

Suspected Malpractice in Examinations and Assessments Procedure

This procedure complies with the JCQ Instructions for suspected malpractice. It should be read in conjunction with other relevant procedures and understood by relevant staff for conducting controlled assessments across all TEN Group establishments.

Definitions

The Centre – is the establishment approved by an awarding body to register candidates and conduct examinations, such as a school or college.

Head of Centre – is the principal or chief officer of the centre.

Regulator – An organisation designated by government to establish national standards for qualifications.

Malpractice – Any act, default or practice which compromises the process and integrity of qualifications or damages the authority, credibility or reputation of the centre or awarding body. This includes actions by candidates, private candidates and centre staff including the failure of a centre to investigate malpractice.

Centre Staff – Any member of staff directly or indirectly employed or approved to carry out duties on behalf of the TEN Group.

1. Identification of allegations of malpractice.
 - 1.1. Any member of centre staff employed at the centre who suspects malpractice has taken place during any controlled assessment or examination must report all incidents to the examination controller or designated invigilator.
 - 1.2. The examination controller notify the head of centre and Director of Administration Services of all suspected cases of malpractice.
 - 1.3. The examination controller will coordinate the production of a report for investigation this will include:
 - 1.3.1. 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;
 - 1.3.2. Written statement(s) from the invigilator(s), assessor, internal verifier(s) or other staff who are involved;
 - 1.3.3. Written statement(s) from the candidate(s);
 - 1.3.4. Any mitigating factors;
 - 1.3.5. Information about the centre's procedures for advising candidates of the awarding bodies' regulations;
 - 1.3.6. Seating plans showing the exact position of candidates in the examination room;
 - 1.3.7. Unauthorised material found in the examination room;

- 1.3.8. Any work of the candidate and any associated material (e.g. source material for coursework) which is relevant to the investigation.
 - 1.4. The examination controller will submit the report to the head of centre and director of Administration Services
 - 1.5. In any case of fraud or a serious breach of malpractice the head of centre must communicate directly with the awarding body.
2. Investigation
- 2.1. The investigation will be carried out by the head of centre in a timely manner to ascertain the true facts.
 - 2.2. The investigation will avoid any conflicts of interest and those involved in malpractice cannot contribute to the report.
 - 2.3. If an interview with any candidate or member of staff takes place this should be conducted in line with the centres own disciplinary enquiries.
 - 2.4. For cases of fraud or serious allegations of malpractice the investigation will be carried out jointly with awarding bodies and regulators.
 - 2.5. If in the view of the head of centre there is sufficient evidence to implicate malpractice has taken place the individual or individuals accused of malpractice must:
 - 2.5.1. Be informed (preferably in writing) of the allegation made against him or her;
 - 2.5.2. Be advised that a copy of the JCQ publication Suspected Malpractice in Examinations and Assessments: Policies and Procedures can be found on the JCQ website - <http://www.jcq.org.uk/exams-office/malpractice>;
 - 2.5.3. Know what evidence there is to support that allegation;
 - 2.5.4. Know the possible consequences should malpractice be proven;
 - 2.5.5. Have the opportunity to consider their response to the allegations (if required);
 - 2.5.6. Have an opportunity to submit a written statement;
 - 2.5.7. Be informed that he/she will have the opportunity to read the submission and make an additional statement in response, should the case be put to the Malpractice Committee;
 - 2.5.8. Have an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required);
 - 2.5.9. Be informed of the applicable appeals procedure, should a decision be made against him or her;
 - 2.5.10. Be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators, the Police and/or professional bodies including the Teaching Agency as appropriate.
3. Reporting
- 3.1. The examinations controller will submit a full written report to the awarding body which has been approved by the head of centre this will include:
 - 3.1.1. 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;
 - 3.1.2. Written statement(s) from the invigilator(s), assessor, internal verifier(s) or other staff who are involved;
 - 3.1.3. Written statement(s) from the candidate(s);
 - 3.1.4. Any mitigating factors;
 - 3.1.5. Information about the centre's procedures for advising candidates of the awarding bodies' regulations;

- 3.1.6. Seating plans showing the exact position of candidates in the examination room;
- 3.1.7. Unauthorised material found in the examination room;
- 3.1.8. Any work of the candidate and any associated material (e.g. source material for coursework) which is relevant to the investigation.
- 3.2. The report will be submitted using form JCQ/M1 or JCQ/M2B by the examination controller.
- 3.3. The awarding body will decide on the outcome of any suspected malpractice for either staff members, the centre or candidates.
- 3.4. Outcomes will be communicated the head of centre in writing the head of centre will communicate with individuals the decision and warnings if applicable.
- 3.5. Appeals can be made against an awarding body decision via the awarding bodies' appeals process. Any appeal against a centre or centre member of staff must be supported by the head of centre.