Malpractice Policy

This policy is the responsibility of the Head of Centre and the Examinations Officer.

Last reviewed: September 23

Next review: September 24

This policy is reviewed and updated annually to ensure that any malpractice at St Mary's School is managed in accordance with current requirements and regulations.

Reference in the policy to GR and SMPP relate to relevant sections of the current JCQ publications: General Regulations for Approved Centres and Suspected Malpractice: Policies and Procedures.

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 (SMPP 1).

Purpose of the policy

The purpose of this policy is to confirm that St Mary's School 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)

General principles

In accordance with the regulations St Mary's School will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations have taken place (GR 5.11)
- 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)
- 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 (GR 5.11)

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)

The following are examples of malpractice by candidates. The list is not exhaustive and other instances of malpractice may be considered and acted upon.
- Misuse of examination material.
- Behaving in such a way as to undermine the integrity of the examination.
- Failing to abide by the instructions or advice of an invigilator, supervisor or the Awarding Body in relation to the examination rules and regulations.
- Failing to abide by the conditions of supervision designed to maintain the security of the examinations.
- Disruptive behaviour in the examination room (including the use of offensive language).
- Introduction of unauthorised material into the examination room e.g. notes, study guides and personal organisers, own blank paper, calculators, dictionaries (when prohibited), personal stereos, mobile phones or other similar devices and watches.
- Introducing into the examination room notes in the wrong format (when notes are permitted) or incorrectly annotated texts (in open book examinations).
- Obtaining, receiving, exchanging or passing on information which could be examination related (or the attempt to) by means of talking or written paper/notes.
- Personation: pretending to be someone else, arranging for another to take one's place in an examination.
- The inclusion of inappropriate, offensive or obscene material in scripts or coursework.
- Copying from another candidate (including the misuse of ICT to do so).
- Taking someone else's work, images or ideas and passing it off as your own eg using the internet to cut and paste material from a website, or by taking another students work that has been emailed to you. This is called **plagiarism**.
- **Cheating** - this is acting unfairly or dishonestly to gain an advantage
- Agreeing with others to cheat or deceive eg by allowing other students to copy your work. This is known as **collusion**
- The deliberate destruction of another's work.
- The alteration of any results documents, including certificates.

(Refer to SMPP Appendix 2 for a more comprehensive list)

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

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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)

The following are examples of malpractice by Centre staff. The list is not exhaustive and other instances of malpractice may be considered and acted upon.

- Moving the time or date of a fixed examination (beyond that permitted) without notifying the relevant Awarding Body.
- Failing to keep examination papers secure prior to the examination.
- Obtaining unauthorised access to examination material prior to an examination.
- Assisting candidates in the production of coursework, beyond that permitted by the regulations.
- Allowing candidates unsupervised access to coursework exemplar material, whether this is the work of former students or that provided by the Awarding Body.
- Allowing evidence to be included for assessment which is known by the staff member not to be the student's own.
- Failing to keep student computer files secure.
- Assisting or prompting candidates with the production of answers.

(Refer to SMPP Appendix 2 for a more comprehensive list)

Definition of Maladministration

Maladministration is essentially any activity or practice, which results in non-compliance with administrative regulations and requirements and include the application of persistent mistakes or poor administration within a centre (eg inappropriate candidate records)

Examples of Maladministration:
 The categories listed below are examples of centre and learner maladministration. Please note, that these examples are not exhaustive and are only intended as guidance on our definition of maladministration:

- Failing to ensure that candidate's coursework, non-examination assessment or work to be completed under controlled conditions is adequately monitored and supervised
- Failing to conduct examinations in accordance with JCQ's Instructions for conducting examinations
- Failing to retain candidates non-examination assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked
- Failure to notify the awarding organisation of an instance of suspected malpractice as soon as possible
- Failing to maintain the security of candidates' scripts prior to dispatch to the awarding organisation or examiner
- Failing to adhere to awarding body key dates and deadlines relating to the delivery of examinations and assessments (such as those relating to the return of scripts, reporting of internal assessment marks/grades, making entries/claims, and Head of Centre declarations);

(Refer to SMPP Appendix 2 for a more comprehensive list)

Suspected malpractice

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

Preventing malpractice

St Mary's School has in place:

- Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ publication **Suspected**

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Malpractice: Policies and Procedures. (SMPP 4.3)

- 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 2023-2024*
  - *Instructions for conducting examinations (ICE) 2023-2024*
  - *Instructions for conducting coursework 2023-2024*
  - *Instructions for conducting non-examination assessments 2023-2024*
  - *Access Arrangements and Reasonable Adjustments 2023-2024*
  - *A guide to the special consideration process 2023-2024*
  - *Suspected Malpractice: Policies and Procedures 2023-2024*
  - *Plagiarism in Assessments*
  - *AI Use in Assessments: Protecting the Integrity of Qualifications*
  - *A guide to the awarding bodies' appeals processes 2023-2024* (SMPP 3.3.1)
- Ensuring that all candidates/parents sign to say that they have read and understood the following documents:
  - JCQ information for candidates- written exams
  - JCQ information for candidates – non-examination assessments
  - JCQ information for candidates – coursework assessments
  - JCQ social media info for candidates
  - JCQ information for candidates – privacy notice

Identification and Reporting of Malpractice

Escalating suspected malpractice issues

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

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** (SMPP4.1.3)

- 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)

- 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)

- 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)

- 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 (SMPP 5.35)

- Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used (SMPP 5.37)

- 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)

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 (SMPP 11.1)

Appeals Against Decisions Made in Cases of Malpractice

St Mary's School 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**

AI Malpractice

AI - Use in Assessments

AI use refers to the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications.

While the range of AI tools, and their capabilities, is likely to expand greatly in the near future, misuse of AI tools in relation to qualification assessments at any time constitutes malpractice. Teachers and students should also be aware that AI tools are still being developed and there are often limitations to their use, such as producing inaccurate or inappropriate content.

AI chatbots are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided. AI chatbots respond to prompts based upon patterns in the data sets (large language model) upon which they have been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- Answering questions
- Analysing, improving, and summarising text
- Authoring essays, articles, fiction, and non-fiction
- Writing computer code
- Translating text from one language to another
- Generating new ideas, prompts, or suggestions for a given topic or theme
- Generating text with specific attributes, such as tone, sentiment, or format

What is AI Misuse

AI misuse constitutes malpractice as defined in the JCQ Suspected Malpractice:

Policies and Procedures (https://www.jcq.org.uk/exams-office/malpractice/). The malpractice sanctions available for the offences of 'making a false declaration of authenticity' and 'plagiarism' include disqualification and debarment from taking qualifications for a number of years. Students' marks may also be affected if they have relied on AI to complete an assessment and, as noted above, the attainment that they have demonstrated in relation to the requirements of the qualification does not accurately reflect their own work.

Examples of AI misuse include, but are not limited to, the following:

- Copying or paraphrasing sections of AI-generated content so that the work is no longer the student's own
- Copying or paraphrasing whole responses of AI-generated content
- Using AI to complete parts of the assessment so that the work does not reflect the student's own work, analysis, evaluation or calculations
- Failing to acknowledge use of AI tools when they have been used as a source of information
- Incomplete or poor acknowledgement of AI tools
- Submitting work with intentionally incomplete or misleading references or bibliographies.

Acknowledging AI Use

If a student uses an AI tool which provides details of the sources it has used in generating content, these sources must be verified by the student and referenced in their work in the normal way. Where an AI tool does not provide such details, students should ensure that they independently verify the AI-generated content – and then reference the sources they have used.

In addition to the above, where students use AI, they must acknowledge its use and show clearly how they have used it. This allows teachers and assessors to review how AI has been used and whether that use was appropriate in the context of the particular assessment. This is particularly important given that AI-generated content is not subject to the same academic scrutiny as other published sources.

Where AI tools have been used as a source of information, a student's acknowledgement must show the name of the AI source used and should show the date the content was generated. For example: ChatGPT 3.5 (https://openai.com/blog/chatgpt/), 25/01/2023. The student must retain a copy of the question(s) and computer-generated content for reference and authentication purposes, in a non-editable format (such as a screenshot) and provide a brief explanation of how it has been used.

This must be submitted with the work so the teacher/assessor is able to review the work, the AI-generated content and how it has been used. Where this is not submitted, and the teacher/assessor suspects that the student has used AI tools, the teacher/assessor will need to consult the centre's malpractice policy for appropriate next steps and should take action to assure themselves that the work is the student's own

See https://www.jcq.org.uk/exams-office/malpractice/artificial-intelligence/ for further information.