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This document is intended for all those involved in or affected by malpractice incidents, including those who wish to report malpractice concerns regarding the delivery of general and vocational qualifications which are certificated by JCQ awarding bodies.

The document details the policies and procedures agreed by the JCQ awarding bodies for dealing with breach of security and malpractice investigations relating to candidates, centre staff and centres. The JCQ awarding bodies have separate procedures for investigating concerns relating to the conduct of examiners, moderators and awarding body staff.

If there is a conflict between awarding body regulations and these procedures, this document shall take precedence.

This document:

- complies with Condition A8 Malpractice and maladministration as defined by the regulators and Principle 14 of SQA Accreditation's Regulatory Principles;
- identifies the regulations under which examinations and assessments operate;
- defines malpractice in the context of examinations and assessments;
- sets out the rights and responsibilities of awarding bodies, centre staff and candidates in relation to such matters;
- describes the procedures to be followed in cases where there is reason to suspect that the regulations may have been broken;
- details the procedures for investigating and determining allegations of malpractice which in their fairness, impartiality and objectivity meet or exceed the requirements of current law in relation to such matters.

Changes made to the contents of this document since the previous version (1 September 2023 to 31 August 2024) are highlighted in yellow for easy identification and the principal changes have been listed on page 1.

What is malpractice and maladministration?

These JCQ , M P P , apply to all candidates and to centres and centre staff delivering JCQ awarding body qualifications. Where misconduct by examiners, moderators or awarding body staff is suspected, the appropriate disciplinary procedures will be adhered to.

Malpractice may or may not relate directly to an assessment. Awarding bodies are aware of the possibility of novel or unexpected forms of malpractice emerging as technologies and the nature and organisation of examination centres change.

Failure by a centre to notify, investigate and report to an awarding body all allegations of malpractice or suspected malpractice constitutes malpractice in itself.

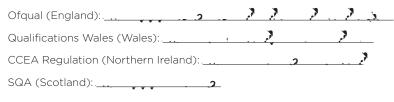
Failure to take action as required by an awarding body, as detailed in this document, or to co-operate with an awarding body's investigation, constitutes malpractice.

The JCQ member awarding organisations divide malpractice into the following types (see two examples for each type in Appendix 2):

- breach of security;
- deception;
- improper assistance to candidates;
- failure to co-operate with an investigation;
- maladministration;
- candidate malpractice.

Definitions

An organisation designated by government to establish national standards for qualifications and to secure compliance with them. The UK qualification regulators are:



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An organisation (such as a school, college, training company/provider or place of employment), which is approved by and accountable to an awarding body for the examination and assessment arrangements leading to a qualification award.

The head of centre is the individual who is accountable to the awarding bodies for ensuring that the centre is always compliant with both the published JCQ regulations and awarding body requirements to ensure the security and integrity of the examinations/assessments.

Where an allegation of malpractice is made against a head of centre, the responsibilities set out in this document as applying to the head of centre shall be read as applying to such other person nominated to gather information by the relevant awarding body, such as the Chair of Governors.

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A private candidate is defined as a student who is entered by the centre for a qualification in a particular subject but has not received any tuition at the centre for that subject during the academic year in which the exam series occurs. The student may have received teaching at the centre for different subjects or qualifications, or for the same subject or qualification for a previous exam series.

'Regulations' means the list of documents found in Appendix 1. They contain guidance and regulations relating to the provision of access arrangements and the conduct of controlled assessments, coursework, examinations and non-examination assessments.

The Regulations are based upon the requirements of the regulators of qualifications in England, Wales, Scotland and Northern Ireland, such as those found in Ofqual's General Conditions of Recognition, Qualifications Wales' Standard Conditions of Recognition and SQA Accreditation's Regulatory Principles.

Awarding bodies are obliged to notify the qualifications regulators of certain malpractice incidents, in accordance with the regulators' conditions.

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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 section 1.9).

Preventing malpractice

The regulators' Conditions of Recognition (A8.1) state that awarding bodies must:

• take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery, and award of qualifications which it makes available or proposes to make available.

Awarding bodies will minimise or eliminate the risk of malpractice through a range of approaches which include, but are not limited to:

- Ensuring that the design of qualifications reduces, as far as reasonably possible, the opportunity for malpractice to occur.
- Providing clear processes for the administration of qualifications which reduce, as far as reasonably possible, the opportunity for malpractice to occur.
- Issuing clear and robust guidance documents on all aspects of the delivery and administration of all qualifications, including the following JCQ documents:

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- Using all appropriate communication channels to provide updated information, guidance, and training for all stakeholders, including learners, in relation to the prevention of malpractice and maladministration.
- Fully utilising the JCQ Centre Inspection Service (CIS) who act on behalf of the awarding bodies ensuring that centre checks are undertaken with appropriate regularity and rigour.
- Responding efficiently and with clarity to a request from a centre to provide it with guidance on how best to prevent malpractice and maladministration.
- Monitoring social media, where appropriate, for any indication of malpractice and maladministration.
- Monitoring data, including entry data, to identify patterns, trends, doubleentering, failure to meet deadlines and any other information that may indicate malpractice has occurred.
- Reviewing proven cases of malpractice to analyse what, if anything, the awarding organisation(s) should learn from the occurrence.

Centres must take all reasonable steps to prevent malpractice. These can include but are not limited to:

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- Ensure that staff involved in the delivery of assessments and examinations understand the requirements for conducting these as specified in the JCQ documents above and any further awarding body guidance.
- Ensure that staff involved in the delivery of assessments and examinations understand the key dates and deadlines and that there are robust procedures in place to ensure these are met.
- Ensure that examination officers are appropriately trained, resourced and supported.
- Ensure that exams, including those delivered 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 members of staff follow appropriate security procedures to ensure confidential information relating to examinations and assessment materials is not breached.
- Ensure that in the event of an examination clash arrangements are planned and managed effectively.
- Ensure that staff delivering/assessing coursework, internal assessments and/or non-examination assessments have robust processes in place for identifying and reporting plagiarism (including AI misuse) and 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.

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- Ensure that all JCQ notices, e.g. Information for candidates, nonexamination assessments, coursework, on-screen tests, written examinations, social media, plagiarism are made available 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 bringing 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.

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Identification and reporting of malpractice

The regulators' Conditions of Recognition state that awarding bodies must:

- establish, maintain and at all times comply with up-to-date written procedures for the investigation of suspected or alleged malpractice or maladministration; and
- ensure that such investigations are carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in their outcome.

The awarding body will:

- oversee all investigations into suspected or alleged malpractice;
- determine whether to withhold the issuing of results until the conclusion of the investigation, or permanently, if the outcome of the investigation warrants a sanction;
- apply appropriate sanctions in cases of proven malpractice;
- report the matter to the regulators and other awarding bodies in accordance with the regulators' Conditions of Recognition;
- consider reporting the matter to the police if suspected or proven malpractice involves the committing of a criminal act;
- consider reporting the matter to other appropriate authorities where relevant, e.g. Funding Agencies and Teaching Regulation Agencies;
- protect the interest of candidates affected through no fault of their own by an incident of malpractice (see section 4.16);
- decide what information should be gathered and who is deemed the most appropriate person(s) to gather information on its behalf. The investigation, its progress and any decisions made in relation to an investigation are the responsibility of the relevant awarding body.

The head of centre

- 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 (not including timed assessment for Art & Design qualifications) before the authentication forms have been signed by the candidate (see paragraph 4.5).. 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 paragraphs 4.4 and 4.6;
- 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, where a candidate is a child or an adult at risk and is the subject of a malpractice investigation, the candidate's parent/carer/ appropriate adult is kept informed of the progress of the 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 should ensure there is no conflict of interest (see below) which might compromise the investigation;

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- 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, awarding bodies will endeavour to protect the interests of candidates who have been adversely affected through no fault of their own.

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.

Gathering of information



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In all cases, the head of centre must confirm to the awarding body the identity of the individual who will gather information and that the individual is appropriately senior, experienced in conducting similar types of investigations and that their appointment will not create a conflict of interest. The awarding body will confirm whether or not they agree to the suggested informationgatherer. A conflict of interest would arise where: When interviewing member of centre staff or students, centres must conduct those interviews in accordance with their own internal policy for conducting enquiries and with the requirements of this document.

Information gatherers must ensure that those implicated in malpractice are given their rights as detailed in section 5.33..



Gathering information often involves interviewing individuals about the allegations made. The awarding body will seek permission from the interviewee to record those interviews and will provide a written transcript to the individual interviewed, for confirmation of accuracy.

The awarding body may decide it is preferable to conduct interviews remotely, via MS Teams or equivalent. These interviews will also be recorded with a transcript sent to the individual for confirmation of accuracy.

It may be necessary for the awarding body to interview candidates during an investigation. If the candidate is a child or an adult at risk, the awarding bodies will only undertake this in the presence of an appropriate adult.

Information can be obtained from individuals during the information gathering stage of an investigation through either statements or interviews.

Those accused of malpractice and any person who witnessed or is likely to be aware of facts relevant to the allegation of malpractice should be interviewed and/or asked to provide a statement.

Any statements that are obtained must be in the individual's own words and be signed and dated.

Any member of centre staff or adult candidate being interviewed may be accompanied by an appropriate adult or advisor (who may be a representative of a teacher association or other organisation). Candidates who are children and/or at risk can also be accompanied by an appropriate adult.

The involvement of legal advisors is not necessary, at least where there is no allegation of criminal behaviour. However, if the individual being interviewed wishes to be accompanied by a legal advisor, the other parties must be informed beforehand to give them the opportunity to be similarly supported. An awarding body will not be liable for any professional fees incurred.

The person accompanying the interviewee should not take an active part in the interview. In particular, they must not answer questions on the interviewee's behalf.

All those interviewed or making a statement should be made aware that the information they provide will be shared with awarding bodies which 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.

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An awarding body will not normally withhold information from the head of centre or those being investigated about material obtained or created during the course of an investigation into an allegation of malpractice. However, it must comply with data protection law and specifically it may withhold information where this would involve disclosing the identity of someone who has asked for his/her identity to remain confidential. Whilst not prescribed bodies covered by the Public Information Disclosure Act, awarding bodies will comply with such requests where they can reasonably do so in order not to deter individuals from coming forward with legitimate concerns.

In such cases, the awarding body will withhold information that would reveal the person's identity and will explain why the withheld information cannot be provided. This may include redacting information from the original allegation received.

If, in the view of the information-gatherer, there is sufficient evidence that an individual may have committed malpractice, that individual (the candidate or the member of staff) must:

- be informed (preferably in writing) of the allegation made against them;
- be made aware of all evidence that has been obtained during the investigation which supports the allegation;

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.

The decision

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In straightforward cases where the evidence does not appear to be contested or in doubt, awarding bodies may invoke a summary procedure.

Examples of when a summary procedure may be invoked include:

- the initial information received from the centre is sufficient for an immediate decision to be made by an awarding body member of staff;
- the information available to the awarding body clearly indicates that malpractice has occurred (e.g. offensive language in a candidate's script).

In such circumstances, an appointed person at the awarding body may conclude that malpractice is proven and impose a sanction or sanctions. The individual(s) and centre affected will be informed of the malpractice findings and notified of the sanctions imposed; the evidence supporting the conclusion of malpractice; that a summary procedure has been invoked; and that they have the right to contest the decision.

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 member(s) or the centre to whom the sanction has been applied may contest

 the decision by asking for the matter to be referred to the Malpractice

 Committee.
 For candidate malpractice cases, the centre has the right to

 contest the decision by asking for the matter to be referred to the Malpractice

 Committee.
 They have 14 days in which to do so. The case will then be

 considered by the Malpractice Committee.

The Malpractice Committee will determine:

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Sanctions for centre staff malpractice: individuals

When determining the appropriate sanction which should be applied to an individual, the awarding body will consider whether the integrity of its qualifications might be at risk if an individual found to have committed malpractice were to be involved in the future conduct, supervision or administration of the awarding body's examinations or assessments.

It is not the role of the awarding body to be involved in any matter affecting the member of staff's or contractor's contractual relationship with his/her employer or engager. Awarding bodies recognise that employers may take a different view of an allegation to that determined by the awarding body. An employer may wish to finalise any centre-based decision after the awarding body has reached its conclusion.

In determining the appropriate sanction, the awarding body will consider factors including:

- the potential risk to the integrity of the examination or assessment;
- the potential adverse impact on candidates;
- the number of candidates and/or centres affected; and
- the potential risk to those relying on the qualification (e.g. employers or members of the public).

The awarding body may consider, at its discretion, mitigating factors supported by appropriate evidence. Ignorance of the regulations will not, by itself, be considered a mitigating factor.

Individuals may be subject to one or more sanctions.

Where a member of staff or contractor has been found guilty of malpractice, an awarding body may impose one or more of the following sanctions:

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A written warning that if the member of staff commits malpractice within a set period of time, further specified sanctions will be applied.

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The member of staff, as a condition of future involvement in the delivery of the awarding body's examinations and/or assessments, to undertake specific training or mentoring within a particular period of time. The awarding body may request written confirmation of the delivery of the training.

Special conditions are imposed on the member of staff regarding their future involvement in the delivery of the awarding body's examinations and/or assessments. For example, the member of staff must be supervised.

The member of staff is suspended/debarred from all involvement in the delivery or administration of the awarding body's examinations and assessments for a set period of time. Other awarding bodies, regulators, and other organisations such as the Teaching Regulation Agency (TRA) and Education Workforce Council (EWC) may be informed when a suspension/debarment is imposed.

These sanctions will be notified to the head of centre who must ensure that they are communicated to the individual(s) upon whom they have been imposed and that the sanctions are adhered to. Failure to communicate any sanction to an individual will be considered to be malpractice by the head of centre.

If a member of centre staff moves to another centre while being subject to a sanction, or if a member of centre staff moves to another centre during an investigation, the head of centre (of the centre at which the malpractice occurred) must immediately notify the awarding body of the move.

Sanctions for centre staff malpractice: centres

Centres may be subject to one or more of the below sanctions.

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Awarding bodies may, at their discretion, impose the following sanctions against centres:

A written warning to the head of centre advising of the malpractice and warning that further action may be taken (including the application of sanctions and special conditions) should there be a recurrence, or subsequent malpractice at the centre.

The head of centre will be required to review the centre's procedures for the conduct or administration of a particular examination/assessment, or all examinations/assessments in general. The head of centre will additionally be required to report back to the awarding body on improvements implemented by a set date. Alternatively, an action plan will be agreed between the awarding body and the centre which will need to be implemented as a condition of continuing to accept entries or registrations from the centre.

The approval by the awarding body of specific assessment tasks in situations where these are normally left to the discretion of the centre.

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The awarding body may increase, at the centre's expense, the normal level of monitoring that takes place in relation to their qualification(s).

Direct claims status may be removed from the centre, meaning that all claims for certification must be authorised by the centre's external verifier. (This sanction only applies to vocational qualifications.)

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For a specified period of time, a centre will be provided with examination papers and assessment materials shortly before such papers and materials are scheduled to be used. These papers might be opened and distributed under the supervision of the awarding body officer (or appointed agent) responsible for the delivery. The centre might also be required to hand over to an awarding body officer (or appointed agent) the completed scripts and any relevant accompanying documentation, rather than using the normal script collection or despatch procedures. These measures may be applied for selected subjects or all subjects.

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The appointment for a specified period of time, at the centre's expense, of independent invigilators to ensure the conduct of examinations and/or assessments is in accordance with the published regulations.

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An awarding body may, for a period of time, or until a specific matter has been rectified, refuse to accept candidate entries or registrations from a centre. This may be applied for selected subjects/occupational areas or all subjects/occupational areas. An awarding body may withdraw the approval of a centre to offer one or more qualifications issued by that awarding body.

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The awarding body may withdraw its recognition or approval for the centre.

Sanctions applied against candidates

Candidates may be subject to one or more sanctions (see Appendix 6).

Awarding bodies may, at their discretion, impose the following sanctions against candidates (it should be noted that, whilst the sanctions are numbered for ease of reference, the sequence of numbers does not imply that the sanctions become progressively more severe. Not all sanctions are applicable to all qualification types):

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The candidate is issued with a warning that if he/she commits malpractice within a set period of time, further specified sanctions may be applied.

The candidate loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of nonexamination assessment if this consists of several items.

The candidate loses all the marks gained for a component.

A component is more often a feature of a linear qualification than a unitised qualification, and so this sanction can be regarded as an alternative to sanction 4. Some units also have components, in which case a level of sanction between numbers 2 and 4 is possible.

The candidate loses all the marks gained for a unit. This sanction can only be applied to qualifications which are unitised.

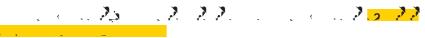
For linear qualifications, the option is sanction 3. This sanction usually allows the candidate to aggregate or request certification in that series, albeit with a reduced mark or grade.

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The candidate is disqualified from the unit. This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 7.

The effect of this sanction is to prevent the candidate aggregating or requesting certification in that series, if the candidate has applied for it.

For qualifications with assessments taken throughout the academic year, the candidate will be disqualified from the unit and will not be able to use the unit to aggregate/certificate. The candidate will need to redo the unit in order to be eligible for aggregation/certification, subject to the awarding body's qualification requirements.



If circumstances justify, sanction 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous examination series are retained.) This sanction is only available if the qualification is unitised. For linear qualifications the option is sanction 8.

For qualifications with assessments taken throughout the academic year, the candidate will be disqualified from the unit(s) and will not be able to use the unit(s) to aggregate/certificate. The candidate will need to redo the unit in order to be eligible for aggregation/certification, subject to the awarding body's qualification requirements. The candidate is disqualified from the whole qualification taken in that series or academic year. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications.

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If circumstances justify, sanction 7 may be applied to other qualifications. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear

qualifications. This sanction is only applied by the affected awarding body.

The candidate is barred from entering for one or more examinations for a set period of time. This sanction is applied in conjunction with any of the other sanctions above, if the circumstances warrant it.

Unless a sanction is accompanied by a bar on future entry, all candidates penalised by loss of marks or disqualification may re-take the component(s), unit(s) or qualification(s) affected in the next examination series or assessment opportunity if the awarding body qualification permits this. For qualifications which have an endorsement component (such as GCSE English Language or A level Chemistry), candidates can carry forward their endorsement result to the next assessment opportunity, as long as there has been no indication that it has been affected by malpractice.

Heads of centre may wish to take further action themselves in cases of candidate malpractice.

Communicating decisions

Once a decision has been made, it will be communicated in writing to the head of centre as soon as possible.

It is the responsibility of the head of centre to communicate the decision to the individuals concerned and to pass on details of any sanctions and action in cases where this is indicated. The head of centre must also inform the individuals if they have the right to appeal.



Appeals

All awarding bodies have established procedures for considering appeals against sanctions arising from malpractice decisions.

The following individuals have a right to appeal against decisions of the Malpractice Committee or officers acting on its behalf:

• heads of centre, who may appeal against sanctions imposed on the centre or on centre staff, as well as on behalf of candidates entered or registered

Image: Sources of information Image: Sources of malpractice

- A guide to gathering information for a malpractice investigation
- Indicative sanctions against centres
- Indicative sanctions against centre staff
- Indicative sanctions against candidates
- \ldots \mathbb{A}_{\bullet} Illustrations of malpractice
- JCQ/M1 Suspected candidate malpractice
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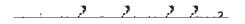
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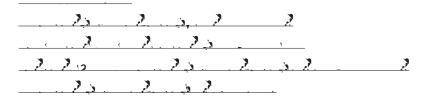
Sources of information

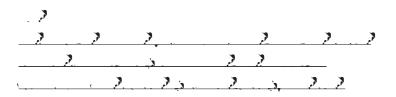
In addition to the requirements found in subject or qualification specifications, the following documents contain the regulations relating to the conduct of examinations and assessments.

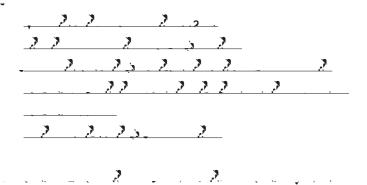
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Examples of malpractice

The following are examples of malpractice. And as such does not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.



1. 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, including digital examination materials;
- discussing or otherwise revealing information about examinations and assessments that should be kept confidential, e.g. internet forums/social media;
- moving the time or date of a fixed examination beyond the arrangements permitted within the JCQ document / / / / / / · . Conducting an examination before the published date constitutes centre staff malpractice and is a clear breach of security;
- failing to adequately supervise 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);
- releasing candidates early from a timetabled assessment (e.g. before 10 a.m. for a morning session examination);
- 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, e.g. 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, controlled assessments, coursework or non-examination assessments 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);
- failing to keep secure computer files which contain candidates' controlled assessments, coursework or non-examination assessments.

2. Deception

Any act of dishonesty in relation to an examination or assessment including, but not limited to:

- inventing or changing marks for internally assessed components (e.g. non-examination assessments) 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, coursework or non-examination assessment for another's;
- providing misleading or inaccurate information to an awarding body, candidates and/or parents.

3. 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 assessment, coursework, nonexamination assessments or portfolios, beyond that permitted by the regulations;
- sharing or lending candidates' controlled assessments, coursework or non-examination assessments 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.);
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- 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 document / $\frac{1}{2}$
- failing to prevent the introduction of unauthorised material into the examination room, either prior to or during the examination (NB 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 document /
 ,
- failure to have on file for inspection purposes accurate records relating to overnight supervision arrangements;
- failure to have in place a malpractice policy;
- failure to have on file for inspection purposes appropriate evidence, as per the JCQ document A
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- the unauthorised use of alternative electronic devices or technology during remote assessment and remote invigilation;
- accessing the internet, online materials or AI tools during remote assessment and remote invigilation, where this is not permitted;
- failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments;
- collusion: working collaboratively with others, beyond what is permitted;
- copying from another candidate (including the use of technology to aid the copying);
- allowing work to be copied, e.g. posting work 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);
- failing to report to the centre or awarding body the candidate having unauthorised access to assessment related information or sharing unauthorised assessment related information online;
- exchanging, obtaining, receiving, passing on information (or the attempt to) which could be assessment related by means of talking, electronic, written or non-verbal communication;
- making a false declaration of authenticity in relation to the authorship of controlled assessment, coursework, non-examination assessment or the contents of a portfolio;
- allowing others to assist in the production of controlled assessments, coursework, nonexamination assessments, examination responses or assisting others in the production of controlled assessments, coursework, non-examination assessments or examination responses;
- the misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. exemplar materials);
- being in possession of unauthorised confidential information about an examination or assessment;
- 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 offensive comments, obscenities or drawings; discriminatory language, remarks or drawings directed at an individual or group in scripts, controlled assessments, coursework, non-examination assessments or portfolios;
- personation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment;
- plagiarism: unacknowledged copying from, or reproduction of, third party sources or incomplete referencing (including the internet and artificial intelligence (AI) tools);
- theft of another candidate's work;
- being in possession (whether used or not) of unauthorised material during an examination or assessment, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), watches, instruments which can capture a digital image, electronic dictionaries (when prohibited), translators, wordlists, glossaries, iPods, mobile phones, AirPods, MP3/4 players, pagers, or other similar electronic devices;
- the unauthorised use of a memory stick or similar device where a candidate uses a word processor;
- facilitating malpractice on the part of other candidates;
- behaving in a manner so as to undermine the integrity of the examination.

The person gathering information on an allegation of candidate malpractice within a centre must collect the information and submit a report to the awarding body.



The report 🔍 , detail:

- who was involved in the incident, including candidates, members of staff and/or invigilators;
- the facts of the case, as established from information and/or statements from those involved.

The report 🔍 , include:

- a clear account, as detailed as necessary, of the circumstances;
- details of the activities carried out by the centre;
- written statements from any teachers, invigilators, members of staff or other witnesses concerned, which , be signed and dated (where members of staff accused of malpractice decline the opportunity to provide a statement this must be made clear to the awarding body);
- written statements from any candidates concerned including in particular the candidate(s) alleged to have engaged in malpractice, which ______, be signed and dated (where candidates accused of malpractice decline the opportunity to provide a statement this must be made clear to the awarding body);
- any other information relevant to the allegation;

₽, where appropriate:

- information about how the centre makes candidates aware of the awarding bodies' regulations;
- seating plans;
- any unauthorised material found in the examination room;
- photographic evidence of any material written on hands/clothing etc;
- any candidate work/associated material which is relevant to the investigation;
- · any other relevant evidence.

Individuals implicated in malpractice _____, be afforded their rights as detailed in paragraph 5.33.

Form JCQ/M3, which can be found at _________, be used as the basis of the report. The checklist at the end of the form needs to be completed and submitted with the report.



This table is for guidance only and sanctions can be flexibly applied according to the details of each individual case.

	25 2 2
2	Minor non-compliance with the regulations or maladministration with no direct or immediate threat to the integrity of an examination or assessment.
	Breach of procedures or regulations which if left unchecked could result in a threat to the examination or assessment.
······································	Failure in a specific subject or sector area relating to the nature of the assessment tasks chosen.
2 2 2 2 2 2 2 2	Failure of the centre's systems resulting in poor management of the examination or assessment, or inadequate invigilation.
· · · · · · · · · · · · · · · · · · ·	Loss of confidence in the ability of the centre to assess and verify candidates' portfolios satisfactorily.
	Failure to maintain the security of examination or assessment materials.
	Loss of confidence in the centre's ability to invigilate examinations.
S	Threat to the interest of candidates registered on the qualification.
Sec. P. P. S. C. C. P	Loss of the integrity of assessment decisions; danger of invalid claims for certification.
	Repeated breach of the regulations relating to a specific qualification. Alternatively, a breakdown in management and quality assurance arrangements for a specific qualification or sector/subject area.
32 . 2.2	Loss of confidence in the head of centre or senior management of the centre.
	Breakdown in management and quality assurance arrangements for some or all accredited qualifications offered by the centre.
	Failure to co-operate with awarding body requests to thoroughly investigate suspected malpractice.
	Failure to implement a specified action plan.



This table is for guidance only and sanctions can be flexible applied according to the details of each individual case.

	. 22	22	·	Sec. 2.2
	Minor assistance, no significant impact, e.g. where not allowed, headings or a basic table template, small amounts of simple/ generic feedback, sharing exemplars without careful control (where individual is untrained/ inexperienced).	Limited help, minimal impact, misunderstanding rules or lack of experience, e.g. new reader clarifies questions, non- specialist gives 'how to' guide in non- examination assessment (NEA) against regulations.	Limited help and impact, e.g. staff member gives general 'how to' guide, giving exemplars with no control, and/or feedback beyond regulations in presence of mitigating factors, e.g. in NEA following recent specification change where allowed in previous specification.	Significant impact; impairment to validity of assessments, e.g. feedback beyond regulations, giving exemplars for copying, provision of answers.
_ ??	Repeated use of out of date or wrong tasks texts, minor errors in following assessment regulations with minimal impact on candidates, e.g. granting legitimate access arrangements when approval not given, minor ethical and/or safeguarding concerns with assessment content produced by candidates due to poor supervision.	Errors in following assessment regulations, by inexperienced/ insufficiently-trained staff, e.g. new invigilator failing to manage timings correctly; scribe reading questions. A failure to ensure that assessments are being completed and supervised appropriately due to inexperience/lack of training, where the content gives rise to ethical and/or safeguarding concerns.	Errors in following assessment regulations by experienced members of staff, but with limited impact affecting a limited number of candidates, e.g. granting access arrangements to ineligible candidates to limited effect which is not systematic in scope; failure to invigilate clash candidates adequately to limited impact. A failure to identify and act on candidate assessments where the content gives rise to ethical and/or safeguarding concerns.	Errors in following assessment regulations that compromise integrity of assessment or submissions; or breach of regulations that impacts results; or systemic, repeated or continuing non- compliance with JCQ regulations; failure to provide training for invigilators, and/or those facilitating access arrangements. A failure to take appropriate action when there is an awareness that the content of candidate assessments could give grounds for serious ethical and/or safeguarding concerns.
	This box is intended to be blank.	This box is intended to be blank.	This box is intended to be blank.	Falsifying candidates' work or submissions, systemic non- compliance with JCQ regulations; falsifying marks, entering fictitious and/or ineligible candidates for exams; fabricating evidence for access arrangements.

2	. 22	22	١.	. 2 2	N. 2.2

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care and attention to security (including electronic security) of assessment materials not resulting in a security breach, e.g. materials left outside of secure store but no breach to seals on question paper packets. Risk presented to integrity of exam, but no evidence of breach; failure to store papers appropriately but with no impact beyond increased risk; <mark>failure to audit</mark> or review account access or account inactivity.

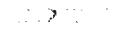
Failure to give due

Risk presented to integrity of exam with evidence of failure to understand regulations designed to protect exam integrity, e.g. incorrect papers removed from secure store, no second pair of eyes check, sharing Multi Factor Authentication device(s)/details, but content of papers

not divulged to any unauthorised third party.

Inadvertent/ accidental failure to follow security regulations or action that has the potential to breach examination security, e.g. giving candidates the wrong paper, but breach contained to candidates within centre, <mark>failure to</mark> follow requirements in section 4 of JCQ ICE which inadvertently facilitates unauthorised access to secure electronic materials.

Abuse of legitimate access to confidential material, e.g. sharing live exam questions with candidates in advance of the scheduled exam time. Failure to act promptly to contain impact of security breach to centre. Failure to arrange exam clash supervision leading to significant impact.



Minor noncompliance, e.g. delay in meeting investigation timescales without agreement, delay in reporting. Failure to investigate in accordance with JCQ guidance.

Failure to report a low-impact incident of malpractice. Failure to take action as required by an

Indicative sanctions against candidates

This table is for guidance only and sanctions can be flexibly applied according to the details of each individual case.

In instances where the box is blank, the sanction may still be used.

The structure of awarding bodies' qualifications can differ and therefore all the available sanctions may not be relevant for every qualification.

	(Sanction 1)	(Aggregation still permitted) (Sanctions 2-4)	(Sanctions 5-9)
22-5 2			
Own blank paper	used for rough work	used for final answers	
Calculators, dictionaries (when prohibited)	not used	used or attempted to use	
Bringing into the examination room notes in the wrong format or prohibited annotations	notes/annotations go beyond what is permitted but do not give an advantage; content irrelevant to subject	notes/annotations are relevant and give an unfair advantage	notes/annotations introduced in a deliberate attempt to gain an advantage
Unauthorised notes, study guides and personal organisers	content irrelevant to subject	content relevant to subject	relevant to subject and evidence of use
Mobile phone or similar electronic devices (including iPod, MP3/4 player, memory sticks, smartphone, smartwatch, AirPods, earphones and headphones)	not in the candidate's possession but makes a noise during the examination	in the candidate's possession but no evidence of being used by the candidate	in the candidate's possession and evidence of being used by the candidate
Watches (not smartwatches)	in candidate's possession		
<u>. 2 _ 2. 2</u>			
warning; loss of all marks gained for a section; loss of all marks gained for a component; loss of all marks gained for a unit;		taken in that series or acade disqualification from the wh disqualification from all qua or academic year;	ole qualification; Ilifications taken in that series
loss of all marks gained for a component;		disqualification from the wh disqualification from all qua	nole qualific



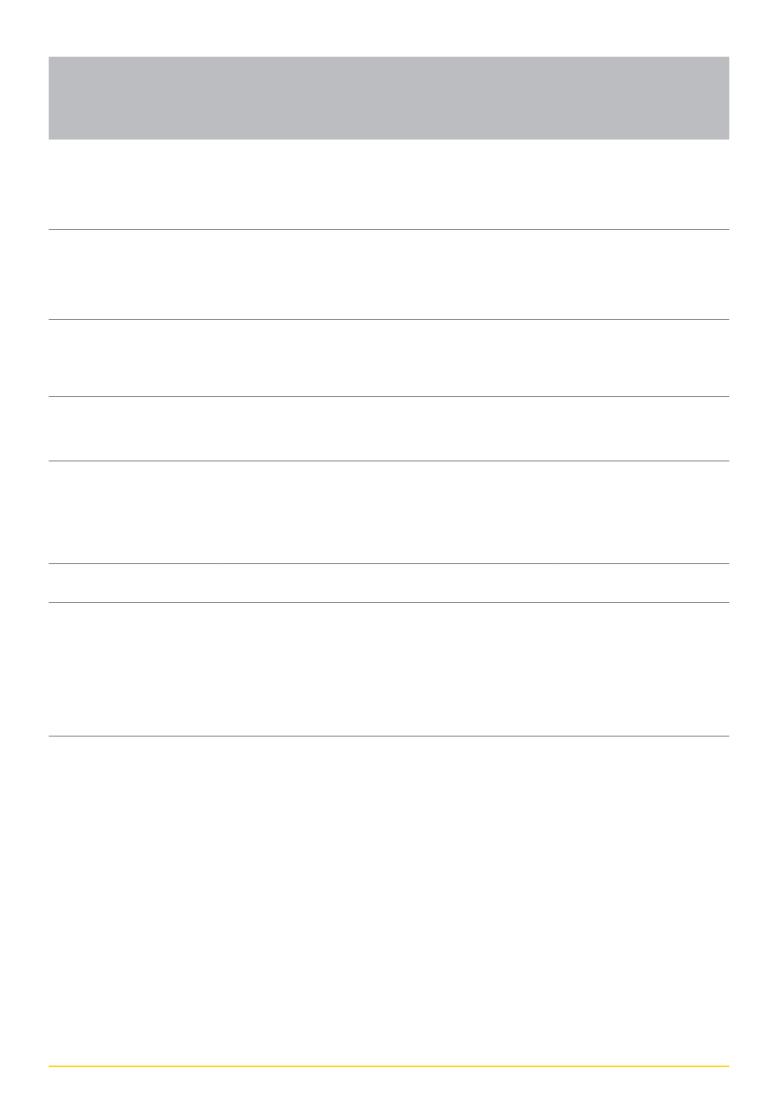
(Sanction 1)

(Aggregation still permitted) (Sanctions 2-4)



A breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination rules and regulations minor non-compliance: e.g. sitting in a non-designated seat; continuing to write for a short period after being told to stop major non-compliance: e.g. refusing to move to a designated seat; significant amount of writing after being told to stop repeated non-compliance

Failing to abide by the conditions of supervision designed to maintain the



	(Sanction 1)	(Aggregation still permitted) (Sanctions 2-4)	(Sanctions 5-9)
Collusion: working collaboratively with others beyond what is permitted	collaborative work is apparent in a few areas, but possibly due to teacher advice; candidate unaware of the regulations	collaborative work begins to affect the examiner's ability to award a fair mark to an individual candidate	candidates' work reflects extensive similarities and identical passages; due to a deliberate attempt to share work
Plagiarism: unacknowledged copying from or reproduction of third party sources (including the internet and AI tools); incomplete referencing	minor amount of plagiarism/poor referencing in places	plagiarism from work listed in the bibliography or referenced/acknowledged; minor amount of plagiarism from a source not listed in the bibliography or referenced / acknowledged	plagiarism from work not listed in the bibliography or referenced/acknowledged; plagiarised text consists of the substance of the work submitted and the source is listed in the bibliography or referenced / acknowledged
Making a false declaration of authenticity		sections of work done by others, but most still the work of the candidate	most or all of the work is not that of the candidate
Copying from another candidate or allowing work to be copied (including the misuse of technology)	lending work not knowing it would be copied	permitting examination script/work to be copied; showing other candidates' answers	copying from another candidate's script, controlled assessment, coursework, non- examination assessment; borrowing work to copy
12 22 3			

The deliberate destruction of work

minor damage to work which does not impair visibility

defacing scripts;

The following illustrations of malpractice are edited examples from the historical records of all the awarding bodies which are party to the Joint Council regulations. Please note that although

- The Head of Art admitted that the administration of the examinations was not in line with JCQ regulations and that they had not read the JCQ regulations or invigilation information that had been given to staff.
- Pupils were allowed to listen to music on their mobile phones and no guarantee could be given that that was all they had done.
- The Head of Art took a paintbrush and painted one large stroke and then several others across a candidate's work.

After careful examination of the evidence, it was decided that the case clearly showed failure to adhere to the regulations regarding the conduct of controlled assessments, coursework, examinations and non-examination assessments, as well as malpractice in the conduct of examinations/assessments.

The Malpractice Committee applied a 4-year suspension.

To ensure the timely certification of vocational learners expecting a result in the summer, centres were required to submit all their internal assessment results and requests for certification by a fixed deadline.

Where centres did not meet this, despite frequent reminder communications, they were investigated for potential malpractice.

One centre advised that their learners had previously been on track, however unexpected staffing shortages had meant that they were unable to internally moderate their work in time.

While this may have been outside of the centre's control, it appeared that they did not have sufficient contingency arrangements and they also did not keep Pearson informed of the delays.

The centre did subsequently complete the necessary actions and certification was not delayed for the learners. However, the centre was issued with a written warning for failing to meet the deadline.

During the summer exam series, issues were identified in relation to a centre's failure to despatch completed assessment materials in a timely fashion, affecting a range of GCSE and GCE qualifications.

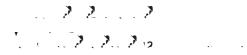
During the investigation, several other issues regarding examination administration and conduct were identified. The range of issues was such that awarding body staff were deployed to the centre to provide support in completing administrative tasks.

Suspected plagiarism was identified in the work of several candidates during the moderation process. An investigation confirmed that candidates had been taught about plagiarism including the need to reference their work and that they must not copy and paste from the internet.

The plagiarised material was predominantly confined to facts and definitions, particularly of file type, knowledge of which is a requirement of one of the tasks and key learning objectives.

understanding of plagiarism. The technical nature of the information plagiarised meant it was difficult to accurately define it without using specific words or phrases found in definitions on the internet.

As a result of the investigation, the two candidates who were identified as having copied and pasted information without making any changes were given a warning.



The examiner reported that multiple answers in the scripts of two candidates (Candidate A & Candidate B) from one centre were similar.

The awarding body contacted the head of centre to advise of the issues identified by the examiner and requested that they conduct an internal investigation to establish the course of events which led to candidates A and B submitting similar responses.

The head of centre reported back to the awarding body that, when interviewed,



The moderator raised concerns of suspected plagiarism in a unit of the above qualification, due to a lack of referencing seen within candidates' work.

Through using Turnitin, two candidates were identified who may have potentially used AI

Examination/assessment details

Qualification or specification code

Section D (All qualifications)

If the incident involves disruptive behaviour, did the candidate's behaviour cause disturbance to other candidates?

YES	
NO	

If the answer to the above question is yes and you wish to request special consideration for

Supporting information

Please indicate below the supporting information submitted with this report. All relevant information and materials must be submitted at this time. Information submitted subsequently may not be considered.

Please ensure that all supporting documents are scanned and attached (preferably as PDF documents) to the same email.

Information submitted with this form							
Statement(s) fitom(anvigilator(s)	ſg	m	vrt(s	vr/g	vr″	00	

NOTES ON THE COMPLETION OF FORM JCQ/M1

This form must be used by the head of the centre to notify the appropriate awarding body of an instance of suspected candidate malpractice in the conduct of examinations or assessments. It can also be used to provide a report on investigations into instances of suspected malpractice.

In order to prevent the issue of erroneous results and certificates, it is essential that the awarding body concerned is notified immediately of instances of suspected candidate malpractice.

Full details of the procedures which must be followed when investigating cases of suspected malpractice can be found in the JCQ document: *Suspected Nalpractice: Policies and Procedures* http://www.jcq.org.uk/exams-office/malpractice

Reports on investigations from centres must include:

- a detailed account of the circumstances surrounding the suspected candidate malpractice including, in the case of disruptive behaviour, an indication as to whether the behaviour continued after warnings were given, and whether the candidate was removed from the examination room/assessment situation or not;
- the procedures for advising candidates of the regulations concerning the conduct of examinations and/or assessments;
- a report of any investigation carried out subsequently by the centre;
- signed and dated statements from the staff concerned (e.g. invigilators, assessors, teachers, tutors, etc.) on the centre's official letterheaded paper;
- signed and dated statements from the candidate(s) concerned or a clear indication that

The form and supporting documentation must be sent to: AQA

i



Details of examinations/assessments involved

Qualification, unit or specification code	Qualification, unit or specification title

Date and time of incident

Describe the nature of the suspected malpractice/maladministration, including details as to how it was discovered by whom and when.

Could the candidates have been unfairly advantaged or disadvantaged by the suspected malpractice/maladministration? If so, please give details.

Describe the steps the centre management propose to take to gather information relating to this matter.

į.

Individual proposed to gather information

Name:	
Role within centre/organisation:	
Reason why suitable to gather information (e.g. experienced senior leader):	

Have you and the individual proposed to gather information read the JCQ guidance on conflicts of interest and personal interest at sections 4.1.3 and 5.7-5.8 and Appendix 3 within the JCQ *Suspected Nalpractice: Policies and Procedures*?

YES	NO

The form and supporting documentation must be sent to: AQA <u>irregularities@aqa.org.uk</u>

CCEA malpractice@ccea.org.uk

City & Guilds investigationandcompliance@cityandguilds.com

NCFE providerassurance@ncfe.org.uk

OCR malpractice@ocr.org.uk

Pearson pgsmalpractice@pearson.com

WJEC malpractice@wjec.co.uk





JCQ M3

Report into suspected malpractice/maladministration involving centre staff

This form is to be used by a head of centre following the gathering of information related to an be completed investigation into an instance of suspected malpractice or maladministration. It and submitted to the appropriate awarding body together with supporting statements and documentation.

If the gathering of information has not yet commenced, please use suspected malpractice/maladministration which can be found on the JCQ website: http://www.jcg.org.uk/exams-office/malpractice

Notification of

Name:	
Role within centre/organisation:	

Reason why suitable to gather information (e.g. experienced

Give details of the actions you have taken and the information you have gathered

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- •

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This checklist is intended to assist centres when gathering information for an investigation into suspected malpractice or maladministration involving centre staff. Once completed, it be submitted to the awarding body together with the supporting statements and documentation.

Reference is made to the requirements detailed in the JCQ document: *Suspected Malpractice: Policies and Procedures*

							Y	es		No)
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1. The accused member of staff has been informed of their individual responsibilities an Ê es absi

irregularities@aqa.org.uk

malpractice@ccea.org.uk

investigationandcompliance@cityandguilds.com

providerassurance@ncfe.org.uk

malpractice@ocr.org.uk

pqsmalpractice@pearson.com

malpractice@wjec.co.uk

. 2, Contacts

Vocational Qualifications

General Qualifications

. 2

-

Maladministration/Staff Malpractice

Candidate Malpractice

_____2