

Malpractice Procedure 2025/26



What is malpractice and maladministration?

'Malpractice' and 'maladministration' involve a failure to follow the rules of an examination or assessment. This procedure uses the word 'malpractice' to cover both 'malpractice' and 'maladministration' and **according to JCQ** 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.

Malpractice can occur in a range of circumstances:

- Intentional – incidents are carried out purposely with the aim to give an unfair advantage in an exam or assessment.
- Unintentional – incidents arise due to a lack of awareness, carelessness or forgetfulness in applying regulations.
- Environmental – incidents occur because of circumstances which are beyond the control of the people involved.

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 practical assistant, a prompter, a reader or a scribe.

Centre malpractice

'Centre malpractice' normally involves malpractice where there is an element of systematic failure, a breach in policies or widespread malpractice such that a centre-level sanction is appropriate.

Suspected Malpractice

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

Purpose of the procedure

To confirm The Gilberd School:

- has in place a written malpractice procedure 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 issues should be escalated within the centre and reported to the relevant awarding body. It also acknowledges the use of AI, risks of AI and what AI misuse is and how this will be treated as malpractice.

General principles

In accordance with the regulations the school 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.

Preventing malpractice

The Gilberd 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.
- 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 2025-2026;
 - Instructions for conducting examinations (ICE) 2025-2026;
 - Instructions for conducting coursework 2025-2026;
 - Instructions for conducting non-examination assessments 2025-2026;
 - Access Arrangements and Reasonable Adjustments 2025-2026;
 - A guide to the special consideration process 2025-2026;
 - Suspected Malpractice: Policies and Procedures 2025-2026;
 - Plagiarism in Assessments;
 - AI Use in Assessments: Protecting the Integrity of Qualifications;
 - A guide to the awarding bodies' appeals processes 2025-2026.
 - Guidance for centres on cyber security

Informing and advising candidates and staff

Candidates are informed in lessons and in assemblies what malpractice is and how it can affect them in line with current JCQ policy guidance. Presentations are emailed, along with an Exams Booklet.

Teaching staff inform the candidates of the regulations of if /when AI technology can be used, and the consequences of its misuse. AI stands for artificial intelligence. Using it is like having a computer that thinks. AI tools like ChatGPT or Snapchat My AI can write text, make art and create. Students are told that they cannot use AI in any examinations. AI can be misused when candidates use AI and state it is their own work.

Subject/ Curriculum Leaders are sent the AI Use in Assessments: Protecting the Integrity of Qualifications guidance; Instructions for conducting coursework; Instructions for conducting non-examination assessments; and Plagiarism in Assessments. In addition, they are directed to follow the NEA / coursework guidance from their specific awarding bodies and undertake any training available with the board. They are requested to disseminate this information to their teams and talk through how to ensure staff comply with the rules and regulations for their specific subject.

Candidates are provided with an electronic copy of the JCQ document AI and Assessments, Information for Candidates' Non-examination Assessments, Information for Candidates Coursework Assessments and AI and Assessments a Quick Guide for Candidates via the Student Exams Booklet. These are also displayed on the school website and in rooms where assessments take place.

Candidates are shown the 'Warning to Candidates' and 'Unauthorised Items' posters in assemblies. These are also displayed prominently outside all exam rooms, on the school website and within the Student Exams Booklet. They receive this booklet in Year 10 and in Year 11. Candidates sit Year 10 mock exams and two sets of Year 11 mock exams in accordance with JCQ regulations prior to the final public exam series.

Detailed invigilators' announcements at the beginning of written examinations also outline what can and cannot be done in the exam environment. This is also read out at the beginning of every mock exam from Year 10 to Year 11.

Identification and reporting of malpractice

All staff have a responsibility to report malpractice. Malpractice in written exams is reported to the Exams Officer, the Deputy Headteacher in charge of examinations or the Head of Centre. This is then investigated by Deputy Headteacher and others in the Senior Leadership team.

For NEAs/coursework, teachers and LSAs are encouraged to be vigilant when conducting coursework and to look for plagiarism through knowing the quality and style of their candidates' usual work. They should also pay attention to the content, vocabulary, style and tone, presentation and the referencing. Where they have doubts of authentication, they should raise this with their Subject/Curriculum Leader and Deputy Headteacher. Detection tools can be used to identify any potential AI misuse, as well as a discussion with the student. Any support or help given to students should be logged by the teacher.

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.
- 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.
- Form JCQ/M1 will be used to notify an awarding body of an incident of candidate malpractice and 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-exam 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 information obtained and actions taken 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 based on 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

The Gilberd 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.