



Emerson Park Academy

Exam Malpractice Policy

2023/24

Centre No. 12821

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Date of next review	November '24

Key staff involved in the complaints policy

Role	Name(s)
Head of centre	Mr S McGuinness
Senior leader(s)	Mrs K Blaize Mr M Hope Mr J Maguire Mr N Giles Ms N Heatley Mr S Thurley Ms C Amponsah
Exams officer	Mrs T Whiting

Purpose of the policy

This procedure is reviewed and updated annually to ensure that any malpractice at Emerson Park Academy is managed in accordance with current requirements and regulations.

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

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 complication 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 Emerson Park Academy:

- 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 issued should be escalated within the centre and reported to the relevant awarding body (GR 5.3)

General principles

In accordance with the regulations Emerson Park Academy 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

Emerson Park Academy 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 of 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 of 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 Procedure 2023-2024; Plagiarism in Assessments; AI Use in Assessments: Protecting Integrity of Qualifications; A Guide to the awarding bodies' appeals processes 2023-2024 (SMPP 3.3.1)*

Informing and advising candidates

It is the responsibility of teaching staff to inform candidates about what malpractice is and the consequences during examinations and assessments at the start of the course. Students are also reminded of this, before and during the production of their assessments. Teachers have been issued with electronic version of the JCQ document 'Teachers and Assessors – AI Use in Assessments: Protecting the Integrity of Qualifications'.

Candidates are informed about malpractice in examinations and assessments, including the use of AI and its consequences, via the Emerson Park Academy 'Student Guide to Examinations and Assessment 2023-2024'. A hard copy of this guide is given to students at the beginning of Year 11 and an electronic copy emailed to parents/carers. It is stated in the guide that all links to all documents associated with malpractice are on the exams area of the academy website. Links for document 'Suspected Malpractice in Examinations and Assessment: Policies and Procedures; Their attention is also drawn to this in Year 10 and 11 assemblies via the SLT Exams Line Manager.

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)
- All suspected malpractice must be reported to the Examinations Officer. This will then be escalated to the Senior Teacher who line Manages Exams; Mr Hope.

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 Procedure** (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 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 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/1M 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

Emerson Park Academy 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**

Access arrangements and Special consideration

- Candidate not assessed by the centre's appointed assessor
- Candidate not involved in decisions made regarding his/her access arrangements
- Candidate did not consent to record their personal data online (by the non-acquisition of a completed candidate personal data consent form)
- Candidate not informed/adequately informed of the arrangements in place and the subjects or components of subjects where the arrangements would not apply
- Exam information not appropriately adapted for a disabled candidate to access it

- Adapted equipment put in place failed during exam/assessment
- Approved access arrangement(s) not put in place at the time of an exam/assessment
- Appropriate arrangements not put in place at the time of an exam/assessment as a consequence of a temporary injury or impairment
- Candidate unhappy with centre decision relating to access arrangements or special consideration (complaint to refer via Examination Officer to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*

Entries

- Failure to clearly explain a decision of early entry for a qualification to candidate (or parent/carer)
- Candidate not entered/entered late (incurring a late entry fee) for a required exam/assessment
- Candidate entered for a wrong exam/assessment
- Candidate entered for a wrong tier of entry

Conducting examinations

- Failure to adequately brief candidate on exam timetable/exam regulations prior to exam/assessment taking place
- Room in which exam held did not provide candidate with appropriate conditions for taking the exam
- Inadequate invigilation in exam room
- Failure to conduct exam according to the regulations
- Online system failed during (on-screen) exam/assessment
- Disruption during exam/assessment
- Alleged, suspected or actual malpractice incident not investigated/reported
- Eligible application for special consideration for a candidate not submitted/not submitted to timescale
- Failure to inform/update candidate on the accepted/rejected outcome of a special consideration application if provided by awarding body

Results and Post-results

- Before exams, candidate not made aware of the arrangements for post-results services and the accessibility of senior members of centre staff after the publication of results
- Candidate not having access to a member of senior staff after the publication of results to discuss/make decision on the submission of a review/enquiry
- Candidate request for return of work after moderation and work not available/disposed of earlier than allowed in the regulations
- Candidate (or parent/carer) unhappy with a result (complainant to refer via exams officer to awarding body *post-results services*)
- Candidate (or parent/carer) unhappy with a centre decision not to support a clerical re-check, a review of marking, a review of moderation or an appeal (complainant to refer via Exam Officer to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*
- Centre applied for the wrong post-results service/for the wrong script for a candidate
- Centre missed awarding body deadline to apply for a post-results service
- Centre applied for a post-results service for candidate without gaining required candidate consent/permission

Raising a concern/complaint

If a candidate (or his/her parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification he/she is following, Emerson Park Academy encourages him/her to try to resolve this informally in the first instance. A concern or complaint should be made in person, by telephone or in writing to the head of centre.

If a complaint fails to be resolved informally, the candidate (or his/her parent/carer) is then at liberty to make a formal complaint.

How to make a formal complaint

- A formal complaint should be submitted in writing by completing a *complaints and appeals form*

- Forms are available from the Examinations Officer
- Completed forms should be returned to the Examinations Officer
- Forms received will be logged by the centre and acknowledged within 2 calendar days

How a formal complaint is investigated

- The Exam Officer and head of centre will further investigate or appoint a member of the senior leadership team (who is not involved in the grounds for complaint and has no personal interest in the outcome) to investigate the complaint and report on the findings and conclusion
- The findings and conclusion will be provided to the complainant within 1 working week

Internal appeals procedure

Following the outcome, if the complainant remains dissatisfied and believes there are clear grounds, an appeal can be submitted.

- Any appeal must be submitted by following the centre's internal appeals procedure and completing a *complaints and appeals form*
- Forms received will be logged by the centre and acknowledged within 2 calendar days
- The appeal will be referred to Chair of Governors
- The Chair of Governors who as detailed in the centre's internal appeals procedure, will inform the appellant of the final conclusion in accordance with the internal appeals procedure

