 

Malpractice Policy (Exams)

Policy/Procedure creator: Pauline Cleary

Policy/Procedure created/reviewed: 14/10/2024

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|  Centre Name |  Castle Manor Academy |
|  Centre Number |  19323 |
|  Date policy first created |  23/03/2023 |
|  Current policy reviewed by |  |
|  Current policy approved by |  Vanessa Whitcombe |

# Key staff involved in the policy

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|  Head of centre |  Vanessa Whitcombe |
|  Senior leader(s) |  Louise Cassel |
|  Exams officer |  Pauline Cleary |
|  Other staff (if applicable) |   |

This policy is reviewed and updated annually to ensure that any malpractice at Castle Manor 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**

 ‘Malpractice’, means any act, default or practice which is a breach of the Regulations or 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 (SMPP Definitions)

 Malpractice includes maladministration and instances of non-compliance with the regulations, and includes activity such as failure to adhere to the regulations regarding the conduct of controlled assessments, coursework, examinations and non-examination assessments, or failures of compliance with JCQ regulations in the conduct of examinations/assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms. This list is not exhaustive. (SMPP Definitions)

 **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 Definitions)

**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 Definitions)

**Suspected malpractice**

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice (regardless of how the incident might be categorised, as described in SMPP, section 19). (SMPP 2)

# **Purpose of the policy**

The purpose of this policy is to confirm how Castle Manor Academy has in place for inspection that must be reviewed and updated annually 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: it must also acknowledge the use of AI (e.g. what AI is, when it may be used and how it should be acknowledged, the risks of using AI, what AI misuse is and how this will be treated as malpractice).

 **General principles**

In accordance with the regulations Castle Manor Academy will:

 Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments 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**

Castle Manor Academy has in place:

Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ document **Suspected Malpractice: Policies and Procedures.** (SMPP 4.3)

Ensures 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 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
* Post results services June 2024
* A guide to the awarding bodies’ appeals processes 2024-2025 (SMPP 3.3.1)

**Informing and advising candidates how to avoid committing malpractice in examinations/assessments**

As required all students receive an exam pack detailing all JCQ information for students. These include ‘Using Social Media’, ‘A guide to students regarding AI’, written exams, coursework assessment, non-exam assessments and exam expectations. They will sign to say they have received this. The tutors go through these packs with the students explaining everything. In lessons tutors talk through the use of AI with students at the beginning of the courses.

**AI Use in Assessments**

There are some assessments in which access to the internet is permitted in the preparatory or research stages. The majority of these assessments will be Non-Examined Assessments, coursework and internal assessments. JCQ guidance to help students and teachers to complete NEA’s, coursework and other internal assessments successfully is followed in relation to these assessments. The use of AI is discussed at length with the students during their teaching time. They receive the JCQ ‘A students guide to AI’.

# **Reporting and investigating malpractice**

 Where suspected malpractice is identified by the centre, the head of centre will ensure the individual responsibilities are undertaken in accordance with the requirements

* 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 document **Suspected Malpractice: Policies and Procedures** (SMPP 4.1.3)

 Where suspected malpractice is identified by the centre, the head of centre will submit full details of the case immediately to the relevant awarding body (SMPP 4.2)

Form JCQ/M1 (Suspected candidate malpractice) or Form JCQ/M2 (Notification of suspected malpractice/maladministration involving centre staff) will be used to notify an awarding body of an incident of malpractice (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)

 The head of centre/appointed information gatherer will gather evidence into allegations of malpractice and deal with the investigation in accordance with the deadlines and requirements set by the awarding body

 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 the accused individual (SMPP 5.33)

 After gathering evidence relating to a malpractice investigation, the head of centre will submit a full written report of the case accompanied by any appropriate documentation to the relevant awarding body (SMPP 5.35)

 Form JCQ/M1 or Form JCQ/M3 (Report into suspected malpractice/maladministration involving centre staff) will be used as the basis of the report

(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)

* The head of centre will ensure that, where a candidate is a child and 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)

# **Communicating malpractice decisions**

* The awarding body will determine the application of a sanction according to the evidence presented, the nature and circumstances of the malpractice, and the type of qualification involved
* Once a decision has been made by the awarding body, 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 individual concerned and to 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**

Castle Manor Academy will:

Provide the individual with information on the process 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**