Newbattle Abbey College
Colaiste Abaid a'Bhatail Nuaidh

MALPRACTICE POLICY

1. Purpose and Scope

Newbattle Abbey College is committed to promoting good academic practice and ensuring that students are equipped with the knowledge and skills to meet academic expectations with integrity. This includes raising awareness of what constitutes good academic conduct, offering support on how to meet assessment requirements appropriately, and providing guidance on appropriate referencing and source use. All students and staff are expected to uphold the highest standards of integrity in learning, teaching, and assessment.

This policy outlines Newbattle Abbey College's approach to investigating and responding to cases of suspected malpractice by candidates or staff in the assessment and delivery of qualifications. It applies to all qualifications offered by the College and adheres to the requirements of Qualifications Scotland, while applying the same standards and expectations across assessment practice for all awarding bodies, including the college's own qualifications.

Preventing and addressing malpractice is essential to maintaining the quality, credibility, and fairness of the qualifications we offer.

2. Definitions and Examples

Malpractice means any act, default or practice (whether deliberate or resulting from neglect or default) which is a breach of Qualifications Scotland requirements, including any act, default or practice which:

- compromises, attempts to compromise, or may compromise the process of assessment, the integrity of any Qualifications Scotland qualification, or the validity of a result or certificate; and / or
- damages the authority, reputation or credibility of Qualifications Scotland or any officer, employee or agent of Qualifications Scotland

Malpractice can arise for a variety of reasons:

- Some incidents are intentional and aim to give an unfair advantage or disadvantage in an examination or assessment (deliberate non-compliance).
- Some incidents arise due to ignorance of Qualifications Scotland requirements, or carelessness or neglect in applying the requirements (maladministration).'

It is necessary to investigate any suspected instances of malpractice, whether they are intentional or not, to protect the integrity of the qualification and to identify any wider lessons to
be learned.

Candidate Malpractice includes, but is not limited to:

- Plagiarism
- Collusion

- Copying from others
- Use of unauthorised materials/devices
- Impersonation
- Offensive or disruptive behaviour during assessments
- Breach of assessment conditions
- Use of generative artificial intelligence (AI) tools to create content (e.g. text, code, images, formulae) that is submitted as the candidate's own work. Submitting AI-generated material without proper attribution, or where attribution is not permitted by the awarding body (e.g. Qualifications Scotland), constitutes plagiarism and is therefore classed as malpractice. Candidates must not reference AI tools as valid sources in assessments where such outputs are not considered reliable or acceptable.

Centre Malpractice includes, but is not limited to:

- Excessive direction from assessors
- Falsification of records
- Improper assessment conditions or support
- Breach of assessment security
- Failure to report suspected malpractice

Malpractice may be deliberate or arise from neglect or lack of understanding (maladministration).

3. Reporting Malpractice
Students and staff can report suspected malpractice to any member of the teaching or support staff. Reports will be passed to the Depute Principal or delegated investigating officer.

Reports must be logged and an initial screening will be conducted to determine whether a full investigation is required.

4. Investigation of Suspected Malpractice
Investigations will:

- Be conducted fairly, proportionately, and confidentially;
- Be led by the Curriculum Manager or a designated investigator appointed by the Depute Principal not involved in the original assessment;
- Include review of evidence and interviews with relevant individuals;
- Maintain written records.

Those under investigation will be informed of the allegations and given the opportunity to respond, including the right to be accompanied at meetings and to submit a written statement.

Results will not be processed while an investigation is ongoing.

5. Outcomes and Sanctions
If malpractice is proven, actions may include:

- Reassessment or resubmission of work
- Loss of credit for the unit(s)
- Disqualification from the qualification
- Disciplinary action (up to exclusion for students or formal disciplinary action for staff)

6. Appeals
Candidates and staff have the right to appeal a malpractice decision. Appeals must be made in writing to the Principal in line with the Student Appeals Policy.

For Qualifications Scotland qualifications only, candidates may appeal to Qualifications Scotland in the following circumstances:

- Where the College conducted the investigation and the candidate has exhausted the internal appeals process;
- Where Qualifications Scotland requested the College conduct the investigation and the candidate disagrees with the outcome;
- Where the investigation was conducted by Qualifications Scotland and the candidate disagrees with the outcome.

7. Retention of Records
The College will retain records of all malpractice investigations for the duration of time stated in the college retention policy.

Records include: assessment evidence, meeting notes, investigation reports, and correspondence.

8a. Reporting to Awarding Bodies
Suspected centre malpractice and relevant candidate malpractice will be reported to the awarding body, in accordance with their guidelines. This includes cases:

- After internal results submission
- Involving regulated qualifications
- With exhausted internal appeals
- Involving criminal activity

The College must also notify awarding bodies of findings of malpractice from other awarding bodies and loss of centre approval.

8b. Reporting to Qualifications Scotland
The College will adhere to the following statement, taken from the publication, *Systems Approval and Verification: Support Materials, Qualifications Scotland, April 2026:*

“Any suspected cases of centre malpractice must be reported to Qualifications Scotland as soon as we have carried out an initial screening exercise to establish the nature of the

concern. This includes any concerns where we take the view that no further action is necessary.

We must inform Qualifications Scotland of any investigation carried out by an awarding body, industry body, funding agency or regulator which may or may not affect our delivery of Qualifications Scotland qualifications. We must also promptly bring to Qualifications Scotland's attention any findings of centre malpractice or maladministration communicated to us by another awarding or industry body. We must notify Qualifications Scotland promptly if another awarding body removes approval from our centre, regardless of the reason given for this withdrawal. 'Qualifications Scotland expects us to bring candidate malpractice concerns for internal assessments to their attention only if:

- the concern came to our centre's attention after submission of internal assessment marks
- the concern relates to candidate malpractice for a qualification regulated by Qualifications Scotland Accreditation, Ofqual or Qualifications Wales
- a candidate affected by a malpractice decision, who has exhausted their right of appeal within our centre, wishes to exercise their right of appeal to Qualifications Scotland; or
- there are other exceptional circumstances, eg we believe that the malpractice case involves a criminal act (if the malpractice involves a criminal act the matter must also be reported to the police)"

9. Responsibilities

- **Principal**: As Head of Centre, overall responsibility for ensuring compliance with this policy.
- **Depute Principal**: Implementation of this policy, manages investigations, reporting, and communication.
- **Curriculum Manager**: Ensure staff understand and apply procedures correctly.
- **Assessors and IVs**: Maintain secure assessment practices and report concerns.
- **All staff**: Prevent, identify, and report malpractice.
- **Students**: Submit original work and comply with assessment rules.

10. Related Documents

- Qualifications Scotland Malpractice: Information for Centres
- Student Disciplinary Policy
- Staff Disciplinary Policy
- Student Appeals Policy
- Complaints Handling Procedure
- Equality, Diversity and Inclusion Policy
- Data Protection Policy
- Assessment and Verification Policy
- Retention Policy

This Policy should be read in conjunction with other relevant College policies, procedures and guidance documents, whether specifically listed above or subsequently published or amended.

The College reserves the right to update, introduce, or revise policies and procedures from time to time.

Compliance with the most current versions of applicable policies and procedures, as published, is expected.

Title:	Malpractice Policy
Lead Officer:	Depute Principal
Date last reviewed	September 2026
Next Review date:	September 2029
Approved By:	Learning & Teaching Committee
Date first approved:	May 2018