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Linwood School (Exams) Malpractice & Maladministration Policy

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

Version	Date	Author	Details
1.0	01/10/2018	SJ Clark	Merged overall policy with BTEC Policy Aligned and included reference to JCQ Policy
1.1	18/11/19	M A Price	Logos amended, maladministration reference added, Pearson and ASDAN docs reference
1.2	29/09/2023	S Hawkins	Updated using The exam office template for 2023-2024. Amended Logo to new Linwood Logos. Added Pearson and ASDAN awarding body guidance documents
1.3	30/11/2023	S Hawkins	Amended include maladministration
1.4	14/06/2024	S Hawkins	Amended to include AI
1.5	17/10/2024	S Hawkins	Reviewed against JCQ updates changes made including information on AI

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**.

This policy is written using the template is provided for members of **The Exams Office** only and must not be shared beyond use in Linwood School



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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.

Malpractice

Malpractice refers to any deliberate act neglect, default or practice which compromises, or threatens to compromise:

- The assessment process and integrity of assessment or regulated qualification
- The validity of the result or certificate awarded.
- The reputation and credibility of AQA, OCR, Edexcel/Pearson, ASDAN or any other awarding organisation Linwood is registered with
- The qualification or the wider qualifications community

Maladministration

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

Candidate malpractice and maladministration

Malpractice and maladministration 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 completion of any examination. (SMPP 2)



Centre staff malpractice and maladministration

Means malpractice and maladministration 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 and maladministration

For the purposes of this document, suspected malpractice and maladministration means all alleged or suspected incidents of malpractice and maladministration. (regardless of how the incident might be categorised, as described in SMPP, section 19). (SMPP 2)

Purpose of the policy

To confirm Linwood School has in place for inspection that must be reviewed and updated annually a written malpractice and maladministration policy which covers all qualifications delivered by the centre and detailing how candidates are informed and advised to avoid committing malpractice in examinations/assessments, how suspected malpractice and maladministration issues should be escalated within the centre and reported to the relevant awarding body ; it must also acknowledge the use of AI (e.g. what AI is, when it may be used and how it should be acknowledged, the risks of using AI, what AI misuse is and how this will be treated as malpractice) (GR 5.3) General principles

In accordance with the regulations Linwood School will:

- Take all reasonable steps to prevent the occurrence of any malpractice and maladministration before, during and after assessments 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 and 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 and maladministration

Linwood School has in place robust processes to prevent and identify malpractice and maladministration, 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 2024-2025*
- *Instructions for conducting examinations (ICE) 2024-2025*
- *Instructions for conducting coursework 2024-2025*
- *Instructions for conducting non-examination assessments 2024-2025*
- *Access Arrangements and Reasonable Adjustments 2024-2025*
- *A guide to the special consideration process 2024-2025*
- *Suspected Malpractice: Policies and Procedures 2024-2025*
- *Plagiarism in Assessments*
- *AI Use in Assessments: Protecting the Integrity of Qualifications*
- *Post Results Services June 2024 and November 2024*
- *A guide to the awarding bodies' appeals processes 2024-2025 (SMPP 3.3.1)*

Further awarding body guidance includes:

- *BTEC Qualifications – Pearson Centre Guidance Dealing with malpractice and maladministration in vocational qualificators*
- *Pearson Functional Skills – Entry Level Centre Guide to Quality Assurance*
- *Pearson Functional skills – Level 1 & 2 Centre Guidance to Quality Assurance*
- *Pearson Functional Skills – Entry Level Instructions for the conduct of controlled assessments*
- *Pearson Functional Skills – level 1 & 2 Instructions for the conduct of controlled assessments*
- *Instructions for conducting examinations (ICE) 2023-2024*
- *ASDAN Policy, Procedures and Guidance on Malpractice and Maladministration*

Informing and advising candidates

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

Students are informed in the student handbook of the centre's policy on malpractice and maladministration and the penalties or attempted and actual incidents of malpractice and maladministration.



Importance of malpractice and maladministration and examples of malpractice and maladministration are included on the candidate declaration form signed by candidate prior to assessments and examinations taking place.

A copy of this policy is available to all candidates in the exam section on the Linwood Website.

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

- use the induction period and the student handbook to inform learners of the centre's policy on malpractice and maladministration and the penalties for attempted and actual incidents
- show learners the appropriate formats to record cited texts and other materials or information sources
- ask learners to declare that their work is their own
- ask learners to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used
- Understand process to acknowledge use of AI when it may be used

AI Use in Assessments

AI use refers to the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications. Misuse of AI tools in relation to qualification assessments at any time constitutes malpractice.

Students must be able to demonstrate that the final submission is the product of their own independent work and independent thinking.

There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. The majority of these assessments will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications (GQs) and Vocational & Technical Qualifications (VTQ's). JCQ's guidance which is designed to help students and teachers to complete NEAs, coursework and other internal assessments successfully is followed in relation to these assessments.



AI misuse is where a student has used one or more AI tools but has not appropriately acknowledged this use and has submitted work for assessment when it is not their own. Examples of AI misuse include, but are not limited to, the following:

- Copying or paraphrasing sections of AI-generated content so that the work submitted for assessment is no longer the student's own
- Copying or paraphrasing whole responses of AI-generated content
- Using AI to complete parts of the assessment so that the work does not reflect the student's own work, analysis, evaluation or calculations
- Failing to acknowledge use of AI tools when they have been used as a source of information
- Incomplete or poor acknowledgement of AI tools
- Submitting work with intentionally incomplete or misleading references or bibliographies.

AI misuse constitutes malpractice as defined in the JCQ Suspected Malpractice

AI Use in Exams

AI Use in assessments protecting the integrity of qualifications: Students complete the majority of their exams and a large number of other assessments under close staff supervision with limited access to authorised materials and no permitted access to the internet. At Linwood School if candidates have word processor access arrangement they use the examination laptops which IT department have disabled internet use. The delivery of these assessments should not be unaffected by developments in AI tools as students must not be able to use such tools when completing these assessments.

As has always been the case, and in accordance with section 5.3(k) of the JCQ General Regulations for Approved Centres (<https://www.jcq.org.uk/exams-office/general-regulations/>), students must submit work for assessments which is their own. This means both ensuring that the final product is in their own words, and isn't copied or paraphrased from another source such as an AI tool, and that the content reflects their own independent work.



Identification and reporting of malpractice and maladministration

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

All suspected malpractice and maladministration must be reported to the Linwood Exams Office. This will then be escalated to Teresa Brennan - Head of Campuses and Gemma Talbot - Executive Headteacher (Head of Centre).

Reporting suspected malpractice and maladministration to the awarding body

- The head of centre will notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice and maladministration, 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 or maladministration 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 or maladministration. 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 or maladministration 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 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 or maladministration has occurred, he/she will be given the opportunity to repeat the assessment.
 - If found guilty of malpractice or maladministration 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 or maladministration, 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 or maladministration and if any further investigation is required. The head of centre will be informed accordingly (SMPP 5.40)



Communicating malpractice and maladministration 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 and maladministration

- Linwood School 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 & Maladministration

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) • Failing to follow the instructions given by staff conducting examinations and controlled assessments; • 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 candidates • inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made • failure to keep candidate coursework/portfolios of evidence secure • fraudulent claims for certificates • inappropriate retention of certificates • assisting learners 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 learner • producing falsified witness statements, for example for evidence the learner has not generated • allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework • facilitating and allowing impersonation • misusing the conditions for special learner requirements, for example where learners are permitted support, such as an amanuensis, this is permissible up to the point where the support has the potential to influence the outcome of the assessment • falsifying records/certificates, for example by alteration, substitution, or by fraud • fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment. • Serious maladministration – where maladministration is any unintentional activity or practice that leads to non-compliance with awarding-body regulations.