



The Telford Langley School
ENSURING EXCELLENCE

Exam Malpractice Procedure Policy

Approved: Autumn 2023

Exams Malpractice Procedure

Policy Name:	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)
- procedures to ensure that all staff and invigilators involved in the administration of assessments and examinations understand the requirements for conducting these as specified in the following JCQ documents and any further awarding body guidance:
 - General Regulations for Approved Centres 2023-2024;
 - Instructions for conducting examinations (ICE) 2023-2024;
 - Instructions for conducting coursework 2023-2024;
 - Instructions for conducting non-examination assessments 2023-2024;
 - Access Arrangements and Reasonable Adjustments 2023-2024;
 - A guide to the special consideration process 2023-2024;
 - Suspected Malpractice: Policies and Procedures 2023-2024;
 - Plagiarism in Assessments;
 - AI Use in Assessments: Protecting the Integrity of Qualifications;
 - A guide to the awarding bodies' appeals processes 2023-2024 (SMPP 3.3.1)
- 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.

Informing and advising candidates

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 2023 to 31 August 2024 (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.

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)

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;

Refer to further information and follow the process provided in the JCQ publication 'A guide to the awarding bodies' appeals processes

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.

5. Links to other School Policies and References

This policy links to the following policies and procedures:

- The Telford Langley School Examinations Policy 2023-2024
- General Regulations for Approved Centres 2023-2024;
- Instructions for conducting examinations (ICE) 2023-2024;
- Instructions for conducting coursework 2023-2024;
- Instructions for conducting non-examination assessments 2023-2024;
- Access Arrangements and Reasonable Adjustments 2023-2024;
- A guide to the special consideration process 2023-2024;
- Suspected Malpractice: Policies and Procedures 2023-2024;
- Plagiarism in Assessments;
- AI Use in Assessments: Protecting the Integrity of Qualifications;
- A guide to the awarding bodies' appeals processes 2023-2024 (SMPP 3.3.1)