



Children's Hospital School

Malpractice Policy

Date of
Approval:
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19/12/2024

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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. 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. (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 Willow Bank School:

- has in place for inspection that must be reviewed and updated annually, a written malpractice policy which covers all qualifications delivered by the centre detailing 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; 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 Willow Bank School will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments have taken place (GR 5.11)

- Be aware of the appropriate and inappropriate use of AI, the risks of using AI, and the possible consequences of using AI inappropriately in a qualification assessment. Relevant staff (including senior team and relevant subjects) are aware of the JCQ document: 'AI Use in Assessments: Protecting the Integrity of Qualifications' (Feb 2024). Key points to note include:
 - Teachers must only accept work for qualification assessments which is the student's own.
 - Students and centre staff must be aware of the risks of using AI and clear on what constitutes malpractice.
 - Where there are doubts about the authenticity of candidate work, this should be investigated.
 - AI Chatbots may produce answers which seem convincing but contain incorrect or biased information.
 - AI misuse consists of using one or more tools which has not been acknowledged appropriately, therefore submitting work which is not their own.
 - Centre staff should not use AI as the sole marker of work.
- 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

Willow Bank School 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 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 2025*
 - *A guide to the awarding bodies' appeals processes 2024-2025* (SMPP 3.3.1)

Informing and advising candidates

Candidates are informed and advised about avoiding committing malpractice in examinations/assessments as follows:

- Candidates are provided with a copy of the '*Information for Candidates – non exam assessment*' in subjects where they will be completing NEA.
- Plagiarism and the use/misuse of AI are addressed, along with the use of social media. Subject teachers brief students on malpractice within NEA, including the use of AI (For NEA: Film Studies, Health & Social Care, Art).
 - Candidates are made aware of the use and misuse of AI.
 - Candidates are made aware of the risks of using Chatbot to produce answers which are not referenced accurately.
 - Candidates are made aware of the risks of using Chatbot to produce answers even though referenced accurately, for example through not demonstrating assessment objectives independently.
- An exam briefing is given by the Head of School in the lead up to exams which covers the JCQ regulations, including examples of malpractice and likely sanctions.

- An 'exam pack' is sent home to candidates following entries, which includes the following JCQ information for candidates documentation: '*Information for candidates – written exams*', '*Information for Candidates – Privacy notice*', '*Information for Candidates – Social Media*' and the *exam room posters*.
- Candidates are supported, in lessons, with non exam assessment to ensure correct referencing is undertaken when using external sources, including AI, within their work. This is part of the regular dialogue with students when NEA is undertaken.
- All JCQ documentation is available on the school website and parent/candidates are made aware of this and directed towards this via exam communications at key points during the year.

AI Use in Assessments

- With reference to the JCQ guidance for Teachers & Assessors – 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 not permitted access to the internet. The delivery of these assessment should be unaffected by developments in AI tools as students must not be able to use such tools when completing these assessments.
- There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. The majority of these assessment will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications and Vocational & Technical Qualifications. JCQ's guidance which is designed to help students and teacher to complete NEAs, coursework and other internal assessments successfully is followed in relation to these 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). Suspected malpractice issues should be escalated to the Head of School.

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)

Appeals against decisions made in cases of malpractice

Willow Bank 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**