



The Telford Langley School
ENSURING EXCELLENCE

Exam Malpractice Procedure Policy

Approved: Autumn 2024

Exams Malpractice Procedure

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This policy will be reviewed and updated annually to ensure that any malpractice at The Telford Langley School is managed in accordance with current requirements and regulations.

Reference in the policy to GR and SMPP relate to relevant sections of the current JCQ publications General Regulations for Approved Centres and Suspected Malpractice: Policies and Procedures

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1. Introduction and purpose of the policy

What is malpractice and maladministration?

'Malpractice' and 'maladministration' are related concepts, the common theme of which is that they involve a failure to follow the rules of an examination or assessment. This policy and procedure uses the word 'malpractice' to cover both 'malpractice' and 'maladministration' and it means any act, default or practice which is:

- a breach of the Regulations
- a breach of awarding body requirements regarding how a qualification should be delivered
- a failure to follow established procedures in relation to a qualification

which:

- gives rise to prejudice to candidates
- compromises public confidence in qualifications
- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre (SMPP 1)

Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice. (SMPP 2)

Candidate malpractice

'Candidate malpractice' means malpractice by a candidate in connection with any examination or assessment, including the preparation and authentication of any controlled assessments, coursework or non-examination assessments, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper. (SMPP 2)

Centre staff malpractice

'Centre staff malpractice' means malpractice committed by:

- a member of staff, contractor (whether employed under a contract of employment or a contract for services) or a volunteer at a centre; or
- an individual appointed in another capacity by a centre such as an invigilator, a Communication Professional, a Language Modifier, a practical assistant, a prompter, a reader or a scribe (SMPP 2)

Purpose of the policy

To confirm The Telford Langley School:

- has in place a written malpractice policy which covers all qualifications delivered by the centre and details how candidates are informed and advised to avoid committing malpractice in examinations/assessments, how suspected malpractice issues should be escalated within the centre and reported to the relevant awarding body (GR 5.3)

General principles

In accordance with the regulations The Telford Langley School will:

- take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations have taken place (GR 5.11)
- Inform the awarding body immediately of any alleged, suspected or actual incidents of malpractice or maladministration, involving a candidate or a member of staff, by completing the appropriate documentation (GR 5.11)
- As required by an awarding body, gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ publication **Suspected Malpractice - Policies and Procedures** and provide such information and advice as the awarding body may reasonably require (GR 5.11)

2. Preventing malpractice

The Telford Langley School:

- has in place clear processes to prevent and identify the occurrence of malpractice, as outlined in section 3 of the **JCQ publication Suspected Malpractice: Policies and Procedures**. (SMPP 4.3)
- has in place procedures to ensure that all staff and invigilators involved in the administration of assessments and examinations understand the requirements for conducting these and ensures that members of staff follow appropriate security procedures to ensure confidential information relating to examinations and assessment materials is not breached as specified in the following JCQ documents and any further awarding body guidance:
 - General Regulations for Approved Centres 2024-2025;
 - Instructions for conducting examinations (ICE) 2024-2025;
 - Instructions for conducting coursework 2024-2025;
 - Instructions for conducting non-examination assessments 2024-2025;
 - Access Arrangements and Reasonable Adjustments 2024-2025;
 - A guide to the special consideration process 2024-2025;
 - Suspected Malpractice: Policies and Procedures 2024-2025;
 - Plagiarism in Assessments;
 - AI Use in Assessments: Protecting the Integrity of Qualifications;
 - A guide to the awarding bodies' appeals processes 2024-2025 (SMPP 3.3.1)
- Ensures that staff delivering/assessing coursework, internal assessments and/or non-examination assessments have robust processes in place for identifying and reporting plagiarism (including AI misuse) and other potential candidate malpractice.

- Ensures that the centre has a culture of honesty and openness so that any concerns of potential malpractice can be escalated appropriately without fear of repercussion.
- Has key dates to ensure that staff involved in the delivery of assessments and examinations also understand the deadlines and that there are robust procedures in place to ensure these are met.
- Ensures that all JCQ notices, e.g. Information for candidates, non-examination assessments, coursework, on-screen tests, written examinations, social media, plagiarism are made available to candidates prior to assessments/examinations taking place.
- Ensure candidates are informed verbally and in writing about the required conditions under which the assessments are conducted, including warnings about bringing prohibited materials and devices into the assessments, and access to restricted resources.

Informing and advising candidates

The Telford Langley School ensures that candidates completing coursework or non-examination assessments are aware of the need for the work to be their own and are provided with clear instructions on how to avoid plagiarism (including AI misuse)

Students taking NEA's are advised by their subject teacher against submitting any work where they have not been the sole author. The subject teachers are vigilant when assessing coursework to ensure any work submitted is the candidates own. Subject teachers are fully aware of the JCQ guidelines relating to all types of candidate malpractice as specified in the JCQ publication Suspected Malpractice: Policies and Procedures.

Each student is issued with a copy of, and understands, the appropriate JCQ Information for Candidates (www.jcq.org.uk/exams-office/information-for-candidates-documents) and the Telford Langley School Examinations Guide for Parent-Carers and Students.

3. Identification and reporting of malpractice

Escalating suspected malpractice issues

Any member of staff at the centre can report suspected malpractice using the appropriate channels with a culture of honesty and openness around any concerns of potential malpractice. (SMPP 3.3.1)

Any incidents of suspected malpractice must be escalated to the Deputy Headteacher for curriculum and progress as soon as possible. A thorough investigation will be conducted and reported to the exam board/s if/when malpractice is confirmed. The Deputy Head for curriculum and progress and the Exams Officer are responsible for investigating suspected cases of malpractice.

The exam board will then conduct their own investigation to establish facts.

Reporting suspected malpractice to the awarding body

Any suspected case of malpractice must be reported to the Exams Officer and Deputy Head for curriculum and progress immediately who will notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice, using the

appropriate forms, and will conduct any investigation and gathering of information in accordance with the requirements of the JCQ document 'Suspected Malpractice - Policies and Procedures', 1 September 2024 to 31 August 2025 (SMPP 4.1.3).

The head of centre will ensure that where a candidate who is a child/vulnerable adult is the subject of a malpractice investigation, the candidate's parent/carer/ appropriate adult is kept informed of the progress of the investigation (SMPP 4.1.3)

If staff malpractice is discovered in coursework or non-examination assessments, the head of centre must inform the awarding body immediately, regardless of whether the authentication forms have been signed by the candidate(s).

Form JCQ/M1 should be used to notify an awarding body of an incident of candidate malpractice. The form is available from the JCQ website <http://www.jcq.org.uk/exams-office/malpractice> . Notifications in letter format will be accepted but must provide the information as required by the form.

Form JCQ/M2 should be used to notify an awarding body of an incident of suspected staff malpractice/maladministration. The form is available from the JCQ website at <http://www.jcq.org.uk/exams-office/malpractice> . Notifications in letter format will be accepted but must provide the information as required by the form.

Malpractice by a candidate discovered in a controlled assessment, coursework or non-examination assessment component prior to the candidate signing the declaration of authentication need not be reported to the awarding body but will be dealt with in accordance with the centre's internal procedures.

The only exception to this is where the awarding body's confidential assessment material has potentially been breached. The breach will be reported to the awarding body immediately (SMPP 4.5).

If, in the view of the investigator, there is sufficient evidence to implicate an individual in malpractice, that individual (a candidate or a member of staff) will be informed of the rights of accused individuals (SMPP 5.33)

Once the information gathering has concluded, the head of centre (or other appointed information-gatherer) will submit a written report summarising the information obtained and actions taken to the relevant awarding body, accompanied by the information obtained during the course of their enquiries. (SMPP 5.35)

The awarding body will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The head of centre will be informed accordingly (SMPP 5.40)

Suspected malpractice can be identified and reported by any of the following:

- centres (including by students, parents or centre staff);
- awarding bodies (including by examiners, moderators and awarding body staff);
- other individuals (such as funding agency staff, anonymous sources, or members of the public).

The JCQ awarding organisations ensure that their staff, moderators and examiners are appropriately trained in the identification of malpractice and have established procedures for reporting and investigating suspected malpractice.

If AI misuse is suspected by an awarding organisation's moderator or examiner, or if it has been reported by a student or member of the public, full details of the allegation will usually be relayed to the centre. The relevant awarding organisation will liaise with the Head of Centre regarding the next steps of the investigation and how appropriate evidence will be obtained. The awarding organisation will then consider the case and, if necessary, impose a sanction in line with the sanctions given in the JCQ Suspected Malpractice: Policies and Procedures (<https://www.jcq.org.uk/exams-office/malpractice/>). The sanctions applied to a student committing plagiarism and making a false declaration of authenticity range from a warning regarding future conduct to disqualification and the student being barred from entering for one or more examinations for a set period of time.

Awarding organisations will also take action, which can include the imposition of sanctions, where centre staff are knowingly accepting, or failing to check, inauthentic work for qualification assessments.

Malpractice by a candidate discovered in a controlled assessment, coursework or non-examination assessment where a candidate has signed the declaration of authentication, must be reported using a JCQ M1 to the relevant awarding body. If at the time of the malpractice there is no entry for that candidate (who the centre intended to enter), the centre is required to submit an entry by the required entry deadline.

Centres should not normally give credit for any work submitted which is not the candidate's own work. If any improper assistance (see below) has been given, this must be reported to the awarding body as per section 4.1.3 and a note must be made of this on the cover sheet of the candidate's work or other appropriate place. Where malpractice by a candidate in a vocational qualification is discovered prior to the work being submitted for certification, centres should refer to the guidance provided by the awarding body.

Note: Centres are advised that if coursework, controlled assessment, non-examination assessment or portfolio work which is submitted for internal assessment is rejected by the centre on grounds of malpractice, there should be an internal process in place at the centre so that candidates can request an internal appeal against this decision.

What awarding bodies do on receipt of allegations and notifications of suspected malpractice

The following steps are an outline of what awarding bodies do on receipt of allegations and notifications of suspected malpractice.

- Allegation/notification of suspected malpractice received
- Awarding body to review and assess strategy of investigation and if an investigation is necessary
- Background desktop research conducted by awarding body (factual review of the allegation or notification, historical malpractice cases, candidate volumes)
- Information gathering
- Evidence review (review of all the information gathered to determine if the allegations are supported by the evidence and if there are other concerns arising during the investigation)
- Findings of the investigation
- Case/investigation review (identification from the evidence of any potential regulation/specification breaches)
- Malpractice Committee (the outcome of the investigation is determined by the Malpractice Committee)
- Final outcome

Please note some of the steps outlined above can occur concurrently. Where appropriate and where all information has been provided from the outset, an awarding body can proceed straight to a Malpractice Committee, e.g. a suspected candidate malpractice incident involving a mobile phone.

In suspected centre staff malpractice investigations, where candidates have been affected through no fault of their own, awarding bodies will endeavour to protect candidates who have been adversely affected.

Each awarding body aims to resolve all investigations as quickly as possible. However, each investigation can have its own complexities which may affect timescales of progress and outcomes of investigations.

All those interviewed or making a statement should be made aware that awarding bodies reserve the right to share their statements, records or transcripts of any interview(s) that are undertaken, with others involved in the case and other appropriate third parties as described in paragraphs 4.1.2 and 7.11. This information may be shared at any stage during or after the investigation.

Summary procedure

In straightforward cases where the evidence does not appear to be contested or in doubt, awarding bodies may invoke a summary procedure.

Examples of when a summary procedure may be invoked include: • the initial information received from the centre is sufficient for an immediate decision to be made by an awarding body member of staff; • the information available to the awarding body clearly indicates that malpractice has occurred (e.g. offensive language in a candidate's script).

In such circumstances, an appointed person at the awarding body may conclude that malpractice is proven and impose a sanction or sanctions. The individual(s) and centre affected will be informed of the malpractice findings and notified of the sanctions imposed; the evidence supporting the conclusion of malpractice; that a summary procedure has been invoked; and that they have the right to contest the decision.

Where a sanction is applied under the summary procedure, the centre staff member(s) or the centre to whom the sanction has been applied may contest the decision by asking for the matter to be referred to the Malpractice Committee. For candidate malpractice cases, the centre has the right to contest the decision by asking for the matter to be referred to the Malpractice Committee. They have 14 days in which to do so. The case will then be considered by the Malpractice Committee.

The Malpractice Committee will consider the case in accordance with sections 6.7–6.22 of the JCQ SMPP.

The Malpractice Committee will consider the matter afresh. As a result it may reach different conclusions as to whether, and if so, what malpractice occurred and it may decide to impose the same, lesser or more severe sanction(s). Should the Malpractice Committee determine that sanctions should be imposed, these will be subject to appeal in accordance with sections 6.22 and 12 of the JCQ SMPP.

The Malpractice Committee will determine:

- whether correct procedures were followed;
- whether, on the balance of probabilities, malpractice as defined in this document (see section 1) has occurred;
- the regulation or specification requirement which it is alleged has been broken;
- the facts of the case based on the evidence presented to them;
- whether the facts as so established constitute a breach of the regulations or specification requirements; and
- the regulation or specification requirement which it is alleged has been broken;
- the facts of the case based on the evidence presented to them;
- whether the facts as so established constitute a breach of the regulations or specification requirements; and
- where the culpability lies for the malpractice.

All sanctions resulting from cases of malpractice are subject to appeal. Please see section 12 and the JCQ document 'A guide to the awarding bodies' appeal processes' for further information: <http://www.jcq.org.uk/exams-office/appeals> .

Awarding bodies will impose sanctions on individuals found guilty of malpractice where appropriate. Sanctions will usually be applied in cases where there has been a risk to the integrity of the qualification. The individuals who receive sanctions will usually be the candidate(s) or the responsible member(s) of centre staff. However, when malpractice is judged to be the result of a serious management failure within a department or the whole centre, the awarding body may apply sanctions against the centre and/or centre management.

A permanent record will be kept of the impact of any sanctions on an individual candidate's results. For this reason, centres must not withdraw candidates after malpractice has been identified, even if the candidates have not completed the assessments in question. Similarly, centres are required to continue to make an entry for a candidate(s) who were not entered at the time they were found to have committed malpractice (see section 4.5 for more details). All other information relating to specific instances of malpractice or irregularities will be destroyed, following the expiry of the awarding body's data retention period.

Heads of centre must inform those individuals found guilty of malpractice that information may be passed on to other awarding bodies and/or other appropriate authorities. This information will typically include the names, offences and sanctions applied to those found guilty of breaching the published regulations.

These sanctions will be notified to the head of centre who must ensure that they are communicated to the individual(s) upon whom they have been imposed and that the sanctions are adhered to. Failure to communicate any sanction to an individual will be considered to be malpractice by the head of centre.

If a member of centre staff moves to another centre while being subject to a sanction, or if a member of centre staff moves to another centre during an investigation, the head of centre (of the centre at which the malpractice occurred) must immediately notify the awarding body of the move. Awarding bodies reserve the right to inform the head of the centre to which the staff member is moving as to the nature of, and the reason for, the sanction.

If a centre changes awarding body for a qualification, and a member of staff involved in the delivery or assessment of the qualification is subject to a sanction, the head of centre must notify the new awarding body.

4. Communicating malpractice decisions

Once a decision has been made, it will be communicated in writing to the head of centre as soon as possible. The head of centre will communicate the decision to the individuals concerned and pass on details of any sanctions and action in cases where this is indicated. The head of centre will also inform the individuals if they have the right to appeal. (SMPP 11.1)

Awarding bodies will normally only communicate directly with a candidate (or the candidate's representative) when they are a private candidate, or the awarding body has been liaising with the candidate directly regarding their alleged involvement in malpractice.

Awarding bodies reserve the right to communicate directly with candidates regarding investigations where they are directly impacted, and the awarding body does not have assurance that the centre is communicating appropriately with the candidate(s).

Malpractice cases are usually confidential between the centre and the awarding body. However, in cases of serious malpractice, such as where the threat to the integrity of the examination or assessment is such as to outweigh a duty of confidentiality, it may be necessary for information to be exchanged amongst:

- the regulators;
- other awarding bodies;
- other regulatory or investigative bodies;
- professional registration and funding bodies; and
- other centres where the malpractice may affect the delivery of an awarding body's qualification.

It is the responsibility of the head of centre to inform the accused individual that the awarding body may share information in accordance with the above paragraph.

Appeals against decisions made in cases of malpractice

The Telford Langley School will:

Provide the individual with information on the process and timeframe for submitting an appeal, where relevant.

Further information about the awarding bodies' appeals process may be found in the JCQ document A guide to the awarding bodies' appeals processes: <http://www.jcq.org.uk/exams-office/appeals>

5. Links to other School Policies and References

This policy links to the following policies and procedures:

- The Telford Langley School Examinations Policy 2024-2025
- General Regulations for Approved Centres 2024-2025;
- Instructions for conducting examinations (ICE) 2024-2025;
- Instructions for conducting coursework 2024-2025;
- Instructions for conducting non-examination assessments 2024-2025;
- Access Arrangements and Reasonable Adjustments 2024-2025;
- A guide to the special consideration process 2024-2025;
- Suspected Malpractice: Policies and Procedures 2024-2025;
- Plagiarism in Assessments;
- AI Use in Assessments: Protecting the Integrity of Qualifications;
- A guide to the awarding bodies' appeals processes 2024-2025 (SMPP 3.3.1)