



Malpractice Policy (Exams)

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Centre Name	Nova Hreod Academy
Centre Number	66525
Date policy first created	02/10/2023
Current policy approved by	Nick Wells
Current policy reviewed by	Nick Wells

Key staff involved in the policy

Role	Name
Head of Centre	Nick Wells
Senior leader(s)	Jannine Clapp, Justin Delap, Rachel Fox, Faye Green, Kirsty Honeysett, Penny King, Ryan Nash, Sonja Unwin, Thomas Unwin, Toby Watkins, Ben Wilkinson
Exams officer	Tracey Butler
Other staff (if applicable)	Hayley Lawrence Exams Assistant

This policy is reviewed and updated annually to ensure that any malpractice at Nova Hreod Academy 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**.

Introduction

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)

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)

The following are examples of malpractice by candidates. The list is not exhaustive and other instances of malpractice may be considered and acted upon:

- Misuse of examination material.
- Behaving in such a way as to undermine the integrity of the examination.
- Failing to abide by the instructions or advice of an invigilator, supervisor or the Awarding Body in relation to the examination rules and regulations.
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations
- Disruptive behaviour in the examination room (including the use of talking/ offensive language).
- Introduction of unauthorised material into the examination room e.g. notes, study guides and personal organisers, own blank paper, calculators, dictionaries (when prohibited), personal stereos, hi-tech watches, mobile phones or other similar devices.
- Obtaining, receiving, exchanging or passing on information which could be examination related (or the attempt to) by means of talking or written paper/notes.
- Personation: pretending to be someone else, arranging for another to take one's place in an examination.
- The inclusion of inappropriate, offensive or obscene material in scripts or controlled assessment.
- Copying from another candidate (including the misuse of ICT to do so).
- Collusion: working collaboratively with other candidates.
- Plagiarism: the failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own.
- Theft of another's work.
- The deliberate destruction of another's work.
- The alteration of any results documents, including certificates.

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)

The following are examples of malpractice by Centre staff. The list is not exhaustive and other instances of malpractice may be considered and acted upon;

- Moving the time or date of a fixed examination (beyond that permitted) without notifying the relevant Awarding Body.
- Failing to keep examination papers secure prior to the examination.
- Obtaining unauthorised access to examination material prior to an examination.
- Assisting candidates in the production of coursework, beyond that permitted by the regulations.
- Allowing candidates unsupervised access to controlled assessment exemplar material, whether this is the work of former students or that provided by the Awarding Body.
- Failing to keep student computer files secure.
- Assisting or prompting candidates with the production of answers.

Suspected malpractice

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

Purpose of the policy

To confirm Nova Hreod Academy:

- 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 Nova Hreod Academy 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)

Preventing malpractice

Nova Hreod Academy has in place:

- Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ publication **Suspected Malpractice: Policies and Procedures**. (SMPP 4.3)
- This includes ensuring that all staff involved in the delivery 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)*

Informing and advising candidates

All candidates receive a copy of the Awarding Bodies' regulations regarding controlled assessment and examinations.

During the course of the examination period, three notices are displayed both in the area immediately outside the examination room and on display in the examination area:

Notice 1: Warning to Candidates This notice covers:

- Unfair and dishonest practice in the examination
- Personation
- Unauthorised material
- Communication
- Details of what would happen in the case of an infringement

Notice 2: Notice to Candidates. This notice covers:

- Regulations – make sure you know the rules
- Information – make sure you attend
- Bring what you need
- Calculators, dictionaries and computer spellcheckers
- Examination instructions
- Advice and assistance
- The end of the examination

Notice 3: Mobile Phones and Watches Prohibited

- This notice warns candidates that possession of a mobile phone, watch or any potential technological/web enabled sources of information in the examination room will mean disqualification.

Verbal Announcements Before the beginning of every exam, candidates are given a verbal reinforcement of the Awarding Body's regulations. In addition, candidates are given the opportunity to hand in any unauthorised items e.g. mobile phones.

Identification and reporting of malpractice

Escalating suspected malpractice issues

- Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels (SMPP 4.3)

Procedures for investigating alleged malpractice

- All cases of malpractice are reported to the Examinations Officer who will inform the Head of Centre. The Examinations Officer will obtain written statements from those concerned, whether the malpractice is by staff or candidates.

Investigation by the Academy into alleged malpractice by candidates

- The Examinations Officer will conduct a full enquiry into the malpractice in conjunction with the Head of Centre. If malpractice is deemed to have taken place then a full written report (using Form JCGQ/M/01 where appropriate) is submitted to the Awarding Body with supporting evidence.
- Candidates accused of malpractice are made fully aware at the earliest opportunity of the nature of the alleged malpractice, and of the possible consequences should malpractice be proven. The parents/guardians of the candidates are also notified in writing of the alleged malpractice and of the possible consequences.
- Candidates accused of malpractice must be given the opportunity to respond (preferably in writing) to allegations made via a statement form.
- Candidates accused of malpractice should be made aware of the avenues for appealing should a judgement be made against him or her. Full details of an Awarding Body's appeals procedure will be sent to the candidate and parents/guardians if the judgement goes against the candidate.
- The candidate and parents/guardians will be informed in writing of the outcome of the Awarding Body's decision.

Investigation by the School into alleged malpractice by members of staff

- Investigations into any case of malpractice or irregularities against a member of staff must normally be carried out in the first instance by the Principal of the school, in conjunction with the Awarding Body.
- Investigations into alleged malpractice or irregularities against the Principal must be carried out by the Chair of the School's Governing Body, or the responsible employer, and reported to the Awarding Body when completed.
- Any member of staff accused of malpractice or irregularities must be made fully aware (preferably in writing) at the earliest opportunity of the nature of the alleged malpractice, and the possible consequences should malpractice be proven.

- Any member of staff accused of malpractice or irregularities must have the opportunity to respond (preferably in writing) to allegations made.
 - Any member of staff accused of malpractice or irregularities must be made aware of the avenues for appealing should a judgement go against him or her.
 - When investigating serious cases or alleged staff malpractice, it may be necessary for a member of the Awarding Body staff to be present at an interview with the staff member concerned. The member of staff being interviewed may be accompanied by a friend or union representative.
 - In accordance with the requirements of the Code of Practice and the Arrangements for the Statutory Regulation of External Qualifications in England, Wales and Northern Ireland, a report on cases where members of staff are found to have committed malpractice, together with details of the action taken by the Principal, the Governing Body or the responsible employer must be forwarded to the regulatory authorities and may be made available to other Awarding Bodies if the Awarding Body decides that the circumstances of the case are sufficiently serious to warrant such reports being made.
 - The head of centre 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 publication Suspected Malpractice: Policies and Procedures (SMPP4.1.3)
- **Reports**
It is the responsibility of the Exams Officer, acting on behalf of the Awarding Body, to submit a full written report of an investigation and to provide the following where appropriate:
 - A statement of the facts, a detailed account of the circumstances and details of any investigations carried out by the Centre.
 - Written statement(s) from the invigilators or other staff concerned.
 - Written statements from the candidate(s) concerned.
 - Any mitigating factors (e.g. relevant medical reports).
 - Information about the School's procedures for advising candidates of the Awarding Bodies' regulations.
 - Seating plans.
 - Unauthorised material found in the examination room.

Any work of the candidate and any associated material (e.g. source material for coursework) which is relevant to the investigation.

Reporting suspected malpractice to the awarding body

- The head of centre 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 publication **Suspected Malpractice: Policies and Procedures** (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)
- Form JCQ/M1 will be used to notify an awarding body of an incident of candidate malpractice. Form JCQ/M2 will be used to notify an awarding body of an incident of suspected staff malpractice/maladministration (SMPP 4.4, 4.6)
- 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 (5.35)
- Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used (SMPP 5.37)
- 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)

Additional information:

N/A

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)

Additional information:

N/A

Appeals against decisions made in cases of malpractice

Nova Hreod Academy 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**

Additional information:

N/A

Changes 2023/2024

Under heading **Purpose of the policy**: (Changed) The purpose of this policy is to confirm how [Centre name] manages malpractice under normal delivery arrangements in accordance with the regulations (To) To confirm [Centre name] 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)

Under heading **General Principles**: Moved subsections **Candidate malpractice** and **Centre staff malpractice** from this section and added under **Introduction** section

Under heading **Preventing Malpractice**: (Added) A new bullet point: This includes ensuring that all staff involved in the delivery 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)

(Added) New subheading **Informing and advising candidates** and an insert field to be populated according to the centre's process

Under heading **Identification and reporting of malpractice**: (Added) New subheading **Escalating suspected malpractice issues** and

- new bullet point: Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels (SMPP 4.3)
- an insert field to be populated according to the centre's process

(Added) New subheading **Reporting suspected malpractice to the awarding body**

(Added) New bullet point: 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/carers/ appropriate adult is kept informed of the progress of the investigation (SMPP 4.1.3)

(Changed) SMPP reference: 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 5.32) (To) 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)

(Changed) Once the information gathering has concluded, the head of centre (or other appointed information-gatherer) will submit a written report summarising the case to the relevant awarding body, accompanied by the information obtained during the course of their enquiries (SMPP 5.34) (To) 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)

(Changed) SMPP reference: Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used (SMPP 5.36) (To) Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used (SMPP 5.37)

(Changed) SMPP reference: 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 5.39) (To) 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)

Under heading **Appeals against decisions made in cases of malpractice**:(Changed) Provide the individual with information on the process for submitting an appeal, where relevant (To) Provide the individual with information on the process and timeframe for submitting an appeal, where relevant

Under each relevant section added **Additional information** fields to be populated by the user if applicable

Centre-specific changes

N/A

