



## Governing Body Document Monitoring

Date of Review	Reason for Review	Responsibility	Model or School Specific	Date Ratified	CoC Initials	Name of Committee	Date of next scheduled review
Nov 2015	Scheduled 3 year review	Headteacher	Model with specifics	12.11.15	MS	T & L	Nov 2018

## CANDIDATE MALPRACTICE IN PUBLIC EXAMINATIONS

**This policy is additional to any guidelines or regulations an individual awarding body may issue. If there is conflict between the awarding body's guidelines or regulations and this policy, the awarding body and subject-specific instructions shall prevail.**

**The latest instructions from JCQ for Suspected Malpractice in Examinations are on JCQ's web site. Go to <http://www.jcq.org.uk/exams-office/malpractice> or a copy is available from the Examinations Office.**

### Foreword

"Candidate Malpractice" means malpractice by a candidate in the course of any examination or assessment, including the preparation and authentication of any controlled assessment or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of an examination paper.

Candidates have been given, in advance of each exam session, clear instructions (both written and verbal) on what they must and must not do in public examinations and clear examples of what is considered to be malpractice. They have also been warned of the consequences should they fail to adhere to the rules and regulations laid down by the public examinations system.

### What is Malpractice

Malpractice is where a candidate, intentionally or otherwise, puts themselves at an advantage over the other candidates. Such examples include, but are not limited to:

- plagiarism in coursework
- use of any unauthorised materials (such as notes, writing on hand, having a mobile phone on their person etc)
- copies or attempts to copy another person's work
- impersonates another person
- includes inappropriate or offensive material in scripts
- talks to other candidates

### What The School's Responsibilities are:

Under the regulations the School is under obligation to:

- notify appropriate awarding body at the earliest opportunity all suspicions or actual incidents of malpractice. The only exception to this is malpractice discovered in controlled assessments or coursework before the authentication forms have been signed by the candidate.(see later)
- Investigate the incident thoroughly and as quickly as possible
- Inform candidates of their individual responsibilities and rights as set out in the guidelines
- Pass on to the individuals concerned any warning or notification of penalties and ensure compliance with any requests made by the awarding body as a result of a malpractice case.

### **The Right of the accused individual**

When, in the view of the investigation, there is sufficient evidence to implicate a candidate in malpractice, that individual must:

- be informed of the allegation made against him or her (preferably in writing but only if circumstances dictate)
- know what evidence there is to support that allegation
- know the possible consequences should malpractice be proven
- have the opportunity to consider their response to the allegations (if required)
- have an opportunity to submit a written statement
- have an opportunity to seek advice (as necessary) and provide a supplementary statement (if required)
- be informed of the applicable appeals procedure, should a decision be made against him or her
- be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies.

### **What will happen in the case of suspected malpractice?**

#### **Coursework Assessment (where the authentication form has been signed by the candidate) :**

1. The member of teaching staff who suspects the malpractice will interview the candidate in the presence of the Head of Year (or a deputy or the assistant head: Headteacher, if neither are available).
2. The candidate will be advised of their rights as outlined above prior to the interview commencing and will be interviewed in accordance with the School's policy on Pupil Discipline Hearings.
3. Following the interview the candidate will be given full details of what may be the outcome of the investigation and when they will be notified
4. Either the Exams Officer or Head of Year will contact the family, as soon as possible, to advise them of the situation and to confirm that an investigation is taking place
5. Following the interview an investigation will take place and the outcome notified to the candidate/candidate's parents within 24 hours.
6. If the investigation suspects malpractice has occurred then this will be notified to the Awarding Body and their decision will be notified to the candidate and candidate's family within 24 hours of receipt.

N.B.

A centre will not give credit for any work submitted which is not the candidate's own work

#### **Coursework Assessment (where the authentication forms has not yet been signed by the candidate) :**

As above excluding point (5). However the School will impose a penalty under the School's Sanction Policy which at the very least would be a Headteacher's detention.

The candidate may be allowed to repeat the coursework but this will be at the discretion of the Head of Centre and depend on the severity of the malpractice.

### **Written Exam or Controlled Assessment**

If a candidate is suspected of malpractice in a written exam or controlled assessment, the following procedure will apply:

1. The candidate will have any unauthorised material confiscated or asked to wash off any unauthorised material written on their body. They will be allowed to finish the paper along with all other candidates.
2. Once the exam is concluded they will be asked to remain behind and will be supervised until the Examinations Officer and Head of Year (or a Deputy Head or Assistant Head) can meet with the candidate. This will usually be within 15 minutes of the end of the exam.

In the case of a clash of subjects i.e. the candidate is due to sit one paper after another, this will take place following the 2<sup>nd</sup> paper if the suspected malpractice occurs during the 1<sup>st</sup> paper.

3. The Examinations Officer will attempt to contact the candidate's parents prior to the interview to advise them of the incident and confirm that the candidate will be interviewed following the exam. (If they are not contactable within this window then the Examinations Officer will attempt to contact them in another form so that they are aware of the incident and can discuss it with the candidate when he or she gets home).
4. The candidate will be advised of their rights as outlined above and then interviewed (in accordance with the School's policy on conducting disciplinary interviews) by the Examinations Officer (or a member of SLT if unavailable) in the presence of Head of Year/Deputy Head/Assistant Head.
5. The candidate will be asked to provide a statement which they can either do there and then or produce one at home and bring in to the Examinations Officer the next day. This must be done within 24 hours of the incident or will not be eligible for submission to the awarding body in mitigation should it be deemed necessary.
6. Following the interview an investigation will take place in which the Examinations Officer will speak to the Examinations Invigilator at the very least and any other third party and the outcome notified to the candidate/candidate's parents within 24 hours.
7. If the investigation concludes that there is suspected malpractice then this will be notified to the Awarding Body.
8. The Awarding Body's decision (which should reach the centre within 14 days of the notification but can take up to 1 month depending on the severity of the malpractice) will be sent to the Examinations Officer and they will notify the candidate and candidate's family within 24 hours of receipt.

#### **Please note:**

In certain circumstances it may be necessary for the Head of Centre (or their delegated representative) to exercise discretion, in light of all the circumstances of the case, as to the timing and the means by which an allegation of malpractice and the supporting evidence is presented to the individual involved.

#### **The awarding body's response to an allegation of malpractice:**

In the case of notifications of suspected malpractice received from centres, the awarding body will consider the information provided and may decide to:

- take no further action;
- make a decision on the case in accordance with the procedures (see section 8 to 13 of JCQ Suspected Malpractice guidelines, link at the top of this policy);
- carry out a further investigation as described in sections 6.7 to 6.13 of the JCQ Suspected Malpractice guidelines and provide further evidence;
- investigate the matter further itself

**Please note:**

- It should be noted that where an Awarding Body had decided to apply a sanction or penalty, to ensure consistency of approach, they will not take into account consequential effects (for example on university applications) of any particular sanction or penalty which might arise from circumstances of an individual.
- Unless a penalty is accompanied by a bar on future entry (extremely rare), all candidates penalised by loss of marks or disqualification, may retake the component or for GCSEs the subject in the next examination series.

### Appeals

If a candidate wishes to appeal the decision by the Awarding Body then the following procedures should be followed :

- 1) The parent or guardian of the candidate, but not the candidate acting alone, must contact the Examinations Office to confirm that they wish to appeal the outcome of the Awarding Body's decision, outlining the grounds upon which they wish to make the appeal (see point 70 & 71 of the JCQ appeals guidelines (<http://www.jcq.org.uk/exams-office/appeals> ). The application must be made within 48 hours of the outcome being made available to the candidate. This will allow the School time to investigate and, if the view of the candidate is upheld, get the appeal in to the Examinations Board with the 14 calendar day deadline.
- 2) The Examinations Officer together with the Head of Centre (or their delegated representative) will then review the evidence, in line with the JCQ guidelines and advise the parent/guardian or candidate of the outcome.  
  
It must be stressed that only the School is able to make the appeal and it will only do so if it is satisfied that it is able to support the evidence of the candidate. The Headteacher's decision is final.
- 3) The outcome of the School's investigations will be reported, in writing, to the parents or guardian of the candidate within 48 hours.
- 4) If the Appeal is upheld by the School then the Examinations Office will make the necessary application by the deadline. A fee will be charged by the Exam Board for the appeal and this cost will be borne by the parents. The cost varies and depends on the exam board but will be around £100. Please note that the charge will be refunded if the appeal is upheld by the Awarding Body.
- 5) The Examinations Office will then report the outcome of the appeal to the Awarding Body to parent/guardian and Head of Subject within 24 hours of receipt.
- 6) If the appeal is not upheld then the outcome is final and no further recourse is available.

Further information may be found in the JCQ publication *A guide to the awarding bodies' appeal process* ([http://www.jcq.org.uk/exam\\_office/appeals](http://www.jcq.org.uk/exam_office/appeals))