



## Policy and procedure for the use of Artificial Intelligence (AI) software in End Point Assessment (EPA) processes.

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Policy Statement: This policy sets out how Marshall Assessment (MA) aim to identify, mitigate, and manage the risks associated with the use of generative Artificial Intelligence (AI) in all End-Point Assessment (EPA) processes. The purpose of this policy is to support fairness, maintain the integrity of the assessment materials, the assessments and outcomes, and promote responsible use of AI technologies among all stakeholders, including MA personnel, independent assessors, Apprentices, employers and Training Providers.

## **What is Artificial Intelligence?**

Artificial Intelligence is a general term for any algorithm that attempts to simulate human-like intelligence/ judgment. Most definitions include the idea that AI is an effort to replicate tasks and processes, with computers, that are normally thought to require human intelligence.

MA will work to continuously review, identify, and monitor ethical concerns related to AI and the responsible use of AI.

## **MA procedure for use of AI**

As part of this policy document, MA will communicate clear guidelines for the use of AI in EPA and ensure that all stakeholders, including MA personnel, independent assessors, Apprentices, employers, and Training Providers recognise and adhere to these guidelines, understanding their responsibility in ensuring AI is not used inappropriately (see examples on p4) and does not have an impact on EPA outcomes. This will ensure that the increasingly inevitable use of generative AI through platforms such as ChatGPT is managed in a way that minimises risks and maintains the integrity and fairness of assessments, assessment materials and outcomes.

### **1. Purpose**

The purpose of this policy is to identify, mitigate and manage the risks associated with AI use in EPA to protect the interests of Apprentices, maintain assessment quality, and uphold ethical standards.

### **2. Scope**

This policy applies to all stakeholders involved in EPA processes, including MA personnel, independent assessors, Apprentices, employers, and Training Providers.

### **3. Risk Identification**

Risk Assessment: MA has conducted a comprehensive risk assessment about the use of AI in EPA processes and additions have been made to the MA operational Risk Register and will be reviewed, monitored and updated where required on a regular basis.

The following areas of AI use have been considered:

- Use of AI in assessment materials development
- Security of AI platforms / concerns around data breaches where live assessment materials are fed into or generated by an AI platform
- Use of AI by Apprentices submitting written work / project reports / project proposals required for Gateway acceptance.
- Use of AI by Apprentices submitting written work / project reports in the EPA period as part of an assessed element of the EPA.
- Use of AI by Apprentices during EPA.

AI **will not** be used by Marshall Assessment personnel for marking assessments, in line with regulatory requirements.

AI platforms include, but are not limited to: ChatGPT, Bard, Google Cloud AI Platform.

#### **4. Risk mitigations and actions**

##### **Use of AI in assessment materials development.**

- AI may be used to support the development of assessment materials, but never as a sole tool for material development.
- Bias and fairness - AI can support the generation of non-biased assessment materials – but bias will still be monitored and reviewed as part of the MA Assessment development process.
- Human oversight will be maintained throughout all assessment development processes, in line with Marshall Assessment's Assessment Materials Development policy. Assessment material developers will always review and amend AI-generated material to ensure fitness for purpose and to maintain the integrity and security of assessment content.

##### **Security of data when AI platforms have been used for assessment materials development.**

###### Data Protection, Privacy and Security

- Data protection: Marshall Assessment are aware of the risks of using AI to generate assessment materials – particularly around the security of the data fed into and generated by a platform. Therefore, AI may be used to support the development of materials, but live materials must not be fed into AI platforms in their entirety.
- AI tools may be used to support the creation of materials only, which will be subject to amends.

##### **Use of AI by Apprentices submitting work required for Gateway.**

- Any work submitted by an Apprentice for a Gateway requirement will fall under the authority of the Training Provider submitting the work on their behalf. The expectation will be that Gateway evidence has been verified as the Apprentice's own work (in line with signed gateway declarations) and checked for plagiarism before submission.
- If AI use or plagiarism is detected in any evidence submitted through the Gateway process, this will be investigated as academic misconduct by the Apprentice's Training Provider. This will result in Gateway evidence potentially being rejected pending results of the investigation by the Training Provider.

##### **Use of AI by Apprentices submitting work in the EPA period as part of an assessed element for EPA.**

- If AI is used in the Apprentice's role or project, this must be referenced and explained in the submission or portfolio. AI must not be presented as the Apprentice's own work.
- Apprentices may use AI, if they wish, as part of any research for a submission, in the same way a search engine may be used. However, any materials generated through AI must **not** be submitted as the Apprentice's own work and should be referenced appropriately.
- Apprentices sign a declaration on submission of any work which declares the work submitted is their own. If AI generated content or plagiarism is detected post submission, this will be seen as malpractice and the Apprentice will be subject to an investigation in-line with Marshall Assessment's malpractice and maladministration policy.

## Policy and Procedure for the use of AI in EPA V1.2

No outcome for any EPA element in Marshall Assessment's scope is based solely on the written work submitted by the Apprentice during the Gateway or EPA period. The risk of any AI generated materials impacting on the Apprentices final grade outcome is low. However, Marshall Assessment will remain vigilant for the use of AI generated content in any Apprentice submissions and may use detection tools, such as <https://gptzero.me/>, to systematically review and verify the originality of Apprentice submissions.

### **Use of AI by Apprentices during EPA**

- The opportunity for an Apprentice to use or access AI platforms inappropriately during an EPA is low due to the nature of the rules in place for the assessments in the standards MA currently assess and the test conditions which are stipulated in the assessment plans for delivery of these assessments.
- The test conditions are made clear for each part of an assessment for EPA, and use of AI to support an Apprentice in their EPA is prohibited under any circumstances.
- Any attempt to access AI during an assessment would be viewed as malpractice and reported and investigated as such, in line with Marshall Assessment's malpractice and maladministration policy.
- Remotely invigilated assessment sessions are always supported by an onsite invigilator or chaperone to remove the risk of the Apprentice accessing an AI tool during an exam conditions test. Sessions are also recorded for an auditable record.

### **Consequences if the use of AI or plagiarism is detected.**

The use of unauthorised AI tools or assistance during EPA is prohibited. The consequences of being found to be accessing, or trying to access AI tools during an EPA will instigate a malpractice investigation which may include, but is not limited to, suspension of the EPA, re-assessment, or termination of the EPA with no opportunity to complete the apprenticeship.

Plagiarism in any form is strictly prohibited. This includes, but is not limited to, direct copying, paraphrasing, or insufficient citation of sources.

Instances of plagiarism detected will be subject to an investigation. The outcome of this may include, but is not limited to, suspension of the EPA, re-assessment, or termination of the EPA with no opportunity to complete the apprenticeship.

### **Authorised and ethical use of AI**

Apprentices should ensure that AI tools are used ethically and do not compromise the integrity of their work. While AI tools can be used to assist Apprentices in preparation for EPA, the primary responsibility for the quality and authenticity of any work lies with the Apprentice (or Training provider where work is submitted on an Apprentice's behalf).

### **Reporting**

All stakeholders including MA personnel, independent assessors, Apprentices, employers and Training Providers are encouraged to report any instances of suspected unauthorised use of AI in any part of the assessment process. There is a confidential reporting mechanism through MA's Whistleblowing or Malpractice and Maladministration policy.

## **Responsibilities**

MA have established clear lines of accountability for the responsible use of AI in EPA processes, including roles and responsibilities for risk mitigation and management.

Training providers will be expected to be alert to the use of AI when submitting Apprentice evidence for Gateway purposes. All EPA evidence submitted by the Training provider should be reviewed as part of the declaration for Gateway readiness. There will be the assumption of no plagiarism concerns in documents submitted through the Training Provider.

Any reports of concerns around inappropriate or unethical use of AI must be reported through the malpractice email address: [malpractice@marshall-assessment.com](mailto:malpractice@marshall-assessment.com)

This will then be considered by the Compliance Director and a panel convened where necessary to investigate the claim. See Marshall Assessment's Malpractice & Maladministration policies (internal & external).

## **Reporting and Escalation**

Marshall Assessment have established a process for reporting and escalating AI-related risks and concerns promptly through the statement of risk and malpractice / maladministration reporting procedure. All stakeholders including MA personnel, independent assessors, Apprentices, employers and Training Providers will be encouraged to report any potential issues or concerns around AI use in any part of the EPA process using the [malpractice@marshall-assessment.com](mailto:malpractice@marshall-assessment.com) email address.

## **Training and guidance**

Marshall Assessment will provide information to MA personnel, Apprentices, employers and Training Providers, independent assessors and other stakeholders where required to ensure they understand the use of AI in assessments and the associated risks.

## **Review and Revision**

- MA will regularly review and update assessment processes and security measures to stay ahead of emerging technologies and methods that Apprentices might use to access AI assistance.
- MA will work to collaborate with other EPAOs and the Regulators to share best practices and strategies for mitigating AI-related risks in EPA.
- MA will regularly review and update this policy to ensure its relevance and effectiveness in addressing emerging risks and challenges related to AI in EPA in line with regulatory requirements.

## **Implementation**

This policy and procedure for the use of Artificial Intelligence (AI) software in End Point Assessment (EPA) processes is effective immediately upon approval. All personnel and stakeholders involved in EPA must adhere to the principles and guidelines outlined herein.