



POLICIES & PROCEDURES

Examinations Malpractice Policy

Policy Owner:	Head of Quality and Student Engagement
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Reference in the policy to GR and SMPP relate to relevant sections of the current JCQ documents General Regulations for Approved Centres and Suspected Malpractice: Policies and Procedures.

1. Introduction

1.1 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).

2. Types of Malpractice

2.1 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 paper (SMPP 2).

2.2 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).

2.3 Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice (SMPP 2).

3. Policy Purpose

- 3.1 To confirm South West College has in place a written malpractice policy 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 (GR 5.3).

4. General Principles

- 4.1 In accordance with the regulations South West College 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).
- 4.2 SWC will 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).
- 4.3 As required by an awarding body, SWC will gather evidence of any instances of

alleged or suspected malpractice (including 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).

5. Preventing Malpractice

- 5.1 South West College 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)
- 5.2 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*
 - *A guide to the awarding bodies' appeals processes 2024-2025* (SMPP 3.3.1).
- 5.3 The South West College malpractice policy is reviewed annually. This policy covers all qualifications delivered by the centre and details how candidates are informed and advised to avoid committing malpractice in examinations/assessments and how suspected malpractice issues will be escalated within the centre and reported to the relevant awarding body; it also acknowledges 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).

5.4 Informing and advising candidates how to avoid committing malpractice in examinations/assessments.

5.4.1 Candidates will be informed and advised to avoid committing AI malpractice in examinations/assessments to ensure the integrity of all qualifications are held.

South West College will provide information to all candidates via:

- South West College candidate AI Digital module
- SWC AI Policy
- JCQ documentation emailed directly to candidates
- LRC Induction – The induction will acknowledge the risks of using AI, what AI misuse is and how it will be treated as malpractice. Guidance will provide information on what AI is acceptable within their assessments, what is appropriate use and a guide on Harvard referencing to ensure AI is cited within the body of their assessment.

5.4.2 If a candidate is suspected of AI malpractice, the College will open an internal investigation, collating all the evidence from the candidate, course coordinator or other persons involved. The candidate will be informed and asked to provide a statement to assist with the investigation. Where inappropriate misuse of AI is identified the College will follow the “Identification and Reporting of Malpractice” process below. (Point 6)

5.5 AI Use in Assessments

5.5.1 With reference to the JCQ guidance for Teachers and Assessors – “AI Use in Assessments”, the College should ensure they protect the integrity of qualifications. Candidates complete the majority of their exams and a large number of other assessments under close staff supervision with limited access to authorised material and no permitted access to the internet. The delivery of these assessments should be unaffected by developments in AI tools as students must not be able to use or access such tools when completing these assessments.

5.5.2 There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. The majority of these assessments will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications (GQs) and Vocational and Technical Qualifications (VTQ’s). 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.

6. Identification and reporting of Malpractice

6.1 Escalating suspected malpractice issues

6.1.1 Once suspected malpractice is identified, any member of staff at the Centre can report it using the appropriate channels (SMPP 4.3).

6.1.2 Suspected malpractice should be reported to the examinations office at the earliest opportunity. The Examinations officer will record the incident and collate any other relevant information such as invigilator's report, students' work etc. and inform the Head of Quality and Student Engagement (HQ&SE). The Examinations Officer, HQ&SE and the appropriate Head of Department will meet to review the evidence and Awarding Organisation regulations to determine if malpractice is likely to have taken place. If it is determined that malpractice is likely to have occurred, this meeting will also consider if it can be dealt with in accordance with SWC internal procedures. If it is necessary to inform the awarding organisation of the incident, then the Head of Centre will be informed.

6.2 Reporting suspected malpractice to the awarding body

6.2.1 The Head of Centre or Nominee will notify the appropriate awarding body immediately of all confirmed 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).

6.2.2 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)

6.2.3 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)

- 6.2.4 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)
- 6.2.5 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).
- 6.2.6 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).
- 6.2.7 Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used (SMPP 5.37).
- 6.2.8 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).

7. Communicating malpractice decisions


- 7.1 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).


8. Appeals against decision made in cases of malpractice

- 8.1 South West College will provide the individual with information on the process and timeframe for submitting an appeal, where relevant.
- 8.2 Refer to further information and follow the process provided in the JCQ publication **A guide to the awarding bodies' appeals processes**.

9. Promotion and Review

- 9.1 This policy is reviewed and updated annually to ensure that any malpractice at South West College is managed in accordance with current requirements and regulations.

Signed Principal and Chief Executive: 
Date: 20.11.24

Signed Chair of the Governing Body: 
Date: 20/11/2024

Related Documentation

Title	Location	Owner
JCQ Access Arrangements, Reasonable Adjustments & Special Considerations	https://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance/	Joint Council for Qualifications
JCQ Suspected Malpractice Policies and Procedures	https://www.jcq.org.uk/exams-office/malpractice/	Joint Council for Qualifications
JCQ Form M1, M2, M3	https://www.jcq.org.uk/exams-office/malpractice/	Joint Council for Qualifications
JCQ Appeals	https://www.jcq.org.uk/exams-office/appeals/	Joint Council for Qualifications
JCQ General Regulations	https://www.jcq.org.uk/exams-office/general-regulations/	Joint Council for Qualifications

Change Log

Location	Change from deletion/addition	Change to
	New Policy	
Page 2	October 2024 sections of the current JCQ publications	sections of the current JCQ documents
Page 3 4.1	during and after examinations have taken place	during and after assessments have taken place
Page 4 5.3	Additional Paragraph	The South West College malpractice policy is reviewed annually. This policy covers all qualifications delivered by the centre and details how candidates are informed and advised to avoid committing malpractice in examinations/assessments and how suspected malpractice issues will be escalated within the centre and reported to the relevant awarding body; it also acknowledges 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)
Page 4 5.2	General Regulations for Approved Centres 2023-2024 Instructions for conducting examinations (ICE) 2023-2024 Instructions for conducting coursework 2023-2024	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

Location	Change from deletion/addition	Change to
	<p>Instructions for conducting non-examination assessments 2023-2024</p> <p>Access Arrangements and Reasonable Adjustments 2023-2024</p> <p>A guide to the special consideration process 2023-2024</p> <p>Suspected Malpractice: Policies and Procedures 2023-2024</p> <p>A guide to the awarding bodies' appeals processes 2023-2024 (SMPP 3.3.1).</p>	<p>Access Arrangements and Reasonable Adjustments 2024-2025</p> <p>A guide to the special consideration process 2024-2025</p> <p>Suspected Malpractice: Policies and Procedures 2024-2025</p> <p>A guide to the awarding bodies' appeals processes 2024-2025 (SMPP 3.3.1).</p>
<p>Page 6/7</p>	<p>2 additional sections 5.4 & 5.5</p>	<p><u>Informing and advising candidates how to avoid committing malpractice in examinations/assessments.</u></p> <p>Candidates will be informed and advised to avoid committing AI malpractice in examinations/assessments to ensure the integrity of all qualifications are held. South West College will provide information to all candidates via:</p> <p>South West College candidate AI Digital module SWC AI Policy JCQ documentation emailed directly to candidates LRC Induction – The induction will acknowledge the risks of using AI, what AI misuse is and how it will be treated as malpractice. Guidance will provide information on what AI is acceptable within their assessments, what is appropriate use and a guide on Harvard referencing to ensure AI is cited within the body of their assessment.</p> <p>If a candidate is suspected of AI malpractice, the College will open an internal investigation, collating all the evidence from the candidate, course coordinator or other persons involved. The candidate will be informed and asked to provide a statement to assist with the investigation. Where inappropriate misuse of AI is identified the College will follow the “Identification</p>

Location	Change from deletion/addition	Change to
		<p>and Reporting of Malpractice” process below. (Point 6)</p> <p><u>AI Use in Assessments</u> With reference to the JCQ guidance for Teachers and Assessors – “AI Use in Assessments”, the College should ensure they protect the integrity of qualifications. Candidates complete the majority of their exams and a large number of other assessments under close staff supervision with limited access to authorised material and no permitted access to the internet. The delivery of these assessments should be unaffected by developments in AI tools as students must not be able to use or access such tools when completing these assessments.</p> <p>There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. The majority of these assessments will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications (GQs) and Vocational and Technical Qualifications (VTQ's). 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.</p>

Communication

Who needs to know (for action)	All Curriculum Staff Exams Staff All Students
Who needs to be aware	All Staff / Students

Communication Plan

Action	By Whom	By When
Upload onto Gateway	Nicola Nugent	On approval and signing
Circulation to key staff	Exams Co-ordinator	On approval and signing

Document Development

Details of staff who were involved in the development of this policy:

Name	Role
Brian McIllduff	Head of Quality & Student Engagement
Lesley Black	Examinations Co-ordinator

Details of staff, external groups or external organisations who were consulted in the development of this policy:

Name	Organisation	Date

Approval Dates

Approved by	Date
Governing Body	20 November r2024

Document History

Issue no. under review	Date of review:	Persons involved in review	Changes made after review. Yes/No If yes refer to change log	New Issue No.	If changes made was consultation required?	If changes made was Equality Screening required?
V1.0	20/09/2024	Lesley Black	Yes	1.0	No	No