



Malpractice Policy

RBAI acknowledges that JCQ Suspected Malpractice Policies and Procedures apply to all candidates and to centres and centre staff delivering JCQ awarding body qualifications. Where misconduct by examiners, moderators, or awarding body staff is suspected, the appropriate disciplinary procedures will be adhered to.

Malpractice and maladministration are related concepts, the common theme of which is that they involve a failure to follow the rules of an examination assessment. Centre staff malpractice means malpractice committed by a member of staff, contractor, volunteer, or individual appointed in another capacity such as an invigilator, Communication Professional, Language Modifier, practical assistant, prompter, reader, or a scribe. Candidate malpractice means malpractice by a candidate in connection with any examination or assessment.

This policy will reference the document JCQ Suspected Malpractice Policies and Procedures. References are related to this document unless otherwise stated.

Preventing malpractice

RBAI will seek to minimise malpractice by issuing clear and robust advice, including the issue of JCQ guidance documents to staff and candidates. In addition, RBAI will ensure all staff have appropriate training and that other reasonable steps as per sections 3.3.1 and 3.3.2 are taken.

Identification and reporting of malpractice

Should an incident of malpractice be suspected the issue will be escalated through the centre via
Teacher – Head of Department – Curriculum VP – Principal

The Principal will then appoint an independent senior member of staff to investigate the matter to ascertain the facts of the issue raised.

Should an incident of malpractice arise the Head of Centre will

- Notify the appropriate awarding body immediately
- Report malpractice using appropriate form (see appendix)
- Be accountable for ensuring that the centre and centre staff comply at all times with the awarding body's instructions regarding an investigation
- 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
- Ensure that if delegating to a senior member of staff, the chosen staff member is independent and not connected to the department or candidate involved in the suspected malpractice
- Respond speedily and openly to all requests for an investigation
- Make information requested by an awarding body available speedily and openly
- Co-operate with an enquiry into an allegation of malpractice and ensure their staff do so also, whether the centre is directly involved in the case or not
- Ensure staff members and candidates are informed of their individual responsibilities and rights
- Forward any awarding body correspondence and evidence to centre staff and/or provide staff contact information to enable the awarding body to do so
- At all times comply with data protection law
- Pass on to the individuals concerned any warnings or notifications of sanctions and ensure compliance with any request made by the awarding body as a result of a malpractice case

Gathering of Information

The person gathering the information must have no personal or other conflict of interest in the outcome of the investigation. The information will be gathered in accordance with Section 5 of JQC Suspected Malpractice Policies and Procedures. The individual authorised will then report by the time specified and provide all the requested evidence.

Conflicts of Interest

The Head of Centre must confirm to the awarding body the identity of the individual who will gather information and that the individual is appropriately senior and experienced in conducting similar types of investigations and that their appointment will not create a conflict of interest.

A conflict of interest would arise where:

- The information-gatherer has direct line management responsibility for any of the accused individuals
- The information-gatherer has overall responsibility for the area of work subject to the investigation
- The information-gatherer has a relationship beyond the working relationship with any of the accused individuals
- The above do not apply by there is or could be a perception that the individual would have a conflict of interest

In the event of any concerns regarding conflicts of interest, or the suitability of the potential information-gatherer, the Head of Centre will contact the awarding body as soon as possible. If a conflict of interest is identified retrospectively, the investigation may be completed again by a different information-gatherer.

Staff or students will be interviewed in accordance with RBAI policies, with the rights of the accused individuals catered for as per section 5.33. A note or transcript of any interview will be taken and provided to the interviewee to sign to confirm its accuracy. The note or transcript will be in the witness' own words, and any member of staff being interviewed may be accompanied by a friend or advisor. If the individual wishes to be accompanied by a legal advisor, which is not necessary, the other parties must be informed beforehand to give them the opportunity to be similarly supported. The person accompanying the interviewee should not take an active part in the interview and must not answer questions on the interviewee's behalf. All those interviewed will be made aware that awarding bodies reserve the right to share their statements, records or transcripts that are undertaken with others involved in the case and appropriate third parties as described in 4.1.2 and 7.11.

Completing and submitting the report

Once the information gathering is concluded, a report containing a statement of the facts of the case, including a detailed account of the circumstances of the alleged malpractice and an objective description of the information gathered during the course of the investigation, including details of any exculpatory information (or mitigating factors) found during the investigation process. For a case reporting on a candidate JQC/M1 will be used and for centre staff JQC/M3.

Sanctions

The Head of Centre will communicate to the individual(s) any sanctions upon whom a sanction has been imposed and that the sanctions are adhered to. If a member of staff moves to another centre the Head of Centre will notify the awarding body of the move. Should RBAI change the awarding body for a qualification, and a member of staff involved in the delivery or assessment of the qualification is subject to a sanction, the Head of Centre will notify the new awarding body.

Communicating decisions

The Head of Centre will communicate the decision from the awarding body to the individual(s) concerned and will pass on any 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. In addition, should there be a case of serious malpractice the Head of Centre will inform the individual(s) that the information will be exchanged amongst others, for example:

- The regulators
- Other awarding bodies
- Other regulatory or investigative bodies
- Other centres where the malpractice may affect the delivery of an awarding body's qualification

Appeals

RBAI understand that the following individuals have a right to appeal against decisions:

- Head of Centre
- Members of centre staff
- Private (external) candidates
- Third parties who have been barred from taking or delivery of the awarding body's examinations or assessments

RBAI understands that appeals should normally be made within 14 days of receiving the outcome of the Malpractice Committee's decision.

Artificial Intelligence and Malpractice

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

Students must be able to demonstrate that the final submission is the product of their own independent work and independent thinking. AI misuse is where a student has used one or more AI tools but has not appropriately acknowledged this use and has submitted work for assessment when it is not their own.

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

- Copying or paraphrasing sections of AI-generated content so that the work submitted for assessment 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

AI misuse will be treated as malpractice as outlined in this document. Misuse of AI carries the same risk as other similar areas of malpractice.

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/>), 25/01/2024. 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.

RBAI will endeavour to prevent the misuse of AI in assessments through education and awareness. This will be in conjunction with restriction of access if a device is required.

This information has been taken from JCQ – AI Use in Assessments: Protecting the Integrity of Qualifications and this document should be referenced if required. https://www.jcq.org.uk/wp-content/uploads/2024/07/AI-Use-in-Assessments_Feb24_v6.pdf

Key Contacts

RBAI

Role	Person
Head of Centre	Ms J Williamson
Curriculum VP/Exams Manager	Mr J Allen
Exams Officer	Ms J Martin
TiC of Access Arrangements/Special Consideration	Mr S Archibald and Miss F Green
Chief Invigilator	Mrs D McFadden

CCEA

Person	Contact
Malpractice queries	malpractice@ccea.org.uk
Edith Finlay, Programme Manager for Compliance	efinlay@ccea.org.uk
Deborah Stinson, Compliance Deputy Manager	dstinson@ccea.org.uk

Updated November 2024

Appendix

3.3 Centres

Centre must take all reasonable steps to prevent malpractice. These can include but are not limited to:

3.3.1 Centre staff malpractice and maladministration.

- Ensure that staff involved in the delivery of assessments and examinations understand the requirements for conducting these as specified in the JCQ documents above and any further awarding body guidance.
- Ensure that staff involved in the delivery of assessments and examinations understand the key dates and deadlines and that there are robust procedures in place to ensure these are met.
- Ensure that examination officers are appropriately trained, resourced and supported.
- Ensure that exams at alternative sites are conducted in accordance with JCQ ICE requirements.
- Ensure that all staff who manage and implement special consideration and access arrangements are aware of the requirements and are appropriately supported and resourced.
- Ensure that members of staff do not communicate any confidential information about examinations and assessment materials, including via social media.
- Ensure that members of staff follow appropriate security procedures to ensure confidential information relating to examinations and assessment materials is not breached
- Ensure that examination clash arrangements are planned and managed effectively.
- Ensure that staff delivering/assessing coursework or non-examination assessments have robust processes in place for identifying and reporting plagiarism or other potential candidate malpractice.
- Ensure that the centre has a culture of honesty and openness so that any concerns of potential malpractice can be escalated appropriately without fear of repercussion.

3.3.2 Candidate malpractice

- Ensure that all JCQ notices, e.g. Information for candidates, non-examination assessments, coursework, on-screen tests, written examinations, social media, plagiarism are distributed to candidates prior to assessments/examinations taking place.
- Ensure candidates are informed verbally and in writing about the required conditions under which the assessments are conducted, including warnings about the introduction of prohibited materials and devices into the assessments, and access to restricted resources.
- Ensure that candidates are aware of actions that constitute malpractice and the sanctions that can be imposed on those who commit malpractice.
- Ensure that candidates are aware of the sanctions of passing on or receiving (even if the information was not requested) confidential assessment materials. If a candidate receives confidential information, they must report it to a member of centre staff immediately.
- Ensure that candidates involved in examination clash arrangements are aware of appropriate behaviour during supervision, i.e. ensuring that candidates cannot pass on or receive information about the content of assessments, thereby committing candidate malpractice.
- Ensure that candidates completing coursework or non-examination assessments are aware of the need for the work to be their own and are provided with clear instructions on how to avoid plagiarism (including AI misuse).

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>

4.1.2

The awarding body will:

- oversee all investigations into suspected or alleged malpractice;
- determine whether to withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants a sanction;
- apply appropriate sanctions in cases of proven malpractice;
- report the matter to the regulators and other awarding bodies in accordance with the regulators' Conditions of Recognition;
- consider reporting the matter to the police if suspected or proven malpractice involves the committing of a criminal act;
- consider reporting the matter to other appropriate authorities where relevant, e.g. Funding Agencies and Teaching Regulation Agencies;
- protect the interest of candidates affected through no fault of their own by an incident of malpractice (see section 4.16);
- decide what information should be gathered and who it deems the most appropriate person(s) to gather information on its behalf. The investigation itself, its progress and any decisions made in relation to an investigation are owned by the relevant awarding body.

7.11

Heads of centre must inform those individuals found guilty of malpractice that information may be passed on to other awarding bodies and/or other appropriate authorities. This information will typically include the names, offences and sanctions applied to those found guilty of breaching the published regulations.



JCQ/M1

Suspected candidate malpractice

Confidential

This form is to be used by centres to report instances of suspected candidate malpractice.

For guidance on how to complete this form please **see page 7** of this form.

Awarding body

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Date of incident

Time (AM/PM session)

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Centre number

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Centre name and address

Head of centre's email address

Head of centre's telephone number

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Candidate number(s) Candidate name(s)

Candidate number(s)	Candidate name(s)

Examination/ assessment details

Qualification or specification code	Qualification or specification title
Component/ unit code/batch number	Component/ unit title

Name(s) of invigilator(s)/assessment personnel or other witness/witnesses

Name	Role

Complete Sections A, B, C and D as indicated.

Section A (All qualifications)

Describe the nature of the suspected candidate malpractice including details as to how it was discovered, by whom and when.

Section B (Vocational qualifications only)

Describe how the candidates were made aware of the examination or assessment regulations.

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Section C (All general qualifications and other qualifications if applicable)

Examinations

Was the *Warning to Candidates* displayed outside the examination room? (either by means of a projector or in hard copy paper format)

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Had the candidate(s) been issued with a copy of the *Information for candidates?* (either electronically or a paper version)

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Were candidates reminded of examination regulations at the beginning of this particular examination?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Coursework/non-examination assessment

Had the candidate(s) been issued with a declaration of authentication?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Had the candidate(s) signed the declaration of authentication stating that all work completed was the candidate's own?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Was the *Information for candidates* issued to the candidate(s) prior to signing the declaration of authentication?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

Section D (All qualifications)

If the incident involves disruptive behaviour, did the candidate's behaviour cause disturbance to other candidates?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If the answer to the above question is yes and you wish to request special consideration for other candidates, please submit an application for special consideration in the normal way.

If the incident involves the introduction of unauthorised material, is a copy/image of the unauthorised material enclosed?

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If the answer to the above question is no, please give a detailed description of the unauthorised material and an explanation of why a copy/image has not been provided.

If the case involves plagiarism, please provide full details (i.e. title, author, edition, website, AI tool, etc.) of the material plagiarised and include copies.

If there are any other details you feel are relevant to this allegation, including mitigating circumstances, please give further information below.

Supporting information

Please indicate below the supporting information submitted with this report. All relevant information and materials **must** be submitted at this time. Information submitted subsequently may not be considered.

Please ensure that all supporting documents are scanned and attached (preferably as PDF documents) to the same email.

Information submitted with this form	
Statement(s) from invigilator(s)	<input type="checkbox"/>
Statement from teacher/tutor/head of subject/assessor/internal verifier	<input type="checkbox"/>
Statement from examinations officer	<input type="checkbox"/>
Statement(s) from candidate(s)	<input type="checkbox"/>
Statement from employer	<input type="checkbox"/>
Seating plan of examination room	<input type="checkbox"/>
Unauthorised material removed from the candidate(s)	<input type="checkbox"/>
Copies of sources of plagiarised material	<input type="checkbox"/>
Assessment and Internal Verification or Moderation records	<input type="checkbox"/>
Other (please give details)	<input type="checkbox"/>

- If statement(s) from the candidate(s) is/are not enclosed, please put a cross in this box to indicate that the candidate(s) has/have been given the opportunity to make a statement, but has/have chosen not to do so.

Report of suspected candidate malpractice

This checklist is intended to assist centres when completing a report of suspected candidate malpractice.

It is the responsibility of the head of centre to ensure that these requirements have been met.

Reference is made to the requirements detailed in the JCQ document:

Suspected Malpractice: Policies and Procedures:

<http://www.jcq.org.uk/exams-office/malpractice>

Please indicate by putting a cross in the appropriate box for the following points:

		Yes	No
1.	The candidate(s) has/have been informed of their individual responsibilities and rights (section 5.33).	<input type="checkbox"/>	<input type="checkbox"/>
2.	A candidate or candidates accused of malpractice:		
	<ul style="list-style-type: none"> has/have been informed (preferably in writing) of the allegation made against him or her; 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> has/have been advised that a copy of the JCQ document <i>Suspected Malpractice: Policies and Procedures</i> can be found on the JCQ website; 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> know(s) what evidence there is to support the allegation; 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> know(s) the possible consequences should malpractice be proven; 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> has/have had the opportunity to consider their response to the allegations (if required); 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> has/have had an opportunity to submit a written statement; 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> has/have had an opportunity to seek advice (as necessary) and to provide a supplementary statement (if required); 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> has/have been informed of the applicable appeals procedure should a decision be made against him or her; 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> has/have been informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies, the regulators and other appropriate authorities. 	<input type="checkbox"/>	<input type="checkbox"/>

To be completed by the head of centre

Name (please print)		Tel no.	
Signature*		Date	

* Submission by email from the centre's registered email address will be accepted in place of a signature.

Appendix 10 Report into suspected malpractice/maladministration involving centre staff



JCQ M3

Report into suspected malpractice/maladministration involving centre staff

Confidential

This form is to be used by a head of centre following the gathering of information related to an investigation into an instance of suspected malpractice or maladministration. It **must** be completed and submitted to the appropriate awarding body together with supporting statements and documentation.

If the gathering of information has not yet commenced, please use **Form JCQ/M2 Notification of suspected malpractice/maladministration** which can be found on the JCQ website: <http://www.jcq.org.uk/exams-office/malpractice>

Awarding body

Centre Number

Centre Name and address

Head of centre's email address

Head of centre's telephone number

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Name of head of centre

Name(s) of centre staff involved**Position**

Details of examinations/assessments involved

Qualification, unit or specification code	Qualification, unit or specification title

Date and time of incident

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Individual(s) who gathered information

Name:	
Role within centre/organisation:	
Reason why suitable to gather information (e.g. experienced senior leader):	

Did any external people (e.g. local authority personnel, union officers) assist in the gathering of information? If so, please give details:

Name(s)**Position**

Give details of the actions you have taken and the information you have gathered

Where malpractice (including maladministration) has been identified, please use the box below to provide:

- **details of the actions your centre proposes to take to mitigate the impact on candidates; and**
- **details of the actions your centre proposes to take to prevent a recurrence of similar incidents in future**

Name and position (please print): _____

Signed: _____

Date: _____