



LLOYD WILLIAMSON
FOUNDATION

The Lloyd Williamson Schools

Malpractice Policy (Exams)

2023-2024

Role	Name(s)
Head of centre	Lucy Meyer
Exams officer	Deborah Thackeray
Deputy Exams Officer	Clare Smart
SLT member(s)	Aaron Williams, Hussain Razik, Tim Smart
IT Lead	Shaun Watson

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.

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice

Purpose of the policy

The purpose of this policy is to confirm how LWSF manages malpractice under normal delivery arrangements in accordance with the regulations.

General principles

In accordance with the regulations LWSF will:

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

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 paper

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.

Preventing malpractice

LWSF has in place:

- robust processes to prevent and identify malpractice, as outlined in section 3.3 of the JCQ publication Suspected Malpractice: Policies and Procedures

Identification and reporting of malpractice

- 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
- 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
- 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
- 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

- Once the information gathering has concluded, the head of centre (or other appointed information-gatherer) will submit a written report summarising the case to the relevant awarding body, accompanied by the information obtained during the course of their enquiries
- Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used
- 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.

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

Appeals against decisions made in cases of malpractice

LWSF will:

- Provide the individual with information on the process 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.

Updated February 2024

Lucy Meyer
Co-principal

Deborah Thackeray
Exams Officer

Appendix

SUSPECTED MALPRACTICE: CANDIDATE NOTIFICATION FORM

Date		Candidate Name	
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This notification is to inform you/confirm to you [insert as/if relevant to the candidate, and your parent/carer/appropriate adult] that an alleged, suspected or actual report of malpractice has been made against you.

Details of the allegation / incident

Type of offence

As an approved examination centre, LWSF is required to follow the policies and procedures in the JCQ **Suspected Malpractice: Policies and Procedures** publication available here www.jcq.org.uk/exams-office/malpractice.

As stated in this publication (section 4.1), the head of centre **must** notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice.

Enclosed [Attached (if sending this notification by email)] you are provided with:

- a copy of the form **JCQ/M1** which will be used to report the allegation/incident to the awarding body supported by copies of any supporting evidence, where relevant
- details of (section 5.33) **Rights of the accused individuals** taken from the publication referenced above

As further stated in this publication (sections 7, 10), awarding bodies will impose sanctions on individuals found guilty of malpractice where appropriate. You may therefore also want to refer to Appendix 6 (**Indicative sanctions against candidates**) of this publication.

The awarding body will not communicate with you directly unless particular circumstances warrant this. Once a decision has been made, it will be communicated in writing to the head of centre as soon as possible (section 11).

On receiving communication from the awarding body, the head of centre will communicate the decision to you and pass on details of any sanction(s) and action imposed on you, together with information on the process for submitting an appeal, where relevant.

It should be noted that awarding bodies may share information relating to a serious case of malpractice with the regulators, other awarding bodies, and other appropriate bodies in accordance with sections 11.2-3 of the JCQ publication referenced above.

Please read through all the information provided to you. If anything is unclear, please contact Deborah Thackeray, exams officer.

Enclosures [Attachments]:

Copy of form **JCQ/M1** (and supporting evidence where relevant)

Details of **Rights of the accused individuals**

The information below was taken directly from the JCQ publication **Suspected Malpractice: Policies and Procedures** (1 September 2023 to 31 August 2024) on 04/10/2023.

Rights of the accused individuals – information gathering

5.33 If, in the view of the information-gatherer, there is sufficient evidence that an individual may have committed malpractice, that individual (the candidate or the member of staff) must:

- be informed (preferably in writing) of the allegation made against them;
- be provided with a copy of the JCQ document *Suspected Malpractice: Policies and Procedures*:
<http://www.jcq.org.uk/exams-office/malpractice>;
- be made aware of all evidence that has been obtained during the investigation which supports the allegation;
- know the possible consequences should malpractice be proven (as set out in appendices 4–6);
- have the opportunity and sufficient time to consider their response to the allegations;
- be given an opportunity to submit a written statement in response to the allegations;
- be provided with a complete set of case documentation, in the event of the case being referred to the awarding body's Malpractice Committee;
- be informed that in the event that the case is referred to the awarding body's Malpractice Committee, they will:
 - be provided with a complete set of case documentation
 - have the opportunity to read, and make a statement in response to, the case documentation
 - have the opportunity to seek professional advice and to provide a supplementary statement;
- be made aware of their right to appeal should a sanction be applied to them (as set out in the JCQ document *A Guide to the Awarding Bodies' Appeals Processes*):
<http://www.jcq.org.uk/exams-office/appeals>