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Appendices

Key changes for 2023-24

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Introduction

This document is intended for all those involved in or a□ected by malpractice incidents, including those who wish to report malpractice concerns regarding the delivery of general and vocational qualifications which are certificated by JCQ awarding bodies.

The document details the policies and procedures agreed by the JCQ awarding bodies for dealing with breach of security and malpractice investigations relating to candidates, centre sta□ and centres. The JCQ awarding bodies have separate procedures for investigating concerns relating to the conduct of examiners, moderators and awarding body sta□.

If there is a conflict between awarding body regulations and these procedures, this document shall take precedence.

1 What is malpractice and maladministration?

1.1

2 Definitions

Regulator

An organisation designated by government to establish national standards for qualifications and to secure compliance with them. The UK qualification regulators are:

Ofqual (England): **https://www.gov.uk/government/organisations/ofqual**

Qualifications Wales (Wales): **https://qualificationswales.org/english/**

CCEA Regulation (Northern Ireland): **https://ccea.org.uk/regulation**

SQA (Scotland): **https://www.sqa.org.uk**

Centre

An organisation (such as a school, college, training company/provider or place of employment), which is approved by and accountable to an awarding body for the examination and assessment arrangements leading to a qualification award.

Head of centre

The head of centre is the individual who is accountable to the awarding bodies for ensuring that the centre is always compliant with the published JCQ regulations and awarding body requirements to ensure the security and integrity of the examinations/assessments.

Where an allegation of malpractice is made against a head of centre, the responsibilities set out in this document as applying to the head of centre shall be read as applying to such other person nominated to gather information by the relevant awarding body, such as the Chair of Governors.

Private candidates

A private candidate is 'a candidate who pursues a course of study independently but makes an entry and takes an examination at an approved examination centre'.

Regulations

'Regulations' means the list of documents found in Appendix 1. They contain guidance and regulations relating to the provision of access arrangements and the conduct of controlled assessments, coursework, examinations and non-examination assessments.

The Regulations are based upon the requirements of the regulators of qualifications in England, Wales, Scotland and Northern Ireland, such as those found in Ofqual's General Conditions of Recognition, Qualifications Wales' Standard Conditions of Recognition and SQA Accreditation's Regulatory Principles.

Awarding bodies are obliged to notify the qualifications regulators of certain malpractice incidents, in accordance with the regulators' conditions.

Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice (regardless of how the incident might be categorised as described in section 1.9).

Centre sta malpractice

‘Centre sta malpractice’ means malpractice committed by:

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3 Preventing malpractice

3.1 The regulators' Conditions of Recognition (A8.1) state that awarding bodies must:

- take all reasonable steps to prevent the occurrence of any malpractice or maladministration in the development, delivery, and award of qualifications which it makes available or proposes to make available.

3.2 Awarding bodies will minimise or eliminate the risk of malpractice through a range of approaches which include but are not limited to:

- Ensuring that the design of qualifications reduces, as far as reasonably possible, the opportunity for malpractice to occur.
- Providing clear processes for the administration of qualifications which reduce, as far as reasonably possible, the opportunity for malpractice to occur.
- Issuing clear and robust guidance documents on all aspects of the delivery and administration of all qualifications, including the following JCQ documents:

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- Using all appropriate communication channels to provide updated information, guidance, and training for all stakeholders, including learners, in relation to the prevention of malpractice and maladministration.
- Fully utilising the JCQ Centre Inspection Service (CIS) who act on behalf of the awarding bodies ensuring that centre checks are undertaken with appropriate regularity and rigour.
- Responding e□ciently and with clarity to a request from a centre to provide it with guidance on how best to prevent malpractice and maladministration.
- Monitoring social media, where appropriate, for any indication of malpractice and maladministration.
- Monitoring data, including entry data, to identify patterns, trends, double-entering and any other information that points to suspected malpractice.
- Reviewing proven cases of malpractice to analyse what, if anything, the awarding organisation(s) should learn from the occurrence.

3.3 Centres

Centre must take all reasonable steps to prevent malpractice. These can include but are not limited to:

3.3.1 Centre sta malpractice and maladministration.

- Ensure that sta involved in the delivery of assessments and examinations understand the requirements for conducting these as specified in the JCQ documents above and any further awarding body guidance.
- Ensure that sta involved in the delivery of assessments and examinations understand the key dates and deadlines and that there are robust procedures in place to ensure these are met.
- Ensure that examination o cers are appropriately trained, resourced and supported.
- Ensure that exams at alternative sites are conducted in accordance with JCQ ICE requirements.
- Ensure that all sta who manage and implement special consideration and access arrangements are aware of the requirements and are appropriately supported and resourced.
- Ensure that members of sta do not communicate any confidential information about examinations and assessment materials, including via social media.
- Ensure that examination clash arrangements are planned and managed e ectively.
- Ensure that sta delivering/assessing coursework or non-examination assessments have robust processes in place for identifying and reporting plagiarism or other potential candidate malpractice.
- Ensure that the centre has a culture of honesty and openness so that any concerns of potential malpractice can be escalated appropriately without fear of repercussion.

3.3.2 Candidate malpractice

- Ensure that all JCQ notices, e.g. Information for candidates, non-examination assessments, coursework, on-screen tests, written examinations, social media, plagiarism are distributed to candidates prior to assessments/examinations taking place.
- Ensure candidates are informed verbally and in writing about the required conditions under which the assessments are conducted, including warnings about the introduction of prohibited materials and devices into the assessments, and access to restricted resources.
- Ensure that candidates are aware of actions that constitute malpractice and the sanctions that can be imposed on those who commit malpractice.
- Ensure that candidates are aware of the sanctions of passing on or receiving (even if the information was not requested) confidential assessment materials. If a candidate receives confidential information, they must report it to a member of centre sta immediately.
- Ensure that candidates involved in examination clash arrangements are aware of appropriate behaviour during supervision, i.e. ensuring that candidates cannot pass on or receive information about the content of assessments, thereby committing candidate malpractice.
- Ensure that candidates completing coursework or non-examination assessments are aware of the need for the work to be their own.

4 Identification and reporting of malpractice

4.1 Responsibilities

4.1.1 The regulators' Conditions of Recognition state that awarding bodies must:

- establish and maintain, and at all times comply with, up-to-date written procedures for the investigation of suspected or alleged malpractice or maladministration; and
- ensure that such investigations are carried out rigorously, e□ectively, and by persons of appropriate competence who have no personal interest in their outcome.

4.1.2 The awarding body will:

- oversee all investigations into suspected or alleged malpractice;
- determine whether to withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants a sanction;
- apply appropriate sanctions in cases of proven malpractice;

If, at the time of the incident, a candidate has not been entered with an

Where requested, awarding bodies will not disclose the identity of individuals

- Malpractice Committee (the outcome of the investigation is determined by the Malpractice Committee)
- Final outcome

Please note some of the steps outlined above can occur concurrently. Where appropriate and where all information has been provided from the outset, an awarding body can proceed straight to a Malpractice Committee, e.g. a suspected candidate malpractice incident involving a mobile phone.

4.16 In suspected centre sta malpractice investigations where candidates have been a ected through no fault of their own, awarding bodies will endeavour to protect candidates who have been adversely a ected.

4.17 Each awarding body aims to resolve all investigations as quickly as possible. However, each investigation can have its own complexities which may a ect timescales of progress and outcomes of investigations.

5 Gathering of information

Investigations

Conflicts of interest

5.7 In all cases, the head of centre must confirm to the awarding body the identity of the individual who will gather information and that the individual is appropriately senior, experienced in conducting simil3 0 0 0 0.3 k/GS0 gs42.52 752.232 18.n0(o the a)20.1 (w)19.9 (ar)2

5.12 When interviewing sta or students, centres must conduct those interviews in accordance with their own internal policy for conducting enquiries.

5.13 Reference should also be made to paragraph 5.33 which deals with the rights of accused individuals.

5.14 A note or transcript of the interview must be taken and provided to the interviewee to sign to confirm its accuracy.

Direct awarding body investigations

5.20 Gathering information often involves interviewing individuals about the allegations made. The awarding body will seek permission from the interviewee to record those interviews and will provide a written transcript to the individual interviewed, to be confirmed as an accurate record.

5.21 The awarding organisation may decide it is preferable to conduct interviews remotely, via MS Teams or equivalent. These interviews will also be recorded with a transcript sent to the individual for confirmation of accuracy.

5.22 It may be necessary for the awarding body to interview candidates during an investigation. If the candidate is a minor or a vulnerable adult, and if the interview is to be conducted face to face, the awarding bodies undertake to do this only in the presence of an appropriate adult

Information obtained from individuals

5.23 Information can be obtained from individuals during the information gathering stage of an investigation through either statements or interviews.

5.24 Those accused of malpractice and any person who witnessed or is likely to be aware of facts relevant to the allegation of malpractice should be interviewed and/or asked to provide a statement.

5.25 Any statements that are obtained must be in the witness' own words and be signed and dated.

5.26 Any member of sta being interviewed may be accompanied by a friend or advisor (who may be a representative of a teacher association or other association).

5.27 The involvement of legal advisors is not necessary, at least where there is no allegation of criminal behaviour. However, if the individual being interviewed wishes to be accompanied by a legal advisor, the other parties must be informed beforehand to give them the opportunity to be similarly supported. An awarding body will not be liable for any professional fees incurred.

5.28 The person accompanying the interviewee should not take an active part in the interview. In particular, they must not answer questions on the interviewee's behalf.

5.29

Completing and submitting the report

5.35 Once the information gathering has concluded, the head of centre (or other appointed information-gatherer) must 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.

5.36 The report must contain a statement of the facts of the case, including a detailed account of the circumstances of the alleged malpractice and an objective description of the information gathered during the course of the investigation, and must include details of any exculpatory information (or mitigating factors) found during the investigation process.

5.37 Form JCQ/M1 should be used when reporting candidate cases; for centre sta□, form JCQ/M3 should be used. These are available from the JCQ website:

http://www.jcq.org.uk/exams-o□ce/malpractice

5.38 The information-gatherer must ensure that the accused individuals are made fully aware of their rights and responsibilities (section 5.34) prior to submission of the report to the awarding body. The checklists inside the forms must be completed to provide assurances that this has been done.

5.39 The following evidence must be provided alongside the report (as appropriate):

- any written statements from/transcriptions of interviews with the teacher(s), invigilator(s), assessor, internal verifier(s) or other sta□ who are involved in, or provided information relevant to, the alleged malpractice. All such documents must be signed and dated by the individuals concerned;
- transcriptions of interviews with/written statements from any candidates involved in, or a□ected by, the alleged malpractice. All such documents must be signed and dated by the candidates, and any statements must be in the candidates' own words;
- details of how the centre informs centre sta□ and candidates about the awarding bodies' regulations;
- seating plans showing the exact position of candidates in the examination room;
- copies of unauthorised material found in the examination room (where appropriate, centres should retain the original unauthorised material);
- any candidate work/associated material (e.g. source material for non-examination assessment/coursework) which is relevant to the investigation;
- any teaching resources/material/details of feedback given to candidates relevant to the investigation;
- details of any other information relevant to the investigation, such as applications for/ documentation relating to access arrangements;
- any other relevant information or evidence not listed above but which is relevant to the case being investigated, for example, CCTV footage;
- a summary of the actions which will be taken by the centre to mitigate the impact of any malpractice, and the actions to be taken to avoid a recurrence of such a malpractice incident.

5.40 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.

6 The decision

Summary procedure

6.1 In straightforward cases where the evidence does not appear to be contested or in doubt, awarding bodies may invoke a summary procedure.

6.2 Examples of when a summary procedure may be invoked include:

- the initial information received from the centre is sufficient for an immediate decision to be made by an awarding body member of staff;
- the information available to the awarding body clearly indicates that malpractice has occurred (e.g. offensive language in a candidate's script).

6.3 In such circumstances, an appointed person at the awarding body may conclude that malpractice is proven and impose a sanction or sanctions. The individual(s) and centre affected will be informed of the malpractice findings and notified of the sanctions imposed; the evidence supporting the conclusion of malpractice; that a summary procedure has been invoked; and that they have the right to contest the decision.

6.4 Where a sanction is applied under the summary procedure, the individual(s) or centre to whom the sanction has been applied may contest the decision by asking for the matter to be referred to the Malpractice Committee. They have 14 days in which to do so. The case will then be considered by the Malpractice Committee.

6.5 The Malpractice Committee will consider the case in accordance with sections 6.7–6.22 below.

6.6 The Malpractice Committee will consider the matter afresh. As a result it may reach different conclusions as to whether, and if so, what malpractice occurred and it may decide to impose the same, lesser or more severe sanction(s). Should the Malpractice Committee determine that sanctions should be imposed, these will be subject to appeal in accordance with sections 6.22 and 12 below.

The Malpractice Committee

6.7 In order to determine the outcomes in cases of alleged malpractice, awarding bodies may appoint a Panel or Committee composed of internal and/or external members experienced in examination and assessment procedures. In some cases, rather than a panel, this function may be allocated to a named individual member or members of awarding body staff. In this document the Committee (or awarding body personnel responsible for making decisions in malpractice cases) is referred to as the 'Malpractice Committee'.

The Malpractice Committee may be assisted by an awarding body member of staff who has not been directly involved in the investigation.

6.8 The following applies to the activities of the Malpractice Committee (or to the personnel acting in this capacity):

- the work of the Malpractice Committee is confidential;
- members of the Malpractice Committee are required to identify anps5ID 1281 Boe80.92P 4Lang (en-GB)/M87.874 7

7 Sanctions

7.1 Awarding bodies impose sanctions on individuals and on centres responsible for malpractice in order to:

- minimise the risk to the integrity of examinations and assessments, both in the present and in the future;
- maintain the confidence of the public in the delivery and awarding of qualifications;
- ensure as a minimum that there is nothing to gain from breaching the regulations;
- deter others from doing likewise.

7.2 Awarding bodies will impose sanctions on individuals found guilty of malpractice where appropriate. Sanctions will usually be applied in cases where there has been a risk to the integrity of the qualification. The individuals who receive sanctions will usually be the candidate(s) or the responsible member(s) of sta. However, when malpractice is judged to be the result of a serious management failure within a department or the whole centre, the awarding body may apply sanctions against the centre and/or centre management.

7.3 When determining the appropriate sanction(s) to be applied, the awarding body will consider whether the malpractice committed undermined, or attempted to undermine, the integrity of its examinations and assessments, or had the potential to undermine public confidence.

7.4 The awarding bodies have agreed that sanctions will usually be chosen from a defined range. The agreed indicative sanctions for particular o ences are set out in Appendices 4 (centre malpractice), 5 (centre sta malpractice) and 6 (candidate malpractice)

7.5 Awarding bodies reserve the right to apply sanctions flexibly, outside of the defined ranges, if particular mitigating or aggravating circumstances are found to exist.

7.6 Sanctions will be based only on the evidence available.

7.7 The awarding bodies will ensure that all sanctions they impose are justifiable and reasonable.

7.8 Sanctions imposed upon candidates will only be applied in relation to assessments taken in the series/academic year in which malpractice has been identified and, where appropriate, future assessments (where a candidate is prohibited from taking an awarding body's qualifications for a period of time).

7.9 For consistency of approach in the application of sanctions, awarding bodies will not usually attach significant weight to the consequential e ects (e.g. on university applications) of any particular sanction which might arise from the circumstances of the individual.

7.10 A permanent record will be kept of the impact of any sanctions on an individual candidate's results. For this reason, centres must not withdraw candidates after malpractice has been identified, even if the candidates have not completed the assessments in question. All other information relating to specific instances of malpractice or irregularities will be destroyed, following the expiry of the awarding body's data retention period.

7.11 Heads of centre must inform those individuals found guilty of malpractice that information may be passed on to other awarding bodies and/or other appropriate authorities. This information will typically include the names, o□ences and sanctions applied to those found guilty of breaching the published regulations.

8 Sanctions for centre sta malpractice: individuals

8.1 When determining the appropriate sanction which should be applied to an individual, the awarding body will consider whether the integrity of its qualifications might be at risk if an individual found to have committed

8.6 These sanctions will be notified to the head of centre who must ensure that they are communicated to the individual(s) upon whom they have been imposed and that the sanctions are adhered to.

8.7 If a member of sta moves to another centre while being subject to a sanction, the head of centre must notify the awarding body of the move. Awarding bodies reserve the right to inform the head of the centre to which the sta member is moving as to the nature of, and the reason for, the sanction.

8.8 If a centre changes awarding body for a qualification, and a member of sta involved in the delivery or assessment of the qualification is TEMC 9449 666.6757 Tm( )TjEMC ETEMC /P <

9 Sanctions for centre sta malpractice: centres

9.1 Centres may be subject to one or more of the below sanctions.

9.2 Awarding bodies may, at their discretion, impose the following sanctions against centres:

Written warning

A written warning to the head of centre advising of the malpractice and warning that further action may be taken (including the application of sanctions and special conditions) should there be a recurrence, or subsequent malpractice at the centre.

Review and report procedures/action plans

The head of centre will be required to review the centre's procedures for the conduct or administration of a particular examination/assessment, or all examinations/assessments in general. The head of centre will additionally be required to report back to the awarding body on improvements implemented by a set date. Alternatively, an action plan will be agreed between the awarding body and the centre which will need to be implemented as a condition of continuing to accept entries or registrations from the centre.

Approval of specific assessment tasks

The approval by the awarding body of specific assessment tasks in situations where these are normally left to the discretion of the centre.

Additional monitoring or inspection

The awarding body may increase, at the centre's expense, the normal level of monitoring that takes place in relation to their qualification(s).

Removal of direct claims

Direct claims status may be removed from the centre, meaning that all claims for certification must be authorised by the centre's external verifier. (This sanction only applies to vocational qualifications.)

Restrictions on examination and assessment materials

For a specified period of time, a centre will be provided with examination papers and assessment materials shortly before such papers and materials are scheduled to be used. These papers might be opened and distributed under the supervision of the awarding body o cer (or appointed agent) responsible for the delivery. The centre might also be required to hand over to an awarding body o cer (or appointed agent) the completed scripts and any relevant accompanying documentation, rather than using the normal script collection or despatch procedures. These measures may be

8. Disqualification from all qualifications taken in that series

If circumstances justify, sanction 7 may be applied to other qualifications. This sanction can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous examination series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation, the option is sanction 6. It may also be used with linear qualifications.

9. Candidate debarral

The candidate is barred from entering for one or more examinations for a set period of time. This sanction is applied in conjunction with any of the other sanctions above, if the circumstances warrant it.

10.3 Unless a sanction is accompanied by a bar on future entry, all candidates penalised by loss of marks or disqualification may re-take the component(s), unit(s) or qualification(s) a□ected in the next examination series or assessment opportunity if the specification permits this.

10.4 Heads of centre may wish to take further action themselves in cases of candidate malpractice.

11 Communicating decisions

12 Appeals

12.1 All awarding bodies have established procedures for considering appeals against sanctions arising from malpractice decisions.

The following individuals have a right to appeal against decisions of the Malpractice Committee or o□cers acting on its behalf:

- heads of centre, who may appeal against sanctions imposed on the centre or on centre sta□, as well as on behalf of candidates entered or registered through the centre;
- members of centre sta□, or examining personnel contracted to a centre, who may appeal against sanctions imposed on them personally;
- private (external) candidates;
- third parties who have been barred from taking or delivery of the awarding body's examinations or assessments.

12.2 Information on the process for submitting an appeal will be sent to all centres involved in malpractice decisions.ang1cistered

Appendices

NCFE

- **NCFE Appeals Policy**
- **Regulation for the Conduct of External Assessment**
- **Qualification Specific Instructions for Delivery (QSID)**
- **Functional Skills - Regulations for the Conduct of Controlled Assessment**
- **Regulations for the Conduct of Synoptic Project**

Pearson

- **Centre Guidance: Dealing with malpractice and maladministration**
- **Policy on the removal of programme and centre approval**
- **Subject-specific instructions for the conduct of examinations**

WJEC

- **Examinations Requirements Booklet**
- **Internal Assessment: A Guide for centres**
- **WJEC Instructions for conducting controlled assessments**
- **Guide to preventing, reporting and investigating malpractice**
- **Guide to Appeals**
- **General Conditions for WJEC centres**

Regulatory documents are available on the regulators' websites.

Appendix 2 Examples of malpractice

The following are examples of malpractice. **This is not an exhaustive list** and as such does not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

Part 1: Centre sta malpractice

1. Breach of security

Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents.

It could involve:

- failing to keep examination material secure prior to an examination;
- discussing or otherwise revealing information about examinations and assessments that should be kept confidential, e.g. internet forums/social media;
- moving the time or date of a fixed examination beyond the arrangements permitted within the JCQ document . . . . . Conducting an examination before the published date constitutes centre sta malpractice and is a clear breach of security;
- failing to adequately supervise candidates who have been a ected by a timetable variation (this would apply to candidates subject to overnight supervision by centre personnel or where an examination is to be sat in an earlier or later session on the scheduled day);
- releasing candidates early from a timetabled assessment (e.g. before 10 a.m. for a morning session examination);
- permitting, facilitating or obtaining unauthorised access to examination material prior to an examination;
- failing to retain and secure examination question papers after an examination in cases where the life of the paper extends beyond the particular session, e.g. where an examination is to be sat in a later session by one or more candidates due to a timetable variation;
- tampering with candidate scripts, controlled assessments, coursework or non-examination assessments after collection and before despatch to the awarding body/examiner/ moderator (this would additionally include reading candidates' scripts or photocopying candidates' scripts prior to despatch to the awarding body/examiner);
- failing to keep secure computer files which contain candidates' controlled assessments, coursework or non-examination assessments.

2. Deception

Any act of dishonesty in relation to an examination or assessment including, but not limited to:

- inventing or changing marks for internally assessed components (e.g. non-examination assessments) where there is no actual evidence of the candidates' achievement to justify the marks awarded;
- manufacturing evidence of competence against national standards;
- fabricating assessment and/or internal verification records or authentication statements;
- entering fictitious candidates for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud);
- substituting one candidate's controlled assessment, coursework or non-examination assessment for another's;
- providing misleading or inaccurate information to an awarding body, candidates and/or parents.

3. Improper assistance to candidates

Any act where assistance is given beyond that permitted by the specification or regulations to a candidate or group of candidates, which results in a potential or actual advantage in an examination or assessment.

For example:

- assisting candidates in the production of controlled assessment, coursework, non-examination assessments or portfolios, beyond that permitted by the regulations;
- sharing or lending candidates' controlled assessments, coursework or non-examination assessments with other candidates in a way which allows malpractice to take place;
- assisting or prompting candidates with the production of answers;
- permitting candidates in an examination to access prohibited materials (dictionaries, calculators etc.);
- prompting candidates in an examination/assessment by means of signs, or verbal or written prompts;
- assisting candidates granted the use of a Communication Professional, a Language Modifier, a practical assistant, a prompter, a reader or a scribe beyond that permitted by the regulations.

4. Failure to co-operate with an investigation

- failure to make available information reasonably requested by an awarding body in the course of an investigation, or in the course of deciding whether an investigation is

The person gathering information on an allegation of candidate malpractice within a centre must collect the information and submit a report to the awarding body.

The person gathering information must have no personal or other potential conflict of interest in the outcome of that investigation.

The report **must** detail:

- who was involved in the incident, including candidates, members of sta and/or invigilators;
- the facts of the case, as established from information and/or statements from those involved.

The report **must** include:

- a clear account, as detailed as necessary, of the circumstances;
- details of the activities carried out by the centre;
- written statements from any teachers, invigilators, members of sta or other witnesses concerned, which **must** be signed and dated (where members of sta accused of malpractice decline the opportunity to provide a statement this must be made clear to the awarding body);
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Appendix 5 Indicative sanctions against centre sta

This table is for guidance only and sanctions can be flexible applied according to the details of each individual case.

Type of o ence	Warning	Training	Special conditions	Suspension
Improper assistance	Minor assistance, no significant impact, e.g. where not allowed, headings or a basic table template, small amounts of simple/ generic feedback, sharing exemplars without careful control (where individual is untrained/ inexperienced).	Limited help, minimal impact, misunderstanding rules or lack of experience, e.g. new reader clarifies questions, non-specialist gives 'how to' guide in non-examination assessment (NEA) against regulations.	Limited help and impact, e.g. sta member gives general 'how to' guide, giving exemplars with no control, and/or feedback beyond regulations in presence of mitigating factors, e.g. in NEA following recent specification change where allowed in previous specification.	Significant impact; impairment to validity of assessments, e.g. feedback beyond regulations, giving exemplars for copying, provision of answers.
Maladministration	Repeated use of out of date or wrong tasks texts, minor errors in following assessment regulations with minimal impact on candidates, e.g. granting legitimate access arrangements when approval not given, minor ethical and/or safeguarding concerns with assessment content produced by candidates due to poor supervision.	Errors in following assessment regulations, by inexperienced/ insu ciently-trained sta , e.g. new invigilator failing to manage timings correctly; scribe reading questions. A failure to ensure that assessments are being completed and supervised appropriately due to inexperience/lack of training, where the content gives rise to ethical and/or		

Appendix 6 Indicative sanctions against candidates

This table is for guidance only and sanctions can be flexibly applied according to the details of each individual case.

In instances where the box is blank, the sanction may still be used.

The structure of awarding bodies' qualifications can di□er and therefore all the available sanctions may not be relevant for every qualification.

Type of o□ence	**Warning** (Sanction 1)	**Loss of marks** (Aggregation still permitted) (Sanctions 2-4)	**Loss of aggregation or certification opportunity** (Sanctions 5-9)
Introduction of unauthorised material into the examination room, for example:			
Own blank paper	used for rough work	used for final answers	
Calculators, dictionaries (when prohibited)	not used	used or attempted to use	
Bringing into the examination room notes in the wrong format or prohibited annotations	notes/annotations go beyond what is permitted but do not give an advantage; content irrelevant to subject	notes/annotations are relevant and give an unfair advantage	notes/annotations introduced in a deliberate attempt to gain an advantage
Unauthorised notes, study guides and personal organisers	content irrelevant to subject	content relevant to subject	relevant to subject and evidence of use
Mobile phone or similar electronic devices (including iPod, MP3/4 player, memory sticks, smartphone, smartwatch, AirPods, earphones and headphones)	not in the candidate's possession but makes a noise during the examination	in the candidate's possession but no evidence of being used by the candidate	in the candidate's possession and evidence of being used by the candidate
Watches (not smartwatches)	in candidate's possession		
Standard sanctions:			
1. warning; **2.** loss of all marks gained for a section; **3.** loss of all marks gained for a component; **4.** loss of all marks gained for a unit; **5.** disqualification from the unit;		**6.** disqualification from all units in one or more qualifications taken in the series; **7.** disqualification from the whole qualification; **8.** disqualification from all qualifications taken in that series; **9.** barred from entering for examinations for a set period of time.	

Type of o□ence	Warning (Sanction 1)	Loss of marks (Aggregation still permitted) (Sanctions 2-4)	Loss of aggregation or certification opportunity (Sanctions 5-9)
Breaches of examination conditions			
A breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination rules and regulations	minor non-compliance: e.g. sitting in a non-designated seat; continuing to write for a short period after being told to stop	major non-compliance: e.g. refusing to move to a designated seat; significant amount of writing after being told to stop	repeated non-compliance
Failing to abide by the conditions of supervision designed to maintain the security and integrity of the examinations	leaving examination early (no loss of integrity); removing script from the examination room, but evidence of the integrity was maintained	removing script from examination room but with no proof that the script is safe; taking home materials	deliberately breaking a timetable clash supervision arrangement; removing script from the examination room and with proof that the script has been tampered with; leaving examination room early so integrity is impaired
Disruptive behaviour in the examination room or assessment session (including use of o□ensive language)	minor disruption lasting a short time; calling out, causing noise, turning around	repeated or prolonged disruption; unacceptably rude remarks; being removed from the examination room; taking another's possessions	warnings ignored; provocative or aggravated behaviour; repeated or loud o□ensive comments; physical assault on sta□ or property
Standard sanctions:			
1. warning; **2.** loss of all marks gained for a section; **3.** loss of all marks gained for a component; **4.** loss of all marks gained for a unit; **5.** disqualification from the unit;		**6.** disqualification from all units in one or more qualifications taken in the series; **7.** disqualification from the whole qualification; **8.** disqualification from all qualifications taken in that series; **9.** barred from entering for examinations for a set period of time.	

Type of o□ence	Warning (Sanction 1)	Loss of marks (Aggregation still permitted) (Sanctions 2-4)	Loss of aggregation or certification opportunity (Sanctions 5-9)
Exchanging, obtaining,			

Type of o□ence	Warning (Sanction 1)	Loss of marks (Aggregation still permitted) (Sanctions 2-4)	Loss of aggregation or certification opportunity (Sanctions 5-9)
Collusion: working collaboratively with others beyond what is permitted	collaborative work is apparent in a few areas, but possibly due to teacher advice; candidate unaware of the regulations	collaborative work begins to a□ect the examiner's ability to award a fair mark to an individual candidate	candidates' work reflects extensive similarities and identical passages; due to a deliberate attempt to share work
Plagiarism: unacknowledged copying from or reproduction of third party sources (including the internet and AI tools); incomplete referencing	minor amount of plagiarism/poor referencing in places	plagiarism from work listed in the bibliography or referenced/acknowledged; **or** minor amount of plagiarism from a source not listed in the bibliography or referenced / acknowledged	plagiarism from work not listed in the bibliography or referenced/acknowledged; **or** plagiarised text consists of the substance of the work submitted and the source is listed in the bibliography or referenced / acknowledged
Making a false declaration of authenticity		sections of work done by others, but most still the work of the candidate	most or all of the work is not that of the candidate
Copying from another candidate or allowing work to be copied (including the misuse of technology)	lending work not knowing it would be copied	permitting examination script/work to be copied; showing other candidates' answers	copying from another candidate's script, controlled assessment, coursework, non-examination assessment; borrowing work to copy
Undermining the integrity of the examinations/ assessments			
The deliberate destruction of work	minor damage to work which does not impair visibility	defacing scripts; destruction of candidate's own work	significant destruction of another candidate's work
The alteration or falsification of any results document, including certificates			falsification/forgery

Standard sanctions:

1. warning;

2. loss of all marks gained for a section;

3. loss of all marks gained for a component;

4. loss of all marks gained for a unit;

5. disqualification from the unit;

6. disqualification from all units in one or more qualifications taken in the series;

7. disqualification from the whole qualification;

8. disqualification from all qualifications taken in that series;

9. barred from entering for examinations for a set period of time.

Type of o□ence	**Warning** (Sanction 1)	**Loss of marks** (Aggregation still permitted) (Sanctions 2-4)	**Loss of aggregation or certification opportunity** (Sanctions 5-9)
Misuse of, or attempted misuse of, assessment material and resources	attempting to source assessment related information online	accepting assessment related information without reporting it to thea5 (tion ma)wn maeporarTEMC /P ≮Lang Tm0.0796 Tm	

Type of o□ence	**Warning** (Sanction 1)	**Loss of marks** (Aggregation still permitted) (Sanctions 2-4)	**Loss of aggregation or certification opportunity** (Sanctions 5-9)
Use of social media for the exchange and circulation of real or fake assessment material	attempting to source secure assessment related information online/via social media	accepting/receiving real or fake assessment related information via social media without reporting it to the	

The following illustrations of malpractice are edited examples from the historical records of all the awarding bodies which are party to the Joint Council regulations. Please note that although specific subjects are identified in the examples below, the circumstances described, and the associated actions and sanctions could be applied to any qualification as appropriate.

1 Centre sta malpractice

1.1 Breach of security

Exam board: Pearson
Qualification: A Level Economics

The awarding body was contacted by a candidate raising concerns that candidates at a di erent school had been provided with the question paper before they sat the examination. The concerns were supported by copies of text messages between candidates.

The awarding body contacted the head of centre and asked him to gather evidence and ask candidates

1.3 Improper assistance to candidates
Exam Board: AQA
Qualification: GCSE Art & Design

The head of centre reported the following allegation regarding the administration of the GCSE Art and Design externally set assignment non-examination assessment (NEA):

In response to the allegation received, the awarding body requested that a member of the centre's senior leadership team, with no line management responsibilities for the department involved or personal interest in the outcome of the investigation, interview:

- the teacher responsible for administering the assessment;
- the invigilator overseeing the assessment;
- the three candidates present in the exam room.

Following careful consideration of the evidence provided, the Lead Investigator was satisfied that this case should be put before the Malpractice Committee.

Based on the evidence collected, the Malpractice Committee was asked to consider, as separate issues, whether or not the centre sta involved, on the balance of probability, had committed malpractice and, if malpractice was established, whether a sanction should be applied.

The o ences considered were improper assistance and maladministration.

After careful consideration of all the evidence put forward within the case papers, the Committee reached the conclusion that the teacher responsible for administering the assessment had:

- provided improper assistance by assisting candidates in the production of non-examination assessment (NEA), beyond the extent permitted by the regulations; that both members of sta had:
- committed maladministration by allowing candidates to listen to music, and in doing so, failed to adhere to the regulations regarding the conduct of non-examination assessments.

In accordance with JCQ Centre Sta Sanctions Tari recommendations, the teacher was barred from involvement in the awarding body's examinations for a period of one year to be followed by one year in which the member of sta must not have any unsupervised involvement in examinations for that awarding body.

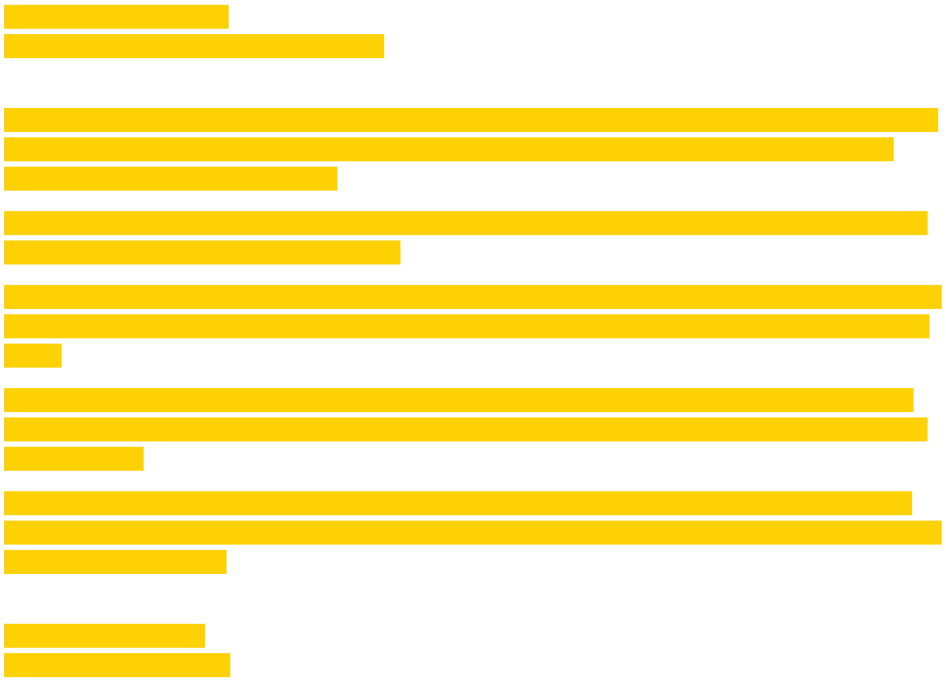
The Malpractice Committee accepted the mitigating circumstance put forward by the invigilator in this case and so determined not to impose any sanction or penalty on this individual. The committee did, however, recommend that the invigilator complete additional training prior to involvement in future examinations and assessments.

The awarding body decided it could not accept the work of the candidates for the unit. Candidates were instead issued with an assessed grade using the Z-score method.

1.4 Maladministration
Exam Board: OCR
Qualification: GCE A Level Art and Design, GCE AS Level Art and Design, GCSE Art and Design

The centre reported concerns around administration of art exams and coursework at both GCSE and GCE level:

- Candidates had access to their mobile phones during the timed assessments and candidates' work had not been kept secure following the commencement and completion of the timed assessments.
- The evidence indicated that assessments may not have been conducted to



The plagiarised material was predominantly confined to facts and definitions, particularly of file type, knowledge of which is a requirement of one of the tasks and key learning objectives.

The evidence showed that sta malpractice had not taken place because candidates had been taught about plagiarism, in fact, with the exception of two candidates, the candidates who had been identified as having plagiarised had made an attempt to re-word/paraphrase the information taken from the internet, demonstrating an understanding of plagiarism. The technical nature of the information plagiarised meant it was di cult to accurately define it without using specific words or phrases found in definitions on the internet.

As a result of the investigation, the two candidates who were identified as having copied and pasted information without making any changes were given a warning.

2.2 Copying and collusion
Exam Board: NCFE
Qualification: Functional Skills L3 Mathematics

The examiner reported that multiple answers in the scripts of two candidates (Candidate A & Candidate B) from one centre were similar.

The awarding body contacted the head of centre to advise of the issues identified by the examiner and requested that they conduct an internal investigation to establish the course of events which led to candidates A and B submitting similar responses.

The head of centre reported back to the awarding body that, when interviewed, candidate A had admitted to copying extracts from candidate B's work. The investigation findings highlighted that the centre had failed to ensure the assessment room set up was in line with the required regulations and that therefore the distance at which candidates were seated was insu cient, enabling candidate A to view the work of candidate B.

As a result Candidate A was disqualified from the qualification (penalty 7). In addition the invigilator received a warning and the requirement for further training.

2.3 Use of social media
Exam Board: WJEC
Qualification: GCSE Chemistry

At approximately midday on the day of the exam, two candidates from Centre A received an Instagram post which contained the images of six pages from what was claimed to be the examination paper these candidates were to sit on the afternoon of the same day. The two candidates reported it to their teacher immediately and without delay the centre contacted the examination board and sent a copy of the images to the exam board. Although the two candidates were not sure of the full name of the person they followed on Instagram, they knew he was a student in a nearby school.

The exam board confirmed that the images were of the live paper timetabled for the afternoon of that day. The screen shot images showed the sender's profile name which was a corruption of a proper name. The exam board searched its entry records for candidates with similar names and found one particular candidate at Centre B, which is geographically near to Centre A.

The exam board contacted the examinations o cer at Centre B who confirmed that the suspected candidate was at that centre and had a timetable clash that day. The exams o cer confirmed that the candidate had sat the paper in question earlier on that day. The candidate had completed the exam and was currently under supervision between exams.

When approached about the allegation, the candidate immediately admitted to smuggling a mobile phone into the exam room and photographing pages of the paper which they then posted on Instagram.

A list of Instagram followers' profile names was taken from the mobile phone and forwarded to the exam board. The images were removed by deleting the Instagram post at approximately 1.0pm.

A wider investigation was undertaken by the exam board to ascertain the extent of the

potential breach of security. The two students at Centre A gave written statements which confirmed they had seen the message title and had only briefly seen the first page of the exam paper, but not the rest of the images.

Out of the remaining 15 followers who had been sent the post, 12 could be identified from their profile name. The accused candidate stated he did not know the other 3 candidates' names. Eight of the followers were also at Centre B and were sitting the same paper early and had also been under supervision and did not have a phone in their possession at the time. The remaining four candidates at other centres were contacted and fortunately they had either not taken a phone to school that day or not seen the post while they were in a revision lesson at the time. Social media monitoring over that paper's exposure period and afterwards did not find anything of concern.

A preliminary review of the case found it to be straightforward and the conduct of the candidate was seen to be uncontested.

The case was referred to another exam board o□cer who decided to give the candidate a sanction of a loss of aggregation for the qualification. No application for appeal was received.

2.4 Unauthorised materials

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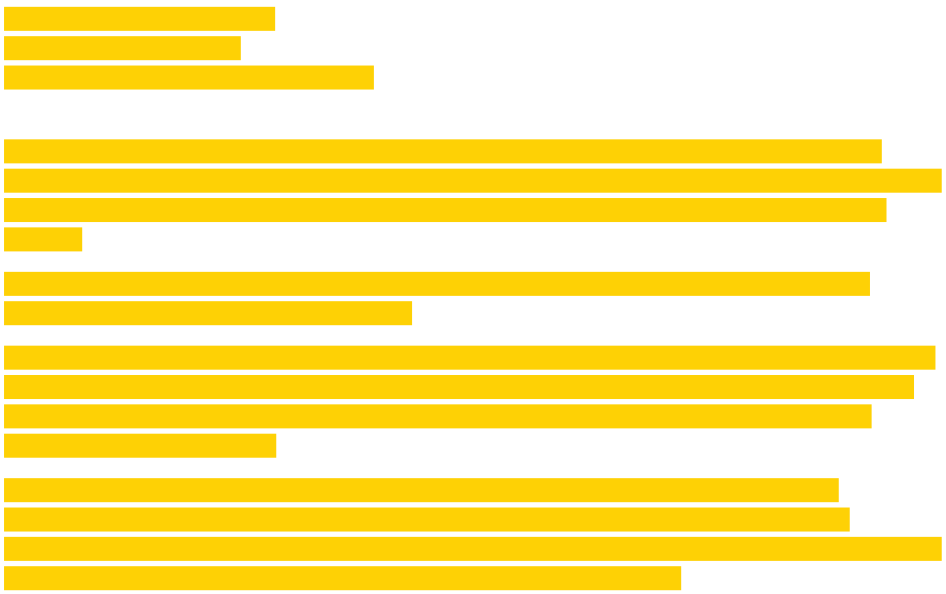

Examination/assessment details

Qualification or specification code	Qualification or specification title
Component/unit code/batch number	Component/unit title

Name(s) of invigilator(s)/assessment personnel or other witness/witnesses

Name	Role

Complete Sections A, B, C and D as indicated.

(All qualifications)

Describe the nature of the suspected candidate malpractice including details as to how it was discovered, by whom and when.

(Vocational qualifications only)

Describe how the candidates were made aware of the examination or assessment regulations.

(All general qualifications and other qualifications if applicable)

Examinations

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(All qualifications)

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Supporting information

Please indicate below the supporting information submitted with this report. All relevant information and materials must be submitted at this time. Information submitted subsequently may not be considered.

Please ensure that all supporting documents are scanned and attached (preferably as PDF documents) to the same email.

Information submitted with this form	
Statement(s) from invigilator(s)	☐
Statement from teacher/tutor/head of subject/assessor/internal verifier	☐
Statement from examinations officer	☐
Statement(s) from candidate(s)	☐
Statement from employer	☐
Seating plan of examination room	☐
Unauthorised material removed from the candidate(s)	☐
Copies of sources of plagiarised material	☐
Assessment and Internal Verification or Moderation records	☐
Other (please give details)	☐

☐ If statement(s) from the candidate(s) is/are not enclosed, please put a cross in this box to indicate that the candidate(s) has/have been given the opportunity to make a statement, but has/have chosen not to do so.

NOTES ON THE COMPLETION OF FORM JCQ/M1

The form and supporting documentation must be sent to: Ό o Õ ł и ´ ” ’ ġ AQA !

Appendix 9 JCQ M2 Notification of suspected malpractice/ maladministration involving centre sta□

Confidential

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Awarding body

Centre Number

Details of examinations/assessments involved

Qualification, unit or specification code	Qualification, unit or specification title

Date and time of incident

Describe the nature of the suspected malpractice/maladministration, including details as to how it was discovered by whom and when.

Individual proposed to gather information

Name:	
Role within centre/organisation:	
Reason why suitable to gather information (e.g. experienced senior leader):	

Have you and the individual proposed to gather information read the JCQ guidance on conflicts of interest and personal interest at sections 4.1.3 and 5.7-5.8 and Appendix 3 within the JCQ *Suspected Malpractice: Policies and Procedures*?	YES ☐	NO ☐
Does the individual proposed to gather information have any known conflicts of interest or personal interest in the outcome of the investigation?	YES ☐	NO ☐

Name and position (please print): _____

Signed: _____

Date: _____

The form and supporting documentation must be sent to:

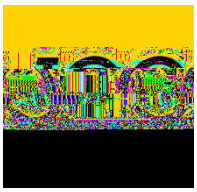
AQA
irregularities@aqa.org.uk

CCEA
malpractice@ccea.org.uk

City & Guilds
investigationandcompliance@cityandguilds.com

NCFE
providi

Appendix 10 Report into suspected malpractice/maladministration involving centre sta



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This form is to be used by a head of centre following the gathering of information related to an investigation into an instance of suspected malpractice or maladministration. It J RPQ be completed and submitted to the appropriate awarding body together with supporting statements and documentation.

If the gathering of information has not yet commenced, please use 1L0 J 5 . : $ 6 & *Notification of suspected malpractice/maladministration* which can be found on the JCQ website: http://www.jcq.org.uk/exams-office/malpractice

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. CKQ0C 7? J C ?KB ?BB0CPP

3C?B LD ACKQ0CWP C J ?GI ?BB0CPP

3C?B LD ACKQ0CWP QCICMFLKC KR J @C0

7? J C LD FC?B LD ACKQ0C

Give details of the actions you have taken and the information you have gathered

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7? J C ?KB MLPGQGLK MIC?PC MOGKQ!* _____

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The form and supporting documentation must be sent to:

AQA
irregularities@aqa.org.uk

CCEA
malpractice@ccea.org.uk

City & Guilds
investigationandcompliance@cityandguilds.com

NCFE
providerassurance@ncfe.org.uk

Appendix 11 Contacts

AQA
irregularities@aqa.org.uk

CCEA
malpractice@ccea.org.uk

City & Guilds
investigationandcompliance@cityandguilds.com

NCFE
providerassurance@ncfe.org.uk

OCR
malpractice@ocr.org.uk

Pearson
Maladministration/Sta Malpractice
pqsmalpractice@pearson.com

Candidate Malpractice
candidatemalpractice@pearson.com

WJEC
malpractice@wjec.co.uk