



MALPRACTICE POLICY

2023-2024

Policy review date: 04/09/2024

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; 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:

- 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).
- Misuse of AI tools in relation to qualification assessments. (AI use refers to the use of AI tools to obtain information and content, which might be used in work produced for assessments, which lead towards qualifications). AI tools are still being developed and there are often limitations to their use, such as producing inaccurate or inappropriate content. AI chatbots often produce answers, which may seem convincing but contain incorrect or biased information. Some AI chatbots have been identified as providing dangerous and harmful answers to questions and some can produce fake references to books/articles by real or fake people.

The individuals involved in malpractice also vary. They may be:

- candidates;
- teachers, lecturers, tutors, trainers, assessors or others responsible for the conduct, administration or quality assurance of examinations and assessments including examination officers, invigilators and those facilitating access arrangements (e.g. readers, scribes and practical assistants);
- assessment personnel such as examiners, assessors, moderators or internal and external verifiers;
- other third parties (e.g. parents/carers, siblings or friends of the candidate).

Southfields Academy will take all reasonable steps to prevent malpractice such as;

- Ensure that staff involved in the delivery of assessments and examinations understand the requirements for conducting these as specified in the JCQ documents and any further awarding body guidance.
- Ensure that examination officers and invigilators are appropriately trained, resourced and supported.
- Ensure that exams at alternative sites are conducted in accordance with JCQ ICE requirements.
- Ensure that all staff who manage and implement special consideration and access arrangements are aware of the requirements and are appropriately supported and resourced.
- Ensure that members of staff do not communicate any confidential information about examinations and assessment materials, including via social media.
- Ensure that staff delivering/assessing coursework or non-examination assessments have robust processes in place for identifying and reporting plagiarism or other potential candidate malpractice.
- Ensure 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.
- Ensure that all JCQ notices, e.g. Information for candidates, non-examination assessments, coursework, on-screen tests, written examinations, social media, plagiarism are distributed 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 the introduction of prohibited materials and devices into the assessments, and access to restricted resources.
- Ensure that candidates are aware of actions that constitute malpractice and the sanctions that can be imposed on those who commit malpractice.
- Ensure that candidates are aware of the sanctions of passing on or receiving (even if the information was not requested) confidential assessment materials. If a candidate receives confidential information, they must report it to a member of centre staff immediately.
- Ensure that candidates involved in examination clash arrangements are aware of appropriate behaviour during supervision, i.e. ensuring that candidates cannot pass on or receive information about the content of assessments, thereby, committing candidate malpractice.
- Ensure that candidates completing coursework or non-examination assessments are aware of the need for the work to be their own.
- Ensure that where AI has been used, such tools have been acknowledged when they have been used as a source of information.
- Ensure that work submitted by students using AI does not contain incomplete or misleading references or bibliographies.

Identification and reporting of malpractice

The head of centre will:

- notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice.

The only exception to this is candidate malpractice discovered in coursework or non-examination assessments before the authentication forms have been signed by the candidate. 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);

- report malpractice using the appropriate forms as detailed in the JCQ documents (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). 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).
- be accountable for ensuring that the centre and centre staff comply at all times with the awarding body's instructions regarding an investigation;
- ensure that if it is necessary to delegate the gathering of information to a senior member of centre staff, the awarding body's agreement is obtained and the senior member of centre staff chosen is

independent and not connected to the department or candidate involved in the suspected malpractice. The head of centre will ensure there is no conflict of interest which might compromise the investigation;

- respond speedily and openly to all requests for an investigation into an allegation of malpractice. This will be in the best interests of centre staff, candidates and any others involved;
- make information requested by an awarding body available speedily and openly;
- co-operate with an enquiry into an allegation of malpractice and ensure that their staff do so also, whether the centre is directly involved in the case or not;
- ensure staff members and candidates are informed of their individual responsibilities and rights as set out in this document;
- forward any awarding body correspondence and evidence to centre staff and/or provide staff contact information to enable the awarding body to do so;
- at all times comply with data protection law;
- pass on to the individuals concerned any warnings or notifications of sanctions and ensure compliance with any requests made by the awarding body as a result of a malpractice case. The responsibilities also extend to instances of suspected malpractice involving private candidates entered through the centre.

Malpractice can be identified by awarding body staff, examiners or moderators. Examiners, moderators, monitors and external verifiers who suspect malpractice in an examination or assessment will notify the relevant awarding body immediately using the procedures established by the awarding body.

Appeals against decisions made in cases of malpractice

Southfields 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

References

<https://www.jcq.org.uk/exams-office/malpractice/>

<https://www.jcq.org.uk/exams-office/malpractice/artificial-intelligence/>