



2023  
2024

Policy adopted: 1<sup>st</sup> September 2022

Last review date: 1<sup>st</sup> September 2023

Signed by: Mrs K. Phillips

Position: Senior Deputy Headteacher

A white rectangular box containing a handwritten signature in black ink that reads "K. Phillips".

# MALPRACTICE & MALADMINISTRATION POLICY



Saint John Henry

# Newman Catholic College

**LOVE** ONE ANOTHER

**SERVICE** TO LOVE YOUR NEIGHBOUR AS YOURSELF

**COURAGE** TO DO THE RIGHT THING

**DIGNITY** TO TREAT OTHERS AS YOU WOULD LIKE TO BE TREATED

**EXCELLENCE THROUGH LEARNING**

“We strive to have the courage to celebrate  
and live our Christian Faith,  
in love and service to all others,  
to achieve dignity and excellence”

We monitor the impact of all policies on students, staff, parent and governors with particular reference to the impact on the attainment and wellbeing of students.

As a Roman Catholic College we believe that our policy should reflect our mission statement, which calls us to love and honour the dignity of every individual.

## Contents

Key staff involved in the Malpractice policy .....	4
Introduction .....	4
General principles .....	5
Preventing malpractice .....	5
Informing and advising candidates .....	5
Identification and reporting of malpractice.....	5
Reporting suspected malpractice to the awarding body.....	6
Communicating malpractice decisions .....	6
Sanctions and Penalties .....	6
Informing other awarding organisations .....	7
The Examination Boards .....	7
Appeals against decisions made in cases of malpractice.....	7
Examples of Malpractice & Maladministration .....	7
Evidence .....	8
Reports.....	9

## Key staff involved in the Malpractice policy

Role	Name(s)
Head of Centre	<b>G R Potts</b>
Senior Leader(s)	<b>D Maxwell</b>
Exams Officer	<b>T Burlison</b>

This policy is reviewed and updated annually to ensure that any malpractice at Newman Catholic College is managed in accordance with current requirements and regulations.

Reference in the policy to **GR** and **SMPP** relate to relevant sections of the current JCQ publications **General Regulations for Approved Centres** and **Suspected Malpractice: Policies and Procedures**.

### Introduction

Saint John Henry Newman Catholic College takes all incidences of malpractice seriously. The following procedure applies to all learners registered on all GCSE and Vocational qualifications and all associated units.

Newman Catholic College will provide on request guidance as to how best prevent, investigate and deal with malpractice and maladministration.

### 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 (SMPP 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. (SMPP 2)

### 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 2)

## Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice. (SMPP 2)

## General principles

In accordance with the regulations Newman Catholic College 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)

*For examples of malpractice please refer to Appendix 1.*

## Preventing malpractice

Newman Catholic College has in place:

- Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ publication **Suspected Malpractice: Policies and Procedures**. (SMPP 4.3)
- 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 2023-2024; Instructions for conducting examinations (ICE) 2023-2024; Instructions for conducting coursework 2023-2024; Instructions for conducting non-examination assessments 2023-2024; Access Arrangements and Reasonable Adjustments 2023-2024; A guide to the special consideration process 2023-2024; Suspected Malpractice: Policies and Procedures 2023-2024; Plagiarism in Assessments; AI Use in Assessments: Protecting the Integrity of Qualifications; A guide to the awarding bodies' appeals processes 2023-2024* (SMPP 3.3.1)

## Informing and advising candidates

Candidates are provided with a student handbook prior to examinations/assessments. An assembly is also delivered on how to avoid committing malpractice, along with advice from subject teachers regarding the use of AI in assessments.

## Identification and reporting of malpractice

### Escalating suspected malpractice issues

Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels (SMPP 4.3) However, at Newman Catholic College this is reported to the Exams Officer who escalates the issue through the appropriate channels.

## Reporting suspected malpractice to the awarding body

- The head of centre will notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice, using the appropriate forms, and will conduct any investigation and gathering of information in accordance with the requirements of the JCQ publication **Suspected Malpractice: Policies and Procedures** (SMPP 4.1.3)
- The head of centre will ensure that where a candidate who is a child/vulnerable adult is the subject of a malpractice investigation, the candidate's parent/carer/ appropriate adult is kept informed of the progress of the investigation (SMPP 4.1.3)
- Form JCQ/M1 will be used to notify an awarding body of an incident of candidate malpractice. Form JCQ/M2 will be used to notify an awarding body of an incident of suspected staff malpractice/maladministration (SMPP 4.4, 4.6)
- Malpractice by a candidate discovered in a controlled assessment, coursework or non- examination assessment component prior to the candidate signing the declaration of authentication need not be reported to the awarding body but will be dealt with in accordance with the centre's internal procedures. The only exception to this is where the awarding body's confidential assessment material has potentially been breached. The breach will be reported to the awarding body immediately (SMPP 4.5)
- 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 accused individuals (SMPP 5.33)
- Once the information gathering has concluded, the head of centre (or other appointed information-gatherer) will submit a written report summarising the information obtained and actions taken to the relevant awarding body, accompanied by the information obtained during the course of their enquiries (5.35)
- Form JCQ/M1 will be used when reporting candidate cases; for centre staff, Form JCQ/M3 will be used (SMPP 5.37)
- The awarding body will decide on the basis of the report, and any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The head of centre will be informed accordingly (SMPP 5.40)

## Communicating malpractice decisions

- Once a decision has been made, it will be communicated in writing to the head of centre as soon as possible. The head of centre will communicate the decision to the individuals concerned and pass on details of any sanctions and action in cases where this is indicated. The head of centre will also inform the individuals if they have the right to appeal. (SMPP 11.1)

## Sanctions and Penalties

Examination Boards impose sanctions and penalties on individuals and on centres found guilty of malpractice/maladministration in order to:

- Minimise the risk to the integrity of examinations and assessments, both in the present and in the future
- Maintain the confidence of the public in the delivery and awarding of qualifications
- Ensure as a minimum that there is nothing to gain from breaking the regulations

- Deter others from doing likewise

In addition, Examination Boards will update their database to reflect decisions made.

For full details regarding the implementation of sanctions, please refer to the relevant Examinations Boards policies. See websites below:

[www.aqa.org.uk](http://www.aqa.org.uk)

[www.pearson.org.uk](http://www.pearson.org.uk)

[www.cie.org.uk](http://www.cie.org.uk)

[www.ocr.org.uk](http://www.ocr.org.uk)

[www.wjec.co.uk](http://www.wjec.co.uk)

[www.asdan.org.uk](http://www.asdan.org.uk)

### Informing other awarding organisations

All Examination Boards have the right to inform another awarding organisation if it believes that an occurrence of malpractice or maladministration may affect them.

### The Examination Boards

Newman Catholic College will report all cases of malpractice to the Examination Boards where it finds evidence that results, or certificates may be invalid. Newman Catholic College will co-operate with any follow-up investigations required by the Examination Boards and will agree on remedial action to be taken where there is evidence that results, or qualifications may be invalid.

### Appeals against decisions made in cases of malpractice

Newman Catholic College will:

- Provide the individual with information on the process and timeframe for submitting an appeal, where relevant
- Refer to further information and follow the process provided in the JCQ publication **A guide to the awarding bodies' appeals processes**

***For more information regarding appeals and our written complaints procedure please see the college website: Information/Exams/Exam Policies***

### Examples of Malpractice & Maladministration

#### Centre

**Breach of security** – breaking the confidentiality of question papers or materials and the confidentiality of learners' scripts. It could involve:

- Insecure storage of external assessment papers
- Unauthorised amendment, copying or distributing of external assessment papers
- Failing to supervise adequately learners during an assessment.

**Deception** - Any act of dishonesty in relation to any examination or assessment. It could involve:

- Inventing or changing marks for internally assessed components where there is no actual evidence of the learner achievement

- Manufacturing evidence of competence against standards
- Fabricating assessment and/or internal verification records or authentication statements.

**Improper assistance to learners** - Giving assistance beyond that permitted by the specification to a learner or group of learners, which results in an advantage in an examination or assessment. It could involve:

- Assisting learners in the production of controlled assessments or coursework
- Sharing or lending learners'-controlled assessments or coursework with other learners
- Assisting or prompting learners with the production of answers
- Permitting learners in an examination/assessment to access prohibited materials.

**Maladministration** - essentially any activity or practice which results in non-compliance with Examination Boards regulations/procedures. It could involve:

- Contravention of centre and qualification approval conditions
- Failure to carry out actions identified by our external verifiers in the required timescales
- Failure to adhere to Examination Boards learners registration and certification procedures
- Fraudulent claim for certificates
- Deliberate misuse of Examination Boards logos
- Submission of false information to gain a proxy or a qualification
- Failure to adhere to any Centre Agreement

## Candidates

It could involve:

- The alteration or falsification of any results document, including certificates
- Plagiarism of any nature by the learner
- Disruptive behaviour by learner in the examination room or during an assessment session (including the use of offensive language) for more information please see 'information for candidates policy' section J, Malpractice.
- Copying from or allowing another learner to copy their work
- Making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework, or the contents of a portfolio
- Bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators, dictionaries (when prohibited), electronic dictionaries, iPods, mobile phones, MP3 players, pagers, or other similar electronic devices
- Impersonation - pretending to be someone else, arranging for another person to take one's place in an examination or an assessment.

## Evidence

The documents listed below are examples of evidence to accompany the report Form. Please note that these examples are not exhaustive and are for guidance.

- A statement of the facts, a detailed account of the circumstances of the alleged malpractice, and details of any investigations carried out by the centre
- Written statements from the individual(s) making the allegation



- Written statement(s) from the invigilator(s), witnesses, assessor, internal verifier(s) or other staff who are involved
- Written statement(s) from the alleged (member of staff or learner)
- Any mitigating factors
- Unauthorised material found in the examination/assessment room
- Any work of the learner
- Any associated materials/documents which is relevant to the investigation.


## Reports

Centres should send the report and any accompanying evidence to the relevant Examination Board. Where the centre conducts its own investigation before submitting the report, they should:

- Ensure that staff leading the investigation are independent of the staff/learners/function being investigated
- Inform those who are suspected of malpractice that they are entitled to know the necessary details of the case and possible outcomes
- Submit the findings of their investigation to the Examination Board with their report.

The report must include:

- Centre's name, address and number
- Learner's name and Candidate number
- Centre staff details (name, job role) if they are involved in the case
- Title and code of the qualification/unit affected
- Date(s) of suspected or actual malpractice occurred and the full nature of the suspected or actual malpractice
- Contents and outcome of any investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances
- Together with the appropriate evidence as mentioned above.

<b><u>Signed by Head of Centre:</u></b>		<b><u>Date:</u></b> 22.09.23
<b><u>Signed by Examinations Officer:</u></b>	T. Burisoni	<b><u>Date:</u></b> 22.09.23

Renewal Date: September 2024



Saint John Henry Newman Catholic College

Off Canon Dolan Way,

Chadderton OL9 9QY,

Telephone 0161 785 8858