

Enterprise Learning Alliance

Examinations Malpractice Policy



Date	Approval Date	Review Date
6 November 2023	17 November 2023	5 November 2024

This policy is reviewed and updated annually to ensure that any malpractice at ELA 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*.

Contents

Introduction	3
Purpose of the policy.....	4
General principles	4
Preventing malpractice.....	4
Informing and advising pupils.....	5
Identification and reporting of malpractice	5
Communicating malpractice decisions	6
Appeals against decisions made in cases of malpractice	6
Appendix A: Examples of Malpractice	7

This policy should be considered together with:

[ELA Examination BTEC Polices Procedures and Practices](#)
[ELA Examination Conflict of Interests Policy](#)
[ELA Examination Contingency Plan](#)
[ELA Examination Internal Assessments Appeals Procedures](#)
[ELA Non-Examined Assessments Policy](#)
[ELA Examination Policy](#)
[ELA Examination Recognition of Prior Learning](#)
[ELA Examination Whistleblowing Policy](#)
[ELA Examination Word Processor Policy](#)

Introduction

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)

Purpose of the policy

To confirm ELA has in place a written malpractice policy which covers all qualifications delivered by the centre and details how candidates are informed and advised to avoid committing malpractice in examinations/assessments, how suspected malpractice issues should be escalated within the centre and reported to the relevant awarding body (GR 5.3)

General principles

In accordance with the regulations ELA 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)

Preventing malpractice

ELA 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)

Further awarding body guidance includes:

- BTEC Qualifications
- Pearson Centre Guidance Dealing with malpractice and maladministration in vocational qualifcators

Informing and advising pupils

It is the responsibility of teaching staff that candidates are informed and advised to avoid committing malpractice in examinations/assessments at the start of courses.

Pupils are informed of the centre's policy on malpractice and the penalties or attempted and actual incidents of malpractice in lessons and by letter advising location on all examination policies on the school website.

In order to minimise the risk of malpractice by learners Linwood will

- Inform pupils of the centre's policy on malpractice and the penalties for attempted and actual incidents of malpractice
- show pupils the appropriate formats to record cited texts and other materials or information sources
- ask pupils to declare that their work is their own
- ask pupils to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used

Identification and reporting of malpractice

Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels (SMPP 4.3)

All suspected malpractice must be reported to the ELA Exams Officer. This will then be escalated to Examinations Head of Centre.

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). This would be the case for all Linwood candidates.
- 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. The candidate will

- be informed and the allegations will be explained.
- will have the opportunity to give their side of the story before any final decision is made.
- if the candidate accepts that malpractice has occurred, he/she will be given the opportunity to repeat the assessment.
- if found guilty of malpractice following an investigation, the teacher may decide to re-mark previous assignments and these could also be rejected if similar concerns are identified.

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)

Appeals against decisions made in cases of malpractice

- ELA 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*

Appendix A: Examples of Malpractice

This list is not exhaustive and other instances of malpractice may be considered by this centre at its discretion:

By learners	By centre staff
<ul style="list-style-type: none"> • plagiarism of any nature • collusion by working collaboratively with other learners to produce work that is submitted as individual learner work • copying (including the use of ICT to aid copying) • deliberate destruction of another's work • fabrication of results or evidence • false declaration of authenticity in relation to the contents of a portfolio or coursework • impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one's place in an assessment/examination/test • failing to abide by the instructions of an assessor – this may refer to the use of resources which the candidate has been specifically told not to use • the alteration of any results document • talking during an examination • taking a mobile phone into an examination • taking any item other than those accepted by the Awarding Body into the examination, such as a book or notes • leaving the examination room without permission • passing notes or papers to, or accepting notes or papers, from another candidate 	<ul style="list-style-type: none"> • improper assistance to pupils • inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the pupils' achievement to justify the marks given or assessment decisions made • failure to keep pupils coursework/portfolios of evidence secure • fraudulent claims for certificates • inappropriate retention of certificates • assisting pupils in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves centre staff producing work for the pupil • producing falsified witness statements, for example for evidence the pupil has not generated • allowing evidence, which is known by the staff member not to be the pupil's own, to be included in a pupil's assignment/task/portfolio/coursework • facilitating and allowing impersonation • misusing the conditions for pupils extra requirements, for example where pupils are permitted support, such as a scribe, this is permissible up to the point where the support has the potential to influence the outcome of the assessment • falsifying records, for example by alteration, substitution, or by fraud • fraudulent certificate claims, that is claiming for a certificate prior to the pupil completing all the requirements of the assessment • serious maladministration, where maladministration is any unintentional activity or practice that leads to non-compliance with awarding body regulations.