



THE BEMROSE SCHOOL

MALPRACTICE POLICY

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1. Purpose of the Policy

The Bemrose School has in place a written malpractice policy which covers all qualifications delivered by the centre and details how candidates are informed and advised avoiding committing malpractice in examinations/assessments, how suspected malpractice issues should be escalated within the centre and reported to the relevant awarding body.

2. General Principles

In accordance with the regulations The Bemrose School will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations have taken place
- 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
- 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

3. Malpractice

JCQ define malpractice as: “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”.

Malpractice can occur in a range of circumstances:

- Intentional – incidents are carried out purposefully with the aim to give unfair advantage in an examination or assessment;
- Unintentional – incidents arise due to a lack of awareness, carelessness, or forgetfulness in applying regulations;

- Environmental – incidents occur as a result of circumstances which are beyond the control of the people involved (E.g supervision of candidates is disrupted by an emergency alarm).

4. What is Malpractice and Maladministration?

‘Malpractice’ and ‘maladministration’ are related concepts, the common theme of which is that they involve a failure to follow the rules of an examination or assessment. This policy and procedure uses the word ‘malpractice’ to cover both ‘malpractice’ and ‘maladministration’ and it means any act, default or practice which is:

- a breach of the Regulations;
- a breach of awarding body requirements regarding how a qualification should be delivered;
- a failure to follow established procedures in relation to a qualification which:
- gives rise to prejudice to candidates;
- compromises public confidence in qualifications compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate;
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

4.1 Preventing Malpractice

The Bemrose School has in place:

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

This includes ensuring that all staff involved in the delivery of assessments and examinations understand the requirements for conducting these as specified in the following JCQ documents and any further awarding body guidance:

- General Regulations for Approved Centres;
- Instructions for Conducting Examinations (ICE);
- Instructions for Conducting Coursework;
- Instructions for Conducting Non-Examination Assessments;
- Access Arrangements and Reasonable Adjustments;
- A Guide to the Special Consideration Process
- Suspected Malpractice: Policies and Procedures;
- A Guide to the Awarding Bodies’ Appeals Processes

4.2 What is the Risk of AI?

See AI Policy, which can be found on the School’s Website

4.2.1 Candidate Malpractice

‘Candidate malpractice’ means malpractice by a candidate in connection with any examination or assessment, including the preparation and authentication of any controlled assessments, coursework or non-examination assessments, the

presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper.

4.2.2 Examples of Candidate Malpractice (this list is not exhaustive):

- 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 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 assessment, coursework, non-examination assessment or assisting others in the production of controlled assessment, coursework or non-examination assessment;
- 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 inappropriate, offensive, obscene, homophobic, transphobic, racist or sexist material in scripts, controlled assessments, coursework, non-examination assessments 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, or reproduction of, the work of others or published sources or incomplete referencing;
- theft of another candidate's work;
- 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, MP3/4 players, pagers, watches 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 which undermines the integrity of the examination.

5. Dealing with Suspected Candidate Malpractice

a) Internally Marked NEA, Controlled Assessment or Portfolio Assignment

If a member of staff suspects a candidate of malpractice, the candidate will be informed, and the allegations will be explained. The candidate will have the opportunity to give a statement before any final decision is made. If the candidate accepts that malpractice has occurred and has not yet signed a candidate declaration, they will be given the opportunity to repeat the assignment. If the malpractice is proven following the investigation, centre staff may decide to re-mark previous assignments, and these could also be rejected if similar concerns are identified.

If malpractice is discovered after a candidate has signed a declaration this will be reported to the Awarding Body in accordance with SM1 (as for externally marked examinations below).

b) Externally Marked Examinations

If a member of staff suspects a candidate of malpractice during an externally marked examination, the candidate will be informed, and an investigation will be undertaken by the Examinations Officer. All cases of suspected candidate malpractice will be reported to the Awarding Body in accordance with JCQ regulations and requirements.

As part of the investigation the candidate will be:

- informed of the allegation made against them
- informed what evidence there is to support the allegation
- informed of the possible consequences should the malpractice be proven
- given the opportunity to consider their response to the allegation
- given the opportunity to submit a written statement
- informed of the Awarding Body outcome
- informed of the applicable appeals procedure should a decision be made against them.

5.2 Sanctions for Candidate Malpractice

Where a candidate has been reported to an Awarding Body for suspected malpractice, which is subsequently proven, the following sanctions may be imposed:

5.2.1 Warning: the candidate will be issued with a warning that if the offence is

repeated within a set period of time, further specified sanctions will be applied.

- 5.2.2 **Loss of marks for a section:** 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 controlled assessment if this consists of several items.
- 5.2.3 **Loss of marks for a component:** the candidate loses all the marks gained for a component.
- 5.2.4 **Disqualification from a whole qualification:** The candidate is disqualified from the whole qualification taken in the exam series or academic year.
- 5.2.5 **Disqualification from all qualifications taken in the exam series:** If circumstances suggest, the above penalty may be applied to other qualifications.
- 5.2.6 **Candidate debarred:** The candidate is barred from entering one or more examinations for a set period of time. This penalty may be applied in conjunction with any of the other penalties above if the circumstances warrant it.

5.3 Right to Appeal - Candidate Malpractice

A candidate may appeal against sanctions imposed on them. Appeals will be made by the centre on behalf of a candidate and conducted in accordance with the JCQ Suspected Malpractice in Examinations and Assessments Policies and Procedures and Awarding Body Procedures.

6. 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.

Examples of Centre Staff Malpractice (this list is not exhaustive):

- Breach of security;
- Deception;
- Improper assistance to candidates;
- Failure to cooperate with an investigation; Maladministration.

6.2 Dealing with Suspected Centre Staff Malpractice

Investigations into allegations will be coordinated by the Head of Centre, who will ensure the initial investigation is carried out within ten working days and in accordance with the JCQ regulations and requirements.

The investigation will involve establishing the full facts and circumstances of any alleged malpractice.

It should not be assumed that because an allegation has been made, it is true. Where appropriate, the staff member concerned and any potential witnesses will be interviewed and their version of events recorded.

The member of staff will be:

- 6.2.1 informed in writing of the allegation made against them
- 6.2.2 informed what evidence there is to support the allegation
- 6.2.3 informed of the possible consequences, should malpractice be proven given the opportunity to consider their response to the allegations given the opportunity to submit a written statement
- 6.2.4 given the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- 6.2.5 informed of the applicable appeals procedure, should a decision be made against them
- 6.2.6 informed of the possibility that information relating to a serious case of malpractice will be shared with the relevant awarding body and may be shared with other awarding bodies, the regulators Ofqual, the police and/or relevant professional bodies.

If work is submitted for moderation/verification or for marking which is not the candidate's own, the awarding body may not be able to issue a result for that candidate.

6.3 Sanctions for Centre Staff Malpractice

Where a member of staff has been reported to an Awarding Body for suspected malpractice, which is subsequently proven, the following sanctions may be imposed:

- 6.3.1 **Written warning:** the member of staff will be issued with a written warning stating that if the offence is repeated within a set period, further specified sanctions will be applied
- 6.3.2 **Training:** the member of staff will be required, as a condition of future involvement in both internal and external assessments, to undertake specific training or mentoring, within a particular period, including a review process at the end of the training
- 6.3.3 **Special conditions:** Impose special conditions on the future involvement in assessments by the member of staff
- 6.3.4 **Suspension:** Bar the member of staff in all involvement in the administration of assessment for a set period
- 6.3.5 **Dismissal:** Should the degree of malpractice be deemed gross professional misconduct; the member of staff could face dismissal from their post.

6.4 Right to Appeal – Centre Staff Malpractice

The member of staff may appeal against sanctions imposed on them. Appeals will be conducted in accordance with current JCQ regulations and requirements.