

National School of Healthcare Science Misconduct Policy

Introduction

1. The integrity of the assessment process is fundamental to the values promoted by the National School of Healthcare Science (NSHCS) and Health Education England (HEE). It is important that all trainees are judged on their ability, and no trainee be allowed to gain an advantage unfairly over others. By virtue of entering to sit an assessment, trainees are deemed to have understood and agreed to abide by and respect all assessment regulations and policies. Any aspect of misconduct at an NSHCS assessment will be investigated and acted upon in accordance with the following policy.

Examples of misconduct related to the Objective Structured Final Assessment (OSFA)

2. Misconduct includes, but is not restricted to, the examples listed below:
 - Failure to abide by the reasonable instructions of an OSFA invigilator, assessor, member of NSHCS staff or staff employed at the venue
 - The introduction or/and use of any materials or documents other than those specifically permitted for the OSFA, for example: notes, textbooks or study guides, personal organisers, calculators, dictionaries, personal stereos, mobile phones, laptops or other similar electronic devices
 - Any attempt to gain access to, copy from or read the work of another trainee
 - Any attempt to communicate with another trainee
 - Unacceptable or disruptive behaviour during the examination
 - Removal by a trainee, of material or content from an OSFA station, other than those documents specifically permitted.
 - The release, or sharing of, content from an OSFA to a third party
 - Falsification or alteration of eligibility or identification documents
 - Impersonation of a trainee
 - Any other form of cheating, deception, fraud or conduct that is likely to give an unfair advantage to a trainee or trainees
 - Obtaining, receiving, exchanging or passing on information which could be examination-related (or the attempt to) by means of talking, written papers/notes or telephone or electronic communication prior to or during a particular examination

- Attempting to solicit information about the contents of a particular OSFA from trainees or assessors or any related OSFA staff:
 - Before the OSFA
 - During the period of the OSFA
 - In the period between the two parts of the OSFA
 - In the period between different circuits of the OSFA
- Contacting or attempting to contact internal or external examiners or any member of the examination staff prior to or after a particular examination diet for any reason
- Disruptive behaviour in the OSFA stations or venue (including the use of offensive language)
- Failing to abide by the conditions of supervision designed to maintain the security of the OSFA
- The inclusion of inappropriate, offensive or obscene material in answers and written or verbal examination feedback
- Misuse of examination material, e.g. by recording and passing or attempting to pass such material to a third party after the examination
- Physical or verbal abuse or intimidation of trainees, assessors, OSFA administration staff, venue staff, actors or any other OSFA-related personnel
- Bribing or attempting to bribe an assessor, actor, or any OSFA-related personnel
- The alteration of any results document, including certificates
- Behaving in such a way as to undermine the integrity of the OSFA
- Contravention of the instructions on the conduct of the OSFA and the trainees' responsibilities, contained in documents that have been sent to trainees; or that are published on the NSHCS website, or OLAT; or that have been conveyed to them by OSFA staff or invigilators
- Making spurious complaints that are a deliberate attempt to unfairly gain advantage.

Examples of misconduct for all work based assessments and competencies

3. Misconduct includes, but is not restricted to, the examples listed below:

- Plagiarism of published material without appropriate acknowledgement of the source
- Reworking, or submitting, the work of another trainee or other person
- Falsification of the author of the work
- Tampering with, or changing, the results submitted by the assessor

Reporting misconduct

4. Suspected misconduct should be reported to the NSHCS through the submission of an Incident report form (see Appendix to this document, also available on request through a NSHCS member of staff). Incident report forms can be completed by assessors, invigilators, NSHCS staff, OSFA candidates and any other person who becomes aware of any incident that may affect the OSFA processes or its regulations. Forms completed by OSFA candidates regarding suspected misconduct of another candidate must be countersigned by a witness such as a NSHCS member of staff or an assessor or invigilator. All forms must be completed as soon as possible with full details of fact. They must be signed and dated and given to the NSHCS staff.
5. Any materials that are reasonably believed by any OSFA staff not to be permitted as part of the exam will be confiscated. Electronic devices will be returned at the end of the exam with details logged on the Incident report form. The trainee concerned will be asked to acknowledge agreement of the confiscation of other materials on the Incident report form. All such materials will be included as part of the report.
6. Where misconduct is suspected after an OSFA or outside OSFA conditions, such as where a trainee is suspected of passing on, or unauthorised use of, OSFA content that has not been released into the public domain, then a written report of the incident should be submitted to the Head of the NSHCS at the NSHCS address. Such reports should give full details of the person suspected of misconduct and the person submitting the report. Anonymous reports of misconduct will not be used to initiate a formal misconduct process.
7. The NSHCS acknowledges that any case of misconduct can have an adverse effect on a trainee's reputation and career. Therefore all matters of the reporting and process of alleged misconduct will be kept strictly confidential. However, where the allegation of misconduct is proven, the NSHCS reserves the right to forward details of the case to the AHCS/HPC and employers.

Review of alleged misconduct

8. Incident report forms received on the day of the OSFA that allege misconduct, and written reports, should be submitted to the Professional Lead for the trainee's specialism of the NSHCS. They will carry out an initial review of the alleged misconduct, in consultation with the Education and Assessment Lead for the NSHCS, to determine if there is sufficient evidence to warrant the incident being passed to the Assessment Misconduct Group.

9. Where, in the opinion of the Professional Lead, in consultation with the NSHCS's Education and Assessment Lead, an incident is not deemed to be self-evident from the facts set out in the report or the incident is judged to be of a minor/technical issue, then the matter will not be processed and no further action will be taken. Cases not processed beyond the Professional Lead review will not be recorded and the trainee will be notified.
10. Where, following the review of a report and consultation with NSHCS staff/witnesses as necessary, the Professional Lead, in consultation with the NSHCS's Education and Assessment Lead, deems that there is sufficient evidence to prove a case of misconduct, the Professional Lead, in consultation with the Head of the NSHCS, will inform the trainee of the allegation/s in writing. The trainee concerned will be allowed 10 working days, from the date of the letter, to accept or challenge the case against them.
11. The OSFA results of a trainee cited for alleged misconduct will not be processed until a decision has been reached. Investigations will be completed as quickly and efficiently as possible and the trainee will be kept informed of progress.
12. If, within 10 working days a trainee admits in writing to the allegations made against them, then the matter will be forwarded to the relevant NSHCS Examination Board for their formal consideration and the award of an appropriate penalty. Where allegations are accepted by the trainee, they can submit a written statement with their response that may be taken into account by the Examination Board. A decision will be reached as soon as possible and normally within five working days of the date of the trainee letter.
13. If a trainee denies an allegation of misconduct in writing to the Professional Lead, either in whole or in part, then the matter will be referred to the Assessment Misconduct Group.

Assessment Misconduct Group process

14. The Assessment Misconduct Group will normally consist of:
 - The Chair of the NSHCS Examination Board
 - Head of the NSHCS
 - NSHCS Professional Lead
 - Professional representatives
 - Nominated Public and Patient Representative

15. The duty of the Group will be to examine the facts of the case and to determine the strength and integrity of the evidence. The Group will then make a decision based on the balance of probabilities, whether the allegation of misconduct is proven. Where to the satisfaction of the Group, a case is proven the Group will agree an appropriate penalty as set out below. The outcome will be decided electronically/via telephone conference and therefore there will be no charge to the trainee.
16. A senior administrator at the NSHCS will act as the Group secretary. The purpose of the Group secretary is to:
- Advise all parties on the deadline for submission of further evidence and the date on which the Group will announce their decision
 - Co-ordinate and prepare documentation/evidence for all parties
 - Provide secretarial support to the Group as required
 - Maintain communication with the trainee
 - Produce and distribute the 'decision document' to all parties
17. The Professional Lead will submit the case for the Assessment Misconduct Group in writing to the Group, through the Group secretary. The trainee has the right to submit written evidence for consideration by the Group up to the deadline given by the Group secretary
18. The Group secretary will acknowledge receipt of all evidence submitted by the trainee and confirm the date scheduled for the Group to make its decision. This will not be more than one calendar month following the written confirmation of denial of the allegation of misconduct. All documents to be used along with a copy of this policy will be sent by email attachments to the trainee and the Group members no later than 5 working days before the date set for the decision to be announced. No documents may be presented in evidence to the Group, unless circulated by the Group secretary in the manner detailed above.
19. The validity of the process will not be affected if the trainee fails to submit further documentary evidence on their behalf prior to the deadline given by the Group secretary.
20. Following referral of alleged misconduct to the Group, a trainee has the right to reverse their answer to the allegations up to 48 hours prior to the date scheduled for the Group's decision. Where allegations are then accepted by the trainee, they can submit a written statement with their response that may be taken into account by the Group. A decision on the penalty to be awarded will be made on the date announced by the Group secretary.

21. Neither the Group nor the trainee will be given any information regarding the trainee's result or performance at the assessment in question.
22. The decision of the Group is to be confirmed in writing to the trainee (the decision document) as soon as possible following the decision date. A copy will be provided to each member of the Group and a copy will be held on NSHCS files.

Penalties

23. Where the Assessment Misconduct Group agrees that the case in whole or in part, is proven whether through admission by the trainee or the outcome of the Group's findings, then they will consider the following before a penalty is agreed:
 - The need to preserve the integrity of the examination
 - The severity of the infringement proven
 - Consistency with previous penalties
 - The evidence of remorse and the admission of the understanding of the seriousness of the case
24. The Assessment Misconduct Group may consider awarding one of the following standard penalties or may give a more specific penalty where appropriate:
 - No further action
 - Automatic Fail result for one or more OSFA stations
 - The trainee's OSFA result is declared void
 - Trainee barred from receiving the Certificate of Completion
25. Where a trainee's OSFA result is declared void, the attempt will be recorded against the trainee's OSFA history. The trainee's OSFA result will not be processed.

NSHCS INCIDENT REPORT FORM

TRAINEE NAME:

COMPONENT OF EXAMINATION/ASSESSMENT:

DATE OF EXAMINATION/ASSESSMENT:

STATEMENT OF THE ALLEGED BREACH OF THE ASSESSMENT AND EXAMINATION REGULATIONS

A brief factual summary of the breach that is alleged to have occurred, indicating the nature of the assessment(s) involved; the date and component when the breach is alleged to have occurred. Please also give an estimate (e.g. 50%) of the extent of collusion etc.

DOCUMENTATION

Please describe the proof of the allegation

Signed:

Date: