

Beech Lodge School

MALPRACTICE POLICY (EXAMS)

2021/22

This document is reviewed annually to ensure compliance with current regulations.

Approved/reviewed by	Lucy Barnes
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Key staff involved in the procedure

Role	Names
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Head of Centre	Lucy Barnes
SENCo / ALS Lead	Laura Solari
SLT members	Daniela Shanly, Lucy Barnes, Dan Gillespie, Jack Rider, Karen McIlpatrick
Teaching staff	All staff
Access arrangement facilitator/Exams Officer	Laura Solari/Sarah Johnstone and Shelley Hopper (Exams Officer in training)

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Purpose of the policy

The purpose of this policy is to confirm how Beech Lodge School manages malpractice under normal delivery arrangements in accordance with JCQ regulations.

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)

General principles

In accordance with the regulations Beech Lodge 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)

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)

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 (SMPP 2.5)
- 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 ideally be used to notify an awarding body of an incident of malpractice (SMPP 4.2)
- 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 4.2)
- 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 (SMPP 6)
- 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 6.13)

- 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 7)
- 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 7)
- 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 7)

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 (SMPP 12)
- 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 (SMPP 13)
- 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 (SMPP 13)

Appeals against decisions made in cases of malpractice

Information on the process for submitting an appeal will be sent to all centres involved in malpractice decisions (SMPP 14)

Beech Lodge School 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

Appendix A – Examples of Staff Malpractice

The following are examples of staff malpractice. This is not an exhaustive list. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

Breach of security

- Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents.

It could involve:

- failing to keep examination material secure prior to an examination;
- discussing or otherwise revealing secure information in public, e.g. internet forums;
- moving the time or date of a fixed examination beyond the arrangements permitted within the JCQ publication Instructions for conducting examinations.
- Conducting an examination before the published date constitutes centre staff malpractice and a clear breach of security;
- failing to supervise adequately candidates who have been affected by a timetable variation; (This would apply to candidates subject to overnight supervision by centre personnel or where an examination is to be sat in an earlier or later session on the scheduled day.)
- permitting, facilitating or obtaining unauthorised access to examination material prior to an examination;
- failing to retain and secure examination question papers after an examination in cases where the life of the paper extends beyond the particular session. For example, where an examination is to be sat in a later session by one or more candidates due to a timetable variation;
- tampering with candidate scripts or controlled assessments or coursework after collection and before despatch to the awarding body/examiner/moderator;
 - (This would additionally include reading candidates' scripts or photocopying candidates' scripts prior to despatch to the awarding body/examiner. The only instance where photocopying a candidate's script is permissible is where he/she has been granted the use of a transcript.)
- failing to keep candidates' computer files secure which contain controlled assessments or coursework.

Deception

- Any act of dishonesty in relation to an examination or assessment, but not limited to:
 - inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of the candidates' achievement to justify the marks awarded;
 - manufacturing evidence of competence against national standards;
 - fabricating assessment and/or internal verification records or authentication statements;

- entering fictitious candidates for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud);
- substituting one candidate's controlled assessment or coursework for another.

Improper assistance to candidates

- Any act where assistance is given beyond that permitted by the specification or regulations to a candidate or group of candidates, which results in a potential or actual advantage in an examination or assessment.
 - For example: assisting candidates in the production of controlled assessments or coursework, or evidence of achievement, beyond that permitted by the regulations;
 - sharing or lending candidates' controlled assessments or coursework with other candidates in a way which allows malpractice to take place;
 - assisting or prompting candidates with the production of answers;
 - permitting candidates in an examination to access prohibited materials (dictionaries, calculators etc.);
 - prompting candidates in an examination/assessment by means of signs, or verbal or written prompts;
 - assisting candidates granted the use of an Oral Language Modifier, a practical assistant, a prompter, a reader, a scribe or a Sign Language Interpreter beyond that permitted by the regulations. Failure to co-operate with an investigation
 - failure to make available information reasonably requested by an awarding body in the course of an investigation, or in the course of deciding whether an investigation is necessary; and/or
 - failure to investigate on request in accordance with the awarding body's instructions or advice; and/or
 - failure to investigate or provide information according to agreed deadlines; and/or
 - failure to report all suspicions of malpractice.

Appendix B – Examples of Learner Malpractice

The following are examples of learner malpractice. This is not an exhaustive list. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion. For example:

- 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 IT to aid the copying);
- allowing work to be copied e.g. posting written coursework 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);
- exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication;
- making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework or the contents of a portfolio;
- allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework;
- the misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. exemplar materials);
- being in possession of confidential material in advance of the examination;
- 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 or obscene material in scripts, controlled assessments, coursework 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 published sources or incomplete referencing;
- theft of another candidate's work; For further information see Appendix E Plagiarism
- 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, Smartwatches or other similar electronic devices;

- the unauthorised use of a memory stick or similar device where a candidate uses a word processor;
- behaving in a manner so as to undermine the integrity of the examination.

Appendix C – Examples of Maladministration

The following are examples of maladministration. This is not an exhaustive list. Other instances of maladministration may be identified and considered by the awarding bodies at their discretion.

Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework and examinations or malpractice in the conduct of the examinations/assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc.

For example:

- failing to ensure that candidates' coursework or work to be completed under controlled conditions is adequately monitored and supervised;
- inappropriate members of staff assessing candidates for access arrangements who do not meet the criteria as detailed within Chapter 7 of the JCQ publication Access Arrangements and Reasonable Adjustments ;
- failure to use current assignments for assessments;
- failure to train invigilators adequately, leading to non-compliance with the JCQ publication Instructions for conducting examinations;
- failing to issue to candidates the appropriate notices and warnings, e.g. JCQ Information for candidates documents; • failure to inform the JCQ Centre Inspection Service of alternative sites for examinations;
- failing to post notices relating to the examination or assessment outside all rooms (including Music and Art rooms) where examinations and assessments are held;
- not ensuring that the examination venue conforms to the requirements as stipulated in the JCQ publication Instructions for conducting examinations;
- the introduction of unauthorised material into the examination room, either prior to or during the examination; (N.B. this precludes the use of the examination room to coach candidates or give subject-specific presentations, including power-point presentations, prior to the start of the examination).

- failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting;
- failure to invigilate examinations in accordance with the JCQ publication Instructions for conducting examinations;
- failure to have on file for inspection purposes accurate records relating to overnight supervision arrangements;
- failure to have on file for inspection purposes appropriate evidence, as per the JCQ publication Access Arrangements and Reasonable Adjustments, to substantiate approved access arrangements processed electronically using the Access arrangements online system;
- granting access arrangements to candidates who do not meet the requirements of the JCQ publication Access Arrangements and Reasonable Adjustments ;
- granting access arrangements to candidates where prior approval has not been obtained from the Access arrangements online system or, in the case of a more complex arrangement, from an awarding body;
- failure to supervise effectively the printing of computer based assignments when this is required;
- failing to retain candidates' controlled assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked;
- failing to maintain the security of candidate scripts prior to despatch to the awarding body or examiner;
- failing to despatch candidate scripts / controlled assessments / coursework to the awarding bodies or examiners or moderators in a timely way;
- failing to notify the appropriate awarding body at the earliest opportunity of all suspicions or actual incidents of malpractice;
- failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding body;
- the inappropriate retention or destruction of certificates.