

CISI Candidate Policy 5: Inappropriate Candidate Behaviour Policy (misconduct)

This policy relates to inappropriate candidate behaviour before, during and after an examination

5.1 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 in the examination room;
- Possessing unauthorised material (mobile phones, books, notes, documents etc.) in the examination room;
- Removing unauthorised material from the examination room (question papers, answer books, scrap paper etc.);
- Failing to abide by the instructions of an invigilator;
- Failing to adhere to the CISI examination regulations;
- Impersonating another candidate for the examination;
- Disruptive and / or aggressive or abusive behaviour;
- Altering or creating result documents including certificates;
- Acting in any way, either intentionally or otherwise, that compromises or threatens to compromise the integrity of any examination;
- Failure to report to the invigilator any clearly observed instances or suspicions of cheating by any other candidate;
- Refusal to comply with a reasonable request to empty pockets.

5.2 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. In the case of abusive or disruptive behaviour the examination may be terminated and the candidate escorted from the premises.

5.3 Investigation

- 5.3.1 The CISI requires its 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 CISI.
- 5.3.2 If the CISI considers that there is substantive evidence an investigation will commence.
- 5.3.3 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. Candidates who fail to respond to the CISI's initial letter will receive a further letter advising them that unless they respond within one week, they will not receive their examination results and the CISI will conclude its investigation.
- 5.3.4 Examination results will not be released to a candidate under investigation and they will also not be allowed to book onto any further examinations until the conclusion of the investigation.
- 5.3.5 Once the CISI has concluded its investigations, the candidate will receive the outcome in writing.
- 5.3.6 Where it is deemed the candidate has been unco-operative in the investigations conducted by the CISI, the CISI will conclude its investigations on this basis and the candidate will receive the outcome in writing.
- 5.3.7 A refusal to comply with a reasonable request to empty pockets will be seen as a failure to co-operate; in this instance the candidate's examination result will be invalidated. The candidate will receive written notification.
- 5.3.8 Where it is established that a candidate has behaved inappropriately, the CISI reserves the right to contact the candidate's employer and / or the financial services regulator/s, if appropriate upon conclusion of its investigation.
- 5.3.9 The candidate will have the right to appeal.

5.4 CISI'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 result for the examination.
- Suspension of the candidate from sitting any examination for a set period of time.
- Suspension or removal of CISI membership status.

5.5 Formal appeal

Candidates who have been deemed to have been unco-operative in the investigations will not be entitled to the formal appeal mechanism.

Where a candidate has co-operated and has been through the misconduct investigation process but remains dissatisfied with the outcome, they may lodge a formal appeal on the following grounds only:

- Where there is demonstrable and clear evidence of malpractice, a candidate may only appeal the severity of the penalty imposed.
- Where the candidate feels the evidence is not substantive, the candidate may appeal both the judgement and the severity of the penalty imposed.

Appeals will only be considered:

- If the appeal request is submitted within two weeks of receipt of the misconduct investigation outcome response.

5.6 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 the CISI Global Director of Learning. Appeals will be acknowledged within five working days by email. If you do not receive a response within five working days, please contact the CISI to ensure your appeal has been received

5.7 Appeal process and outcome

If an appeal is granted on the grounds stated in 5.5 a panel, including at least one member who is independent of the CISI, will be convened. This appeal panel will meet within four weeks 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.

5.8 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.

A letter outlining the candidate's case should be sent to the CISI Global Director of Learning along with a cheque for £250. The fee will be reimbursed should the Independent Review find that the CISI has not followed its published Appeals procedure.