

Inappropriate candidate behaviour policy (malpractice)

This policy relates to inappropriate candidate behaviour before, during and after an examination. This applies to all examinations whether taken at a test centre or via online remote proctoring.

1.1 Definition of inappropriate candidate behaviour

Inappropriate behaviour is any behaviour deemed to compromise the smooth delivery or undermine the integrity of an examination.

Inappropriate behaviour (before, during or after the examination) includes, but is not confined to the following:

- Talking to, copying from, or in any way colluding with, another candidate or individual in the testing environment
- Possessing unauthorised material (books, notes, documents etc) during the examination
- Removing unauthorised material from the examination room (question papers, answer books, scrap paper etc)
- Failing to abide by the instructions of an invigilator / remote proctor
- Failing to adhere to CFA UK examination regulations
- Impersonating another candidate for the examination
- Disruptive and/or aggressive or abusive behaviour
- Disclosing examination content after the examination
- Failing to disclose that you are a trainer
- Altering or creating result documents including certificates
- Acting in any way, either intentionally or otherwise, that compromises or threatens to compromise the integrity of the examination.
- Failure to report to the invigilator any clearly observed instances or suspicions of cheating by any other candidate.

1.2 In the event that inappropriate behaviour is suspected

The presumption is that the candidate is innocent unless appropriate evidence and due process shows the candidate has demonstrated inappropriate behaviour. Examination Invigilators carry out careful monitoring and observation throughout each examination. Candidate behaviour considered to be suspect or inappropriate is recorded and logged during the exam for subsequent investigation.

The test may be terminated in the following instances:

- Abusive or disruptive candidate behaviour: the test will be terminated, and the candidate will be escorted from the premises (if sitting at a test centre).
- Entry of a third party into the testing environment: if a third party enters the testing environment during the exam, or talks to the candidate during the exam, the test will be terminated.

1.3 Investigation

1.3.1 CFA UK requires invigilators to complete a report detailing the inappropriate

behaviour, action taken and candidate's response. A warning will be given to the candidate that the episode will be reported to the CFA UK.

- 1.3.2 If CFA UK considers that there is substantive evidence an investigation will commence
- 1.3.3 A letter will be sent to the candidate setting out the evidence and requesting a response. The candidate will be allowed two weeks to respond to the letter. Where a candidate fails to respond to the letter, they will receive a further letter advising them that unless they respond within one week, they will not receive their examination results or certificate.
- 1.3.4 Examination results will not be released to a candidate under investigation and the candidate will also not be allowed to register for another examination.
- 1.3.5 Once CFA UK has concluded their investigations, the candidate will receive the outcome in writing.
- 1.3.6 The candidate will have the right to appeal.
- 1.3.7 Substantiated cases of malpractice will be reported to Ofqual.

1.4 CFA UK's response/penalties

In the event that the inappropriate behaviour is substantiated, the following penalties may be implemented:

- Issue of a warning
- Imposition of special conditions for any subsequent sittings of the same or different examinations at a cost to the candidate
- Invalidation of the test result or certificate and pass status for the examination
- Suspension of the candidate from sitting another CFA UK examination for a set period of time.
- Suspension or removal of CFA UK membership status.
- If appropriate both the FCA and the candidate's employer may be involved in the outcome.

1.5 Formal appeal

Candidates who have been through the malpractice investigation but are dissatisfied with the process have the right of formal appeal on the following grounds only:

- The candidate is able to submit substantive additional information not submitted at the time of the investigation, which is pertinent to the case.
- The candidate has evidence that the investigation process has not been followed correctly by CFA UK.

Appeals will only be considered if the appeal request is submitted within 14 days of receipt of the malpractice investigation outcome.

1.6 Submitting an Appeal

Appeals must be submitted by letter detailing the candidate's case together with

a cheque for £100. This £100 appeal fee will be reimbursed in the event that the appeal is upheld. Appeals should be addressed directly to CFA UK Director of Education. Appeals will be acknowledged within five working days in writing.

1.7 Appeal process and outcome

If an appeal is granted on the grounds stated in 1.5 a panel, including at least one member who is independent of the Awarding Body, will be convened. This appeal panel will meet within 28 days of receipt of the candidate's appeal submission. A letter explaining the outcome of the appeal and any appropriate action will be delivered within two weeks after the panel has convened.

1.8 Independent Review

If the candidate remains dissatisfied with the appeals process, a final independent review of the process may be instigated. This will be undertaken by an independent reviewer. Requests for an independent review will only be considered if submitted within 14 days of receipt of the appeal outcome.

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