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**Approved: July 2014**

**Review: July 2017**

**Learners Policy**

Incorporates:

1. Access to Fair Assessment
2. Learners Appeals Procedure
3. Complaints
4. Malpractice and Maladministration

**1. Access to Fair Assessment Policy**

**Introduction**

This policy covers the arrangements for fair assessment for students taking

any course funded and delivered by NXG Trust tutors. It is not limited to those courses that are assessed towards an OCN module. Students are made aware of the existence of this policy and have open access to it on paper in a folder at

Besson Street Community Garden (NXG Trust HQ) and on the NXG Trust website at: www.nxgtrust.org.uk

All tutors teaching employed by and delivering for NXG Trust are made aware of the contents and purpose of this policy. This policy is reviewed annually and may be revised in response to feedback from students, tutors, and external organisations.

**Policy Statement**

Every student taking a course funded and delivered by tutors employed by NXG Trust will be assessed fairly. That means that:

 1. Assessment will be a test of what the student knows, what they

understand, and what they are able to do.

2. For any particular course, every student will be assessed using the same

overall set of exercises and criteria.

3. Assessments will be standardised across different tutors and classes to

ensure that all students have been judged against the same standards.

**Procedure for Appeals by Students**

If a student feels that they have not been assessed fairly then they should use

the Appeals & Complaints Procedure to appeal the assessment decision of

their tutor. However, the first step is always to discuss the situation with the

tutor concerned.

**Students can also expect:**

* To be fully inducted onto a new course and given information that can be shared with parents and carers.
* Learning outcomes, performance criteria and other significant elements of learning and assessment to be made clear at the outset of the course and when assignments are set.
* To be given appropriate assessment opportunities during the course with feedback provided on the quality of the work.

**Cheating and Plagiarism**

A fair assessment of student’s work can only be made if that work is entirely the student’s own. Therefore students can expect an awarding body to be informed if:

* They are found guilty of copying, giving or sharing information or answers, unless part of a joint project
* They use an unauthorised aid during a test or examination
* They copy another student’s answers during a test or examination
* They talk during a test or examination.
* All allegations of cheating and plagiarism will lead to a full investigation which will follow the guidance of the relevant awarding body.
* If a student feels he/she has been wrongly accused of cheating or plagiarism, they should be referred to the Complaints Policy

**2. Learner Appeals Procedure**

All Learners have the right to challenge the outcomes of their assessment, if they consider the assessment has not been carried out properly. Learners might appeal on a variety of issues listed below:

* Conduct of the assessment
* Adequacy of the range, nature and comprehensiveness of the evidence when set against the national standards and evidence requirements
* The opportunities offered in order to demonstrate competence of attainment
* Access to assessment
* Process of assessment
* Access to Internal Quality Verification
* The handling of an appeal
* Administrative issues e.g. failure to register/apply for certification

If a Learner wishes to appeal the appeal is to be lodged with the centre co-ordinator within 20 days of the Learner being notified of the assessment decision. The centre co-ordinator will then attempt to find a solution with the Learner, Training Consultant/Tutor and Internal Quality Assurance Verifier.

Failing this, the centre co-ordinator will:-

* Set a date for the appeal to be considered by the appeals panel
* Notify the External Quality Assurance Verifier that an appeal has been lodged and gives detail of how it will be heard, including the composition of the appeals panel which shall be made up of 1 member of staff (not involved in the appeal), 1 NXG Trust Board member and 1 person from an external body.
* The appeals panel will meet to consider the appeal within 30 working days of the centre co-ordinator receiving the appeal
* No-one involved in the original assessment will be on the panel. The panel will be made up of 1 member of staff (not involved in the appeal), 1 board member and 1 person form an external local organisation.

**3. Complaints**

Any learner wishing to make a complaint should refer to the Trust’s complaints policy. [www.nxgtrust.org.uk/governance/policies-and-learning-agreements/](http://www.nxgtrust.org.uk/governance/policies-and-learning-agreements/)

**4. Malpractice (including plagiarism) and Maladministration Policy**

**Introduction**

This policy covers malpractice and maladministration by centres, learners or others involved in the development, delivery and award of certificates and qualifications for anyone learning with NXG Trust.

Irrespective of the underlying cause or the people involved, all allegations of malpractice or maladministration in relation to qualifications and assessment need to be investigated in order to protect the integrity of the qualifications and to be fair to all centres and learners.

**Preventing malpractice or maladministration**

NXG Trust aims to prevent the occurrence of malpractice and maladministration

by providing clear and comprehensive regulations and requirements to all parties involved in the development, delivery and award of its accredited courses.

 By keeping under review its regulations and requirements, and monitoring the activities learners, the NXG Trust aims to detect issues early on which could result in malpractice or maladministration.

**What is malpractice?**

Any attempt to gain unfair advantage in a qualification for oneself or for another constitutes malpractice, as does any infringement of examination rules. Malpractice can occur at centre or learner level. Examples of malpractice include:

* a learner copying another learner’s work;
* a learner bringing into an examination room aids (e.g. notes, mobile phone) that could be used to help answer the examination questions;
* a learner using others’ ideas and words in an assignment without clearly acknowledging the source of the information (plagiarism);
* a tutor giving a learner unfair assistance with an assessment;
* an invigilator revealing the questions in an examination to learners before the time of the examination.

**Examples of maladministration include:**

* a centre failing to return all examination materials after an examination;
* a centre failing to issue learners with appropriate notices and warnings in an examination;
* a centre not ensuring the examination venue conforms to requirements;
* errors or omissions in information supplied to the British Safety Council.

**Reporting suspected malpractice or maladministration**

All examiners, invigilators, centres, learners and awarding body staff are required to report suspicions of malpractice or maladministration on the part of centres, learners, tutors or anyone involved in delivering the qualification. Such reports should be made to the Centre Manager or if this is not appropriate to the Quality Assurance Co-ordinator.

**Investigating malpractice or maladministration**

 Where there are reasonable grounds for suspected malpractice or maladministration, NXG Trust will investigate promptly. The issues will be reviewed. The investigation may require further information or interviews with the centre, learners(s) involved and any other relevant parties.

 In serious cases of suspected malpractice or maladministration, NXG Trust will

notify the accrediting body that an investigation will take place.

The investigation will, so far as possible, establish whether or not the malpractice or maladministration has occurred.

 NXG Trust will promptly take appropriate steps to prevent, where possible, any

‘Adverse Effect ‘to which the suspected malpractice or maladministration may give rise and, where any such ‘Adverse Effect’ occurs, mitigate it as far as possible and correct it.

**Possible malpractice sanctions**

Following an investigation, if a case of malpractice is upheld, NXG Trust may impose sanctions or other penalties on the individual(s) concerned. Any sanctions imposed will reflect the seriousness of the malpractice that has occurred.

Listed below are examples of sanctions that may be applied to a student, or to a teacher, tutor, invigilator or other officer who has had a case of malpractice upheld against them. Please note that

i) this list is not exhaustive and other sanctions may be applied on a case-by-case basis.

ii) where the malpractice affects examination performance, accrediting bodies may impose there own sanctions.

Possible sanctions that may be applied to students

* 1. A written warning about future conduct.
	2. Notification to an employer, regulator or the police.
	3. Removal from the course.

Possible sanctions that may be applied to teachers, tutors invigilators, and other officers

1. A written warning about future conduct.
2. Imposition of special conditions for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of students and/or examinations.
3. Informing any other organisation known to employ the individual in relation to CIPS courses or examinations of the outcome of the case.
4. NOCNmay carry out unannounced monitoring of the working practices of the individual(s) concerned.
5. Dismissal.

**Appeals**

The Centre and learners have the right to appeal against decisions regarding malpractice or maladministration. An appeal will be considered by a panel made up of 1 member of NXG Trust staff (not involved in the matter), 1 board member and 1 person from an external local organisation.