



Westbridge Academy Suspected Malpractice and Maladministration Policy 2024-2025



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This policy details the procedures of Raedwald Trust for dealing with suspected malpractice and breaches of security in the examinations process in accordance with the requirements of JCQ Suspected Malpractice: Policies and Procedures (<https://www.jcq.org.uk/exams-office/malpractice/>).

This policy deals with suspected candidate malpractice and suspected centre staff malpractice.

2. Malpractice and maladministration

All those involved in the public qualifications system have a role to play in supporting the appropriate delivery of assessments and upholding the integrity of qualifications. Whilst the vast majority of centres, centre staff and candidates do not normally experience any form of malpractice, it is important that all are aware of the risks of malpractice and take steps to prevent it occurring. Where malpractice does occur, it is vitally important that prompt action is taken to safeguard the integrity of qualifications.

‘Malpractice’ and ‘maladministration’ are related concepts, the common theme being that they involve a failure to follow the rules of an examination or assessment. This document uses the word ‘malpractice’ to cover both ‘malpractice’ and ‘maladministration’.

It means any act, default or practice which is:

- a breach of the Regulations; and/or
- a breach of awarding body requirements regarding how a qualification should be delivered; and/or
- a failure to follow established procedures in relation to a qualification; which:
- gives rise to prejudice to candidates; and/or
- compromises public confidence in qualifications; and/or
- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

Incidents of malpractice arise for a variety of reasons, such as:

- some incidents are intentional and aim to give an unfair advantage in an examination or assessment;
- some incidents arise due to a lack of awareness of the regulations, carelessness, or forgetfulness in applying the regulations (which may often be called ‘maladministration’);
- some occur as a result of the force of circumstances which are beyond the control of those involved (e.g. a fire alarm sounds and the supervision of candidates is disrupted).

The JCQ member awarding organisations divide malpractice into the following types:

- breach of security;
- deception;
- improper assistance to candidates;
- failure to co-operate with an investigation;
- maladministration;
- candidate malpractice.

3. Artificial intelligence (AI)

Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Bard. Raedwald Trust recognises that AI has many uses to help pupils learn, but may also lend itself to cheating and plagiarism.

Pupils **may not** use AI tools:

- During assessments, including internal and external assessments, and coursework.
- To write their homework or class assignments, where AI-generated text is presented as their own work.

Pupils **may** use AI tools:

- As a research tool to help them find out about new topics and ideas
- When specifically studying and discussing AI in schoolwork, for example in IT lessons or art homework about AI-generated images. All AI-generated content must be properly attributed.
- Where a pupil uses an AI tool, the pupil should retain a copy of the question(s) asked and the AI-generated responses. Pupils must submit this along with the assessment.

Staff should:

- Be aware that AI tools are still being developed and should use such tools with caution as they may provide inaccurate, inappropriate or biased content.
- Make students aware of the risks of using AI tools and that they need to appropriately reference AI as a source of information to maintain the integrity of assessments.

For more information on AI misuse, see JCQ's 'AI Use in Assessments: Protecting the Integrity of Qualifications'. Any misuse of AI tools may be treated as malpractice.

4. Candidate Malpractice

Candidate malpractice normally involves 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 completion of any examination.

Examples of candidate malpractice include (this list is not exhaustive):

- the alteration or falsification of any results document, including certificates;
- a breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination or assessment rules and regulations;
- failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments;
- collusion: working collaboratively with other candidates, beyond what is permitted;
- copying from another candidate (including the use of technology to aid the copying);
- allowing work to be copied, e.g. posting work on social networking sites prior to an examination/assessment;
- the deliberate destruction of another candidate's work;
- disruptive behaviour in the examination room or during an assessment session (including the use of offensive language);
- failing to report to the centre or awarding body the candidate having unauthorised access to assessment related information or sharing unauthorised assessment related information on-line;
- exchanging, obtaining, receiving, passing on information (or the attempt to) which could be assessment related by means of talking, electronic, written or non-verbal communication;
- making a false declaration of authenticity in relation to the authorship of controlled assessment, coursework, non-examination assessment or the contents of a portfolio;
- allowing others to assist in the production of controlled assessment, coursework, non-examination assessment or assisting others in the production of controlled assessment, coursework or non-examination assessment;
- the misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. exemplar materials);
- being in possession of unauthorised confidential information about an examination or assessment;
- bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations);
- the inclusion of inappropriate, offensive, obscene, homophobic, transphobic, racist or sexist material in scripts, controlled assessments, coursework, non-examination assessments or portfolios;
- impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment;
- plagiarism: unacknowledged copying from, or reproduction of, the work of others or published

- sources or incomplete referencing;
- theft of another candidate's work;
- bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), instruments which can capture a digital image, electronic dictionaries (when prohibited), translators, wordlists, glossaries, iPods, mobile phones, MP3/4 player/pagers, watches or other similar electronic devices;
- the unauthorised use of a memory stick or similar device where a candidate uses a word processor;
- facilitating malpractice on the part of other candidates;
- behaving in a manner so as to undermine the integrity of the examination.

4.1 Dealing with Suspected Candidate Malpractice

4.1.1 Internally Marked NEA, Controlled Assessment or Portfolio Assignment

Malpractice by a candidate discovered in a controlled assessment, coursework or non-examination assessment component prior to the candidate signing the declaration of authentication does not need to be reported to the awarding body. Instead, it must be dealt with in accordance with the centre's internal procedures. The only exception to this is where an awarding body's confidential assessment material has potentially been breached. The breach must be reported to the awarding body immediately.

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 has been given, this must be reported to the awarding body 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.

If a member of staff suspects a candidate of malpractice, the candidate will be informed and the allegations will be explained. The candidate will have the opportunity to give a statement before any final decision is made. If the candidate accepts that malpractice has occurred and has not yet signed a candidate declaration, they will be given the opportunity to repeat the assignment. If the malpractice is proven following the investigation, centre staff may decide to re-mark previous assignments and these could also be rejected if similar concerns are identified.

4.1.2 Externally Marked Examinations

If a member of staff suspects a candidate of malpractice during an externally marked examination, the candidate will be informed and an investigation will be undertaken by the Exams Officer. All cases of suspected candidate malpractice will be reported to the Awarding Body in accordance with JCQ regulations and requirements.

As part of the investigation the candidate will be:

- informed of the allegation made against them
- informed what evidence there is to support the allegation
- informed of the possible consequences should the malpractice be proven
- given the opportunity to consider their response to the allegation
- given the opportunity to submit a written statement
- informed of the Awarding Body outcome
- informed of the applicable appeals procedure should a decision be made against them

4.2 Sanctions for Candidate Malpractice

Where a candidate has been reported to an Awarding Body for suspected malpractice which is subsequently proven, the following sanctions may be imposed:

1. Warning: The candidate is issued with a warning that if he/she commits malpractice within a set period of time, further specified sanctions may be applied.
2. Loss of all marks for a section: The candidate loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of nonexamination assessment if this consists of several items.
3. Loss of all marks for a component: The candidate loses all the marks gained for a component. A component is more often a feature of a linear qualification than a unitised qualification, and so this sanction can be regarded as an alternative to sanction 2. Some units also have components, in which case a level of sanction between numbers 2 and 4 is possible.
4. Loss of all marks for a unit: The candidate loses all the marks gained for a unit. This sanction can only be applied to qualifications which are unitised. For linear qualifications, the option is sanction 3. This sanction usually allows the candidate to aggregate or request certification in that series, albeit with a reduced mark or grade.
5. Disqualification from a unit: The candidate is disqualified from the unit. This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 7. The effect of this sanction is to prevent the candidate aggregating or requesting certification in that series, if the candidate has applied for it. For qualifications with assessments taken throughout the academic year, the candidate will be disqualified from the unit and will not be able to use the unit to aggregate/certify. The candidate will need to redo the unit in order to be eligible for aggregation/certification, subject to the awarding body's qualification requirements.
6. Disqualification from all units in one or more qualifications taken in that series or academic year: If circumstances justify, sanction 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous examination series are retained.) This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 8. For qualifications with assessments taken throughout the academic year, the candidate will be disqualified from the unit(s) and will not be able to use the unit(s) to aggregate/certify. The candidate will need to redo the unit in order to be eligible for aggregation/certification, subject to the awarding body's qualification requirements.
7. Disqualification from a whole qualification: The candidate is disqualified from the whole qualification taken in that series or academic year. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications.
8. Disqualification from all qualifications taken in that series or academic year: If circumstances justify, sanction 7 may be applied to other qualifications. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications. This sanction is only applied by the affected awarding body.
9. Candidate debarment: The candidate is barred from entering for one or more examinations for a set period of time. This sanction is applied in conjunction with any of the other sanctions above, if the circumstances warrant it.

4.3 Right to Appeal – Candidate Malpractice

A candidate may appeal against sanctions imposed on them. Appeals will be made by the centre on behalf of a candidate and conducted in accordance with the JCQ Suspected Malpractice in Examinations and Assessments Policies and Procedures and Awarding Body Procedures (https://www.jcq.org.uk/wp-content/uploads/2024/08/Malpractice_Sep24_FINAL.pdf)

5. 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.

Examples of centre staff malpractice are set out below (this list is not exhaustive). Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

- Breach of security
- Deception
- Improper assistance to candidates
- Failure to cooperate with an investigation
- Maladministration

5.1 Dealing with Suspected Candidate Malpractice

Investigations into allegations will be coordinated by the Head of Centre, who will ensure the initial investigation is carried out within ten working days and in accordance with the JCQ regulations and requirements.

The investigation will involve establishing the full facts and circumstances of any alleged malpractice. It should not be assumed that because an allegation has been made, it is true. Where appropriate, the staff member concerned and any potential witnesses will be interviewed and their version of events recorded.

The member of staff will be:

- informed in writing of the allegation made against them
- informed what evidence there is to support the allegation
- informed of the possible consequences, should malpractice be proven
- given the opportunity to consider their response to the allegations
- given the opportunity to submit a written statement
- given the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- informed of the applicable appeals procedure, should a decision be made against them
- informed of the possibility that information relating to a serious case of malpractice will be shared with the relevant awarding body and may be shared with other awarding bodies, the regulators Ofqual, the police and/or relevant professional bodies

If work is submitted for moderation/verification or for marking which is not the candidate’s own, the awarding body may not be able to issue a result for that candidate.

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>

5.2 Sanctions for Centre Staff Malpractice

Where a member of staff has been reported to an Awarding Body for suspected malpractice which is subsequently proven, the following sanctions may be imposed:

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- Written warning: the member of staff will be issued with a written warning stating that if the offence is repeated within a set period of time, further specified sanctions will be applied
 - Training: the member of staff will be required, as a condition of future involvement in both internal and external assessments, to undertake specific training or mentoring, within a particular period of time, including a review process at the end of the training
 - Special conditions: Impose special conditions on the future involvement in assessments by the member of staff
 - Suspension/Debarment: The member of staff is suspended/debarred from all involvement in the delivery or administration of the awarding body's examinations and assessments for a set period of time. Other awarding bodies, regulators, and other organisations such as the Teaching Regulation Agency (TRA) and Education Workforce Council (EWC) may be informed when a suspension/debarment is imposed.
 - Dismissal: Should the degree of malpractice be deemed gross professional misconduct; the member of staff could face dismissal from their post

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.

5.3 Right to Appeal – Centre Staff Malpractice

The member of staff may appeal against sanctions imposed on them. Appeals will be conducted in accordance with the JCQ Suspected.

Malpractice in Examinations and Assessments Policies and Procedures and Awarding Body Procedures (https://www.jcq.org.uk/wp-content/uploads/2024/08/Malpractice_Sep24_FINAL.pdf)