionally biasing assessments to favour or disadvantage learners.

Maladministration:

- Incorrect recording or reporting of learner data.
- Failing to maintain accurate records.
- Not following agreed procedures for assessments.
- Late submission or mishandling of assessment documentation.
- Failure to store learner records securely.

4. Reporting and investigating malpractice

All allegations of malpractice and maladministration will be investigated thoroughly and fairly.

Reporting Procedure:

Learners, staff, or external parties must report concerns in writing to the **Head of Quality and Development**.

A preliminary review will be conducted within **five working days** to determine whether an investigation is required.

Investigation Process:

- **Gather evidence** – Review documents, assessment materials, and relevant records.
- **Interview involved parties** – Learners, Tutors / Trainers / Assessors, or any other relevant individuals.
- **Determine findings** – Assess whether malpractice or maladministration has occurred.
- **Escalation to the Chief Education Officer –** If a confirmed case is identified, the Head of Quality and Development will escalate findings to the Chief Education Officer.
- **Formal Decision by the Chief Education Officer** – This includes reviewing findings, determining appropriate sanctions, and overseeing corrective measures.
- **Involvement of the Group Managing Director (Group MD**) – If the case involves strategic or reputational risk the Group MD will be consulted.
- **Involvement of the HR Manager** – If disciplinary action is required the HR Manager will be included in the decision-making process.
- **Issue outcomes** – Decisions will be communicated in writing, with the right to appeal.
- **Implement corrective actions** – Ensure policies are revised or training is provided to prevent recurrence

Potential sanctions:

- **Learner Malpractice**: Resubmission of work, disqualification, or removal from programme.
- **Staff Malpractice:** Disciplinary action, including potential dismissal.
- **Maladministration**: Correction of records, training, or procedural revisions.

Note: Where required, confirmed cases of malpractice or maladministration will be reported to the relevant awarding organisation in accordance with their own policies and procedures. NIS Group will cooperate fully with any external investigation and provide supporting evidence as requested.

5. Appeals process

Any individual subject to a malpractice decision has the right to appeal **within ten working days** of the decision. Appeals should be submitted in writing to the **HR Manager**. An independent review will be conducted, and a final decision issued within 15 working days.

Independent Review Process:

- The appeal will be reviewed by the **Group Managing Director (MD) and the Compliance Manager**, who have not been involved in the initial investigation or decision-making process.
- The **Group MD and Compliance Manager** will conduct an independent review of the case, considering all evidence and procedural fairness.
- If there is a **conflict of interest or complexity requiring further review, the Chief Executive Officer (CEO)** will step in to make the final decision.
- The final decision will be issued within **15 working days**, and this decision will be considered final.

6. Prevention and awareness

NIS Group is committed to preventing malpractice through:

- Regular staff and learner training on assessment integrity.
- Use of plagiarism detection software and AI-use monitoring tools.
- Clear guidance on ethical AI use in assessments.
- Internal audits and compliance monitoring of assessments.
- Ongoing review of policies in response to regulatory changes.

Appendix 1: Artificial Intelligence (AI) Guidance Document

Introduction:

Artificial Intelligence (AI) is an emerging tool with great potential to enhance learning and teaching. However, it must be used responsibly to uphold academic integrity. This document provides guidance on appropriate and inappropriate use of AI in assessments and training.

Acceptable Use of AI:

- AI tools may be used for research, idea generation and summarisation, but must not replace original work.
- Learners may use AI for study assistance, such as grammar and spelling checks, but must credit any AI-generated content where required.
- Tutors / Trainers / Assessors may use AI to enhance learning materials but must validate and verify accuracy before using AI-generated content.
- AI may be used in adaptive learning platforms to personalise learning experiences, provided ethical guidelines are followed.

Prohibited Use of AI

- Submitting AI-generated text as original work without modification or acknowledgment.
- Using AI to circumvent assessments (e.g., automated essay writing).
- Relying on AI-generated references without verification.
- Tutors / Trainers / Assessors using AI for automated marking without human oversight.
- Using AI to produce misleading or false information.
- AI-assisted impersonation of learners or staff.

Academic Integrity and Referencing AI

One of the fundamental principles of assessment integrity is appropriate acknowledgement and referencing. Learners must be aware of the importance of referencing the sources they have used when producing work for an assessment, and they must know how to do this accurately and consistently.

Learners should not use AI tools to generate content for an assessment. However, if they use AI to explore theories or generate quotes, these must be rewritten or directly quoted within the assessment.

Learners must verify the sources used by the AI tool and reference them correctly. If the AI tool provides source details, these must be checked and cited in the standard referencing format. If no source is provided, learners must independently verify the AI-generated content and reference the actual sources consulted.

When learners use AI tools as a source of information for an assessment, they must acknowledge and reference the AI source appropriately, including:

- Name of the AI tool used
- Date the content was generated
- A link to the AI tool, where applicable.

Example Reference:

ChatGPT 4 (https://chat.openai.com/), accessed on 26/08/2024.

AI Detection and Monitoring

NIS Group may use AI detection tools to verify authenticity. Any misuse of AI will be investigated under the Malpractice and Maladministration Policy.

Consequences of AI Misuse:

Misuse of AI will be treated as academic malpractice, leading to:

- **Learners**: Resubmission, grade penalties, or removal from programme.
- **Tutors/Trainers/Assessors**: Disciplinary action as per staff policies.
- **Awarding Body Involvement**: If required, malpractice cases may be referred to the awarding body.

Retaining AI-Generated Content for Authentication:

- Learners must retain a copy of the question(s)/prompt(s) they input into the AI software/website and the response generated by the AI system.
- This record should be submitted as part of the bibliography at the end of the assessment in a non-editable format (such as a screenshot).
- If AI tools are used for editing, translation, or content alteration, this must be acknowledged with a brief statement under the reference list and/or on an authenticity declaration.
- Learners must retain a copy of the original document inputted to the AI tool and submit it as an Appendix within the assignment submission in a non-editable format.

Further Guidance:

Learners and staff are encouraged to discuss AI use with Tutors/Trainers/Assessors to ensure compliance. NIS Group promotes AI literacy to help learners apply ethical AI use in assessments while enhancing their academic skills.