

# MALPRACTICE POLICY

This policy is applicable to all students, staff and parents of The Wellington Academy.

## DOCUMENT CONTROL

<b>Responsible position:</b>	<b>Approved by:</b>
Examinations Officer	Headteacher
<b>Version number:</b>	<b>Date approved:</b>
3.0	September 2024
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Annually	September 20 25

## RELATED POLICIES AND DOCUMENTS

### Policy Name

TWA - Non-Examination Policy  
TWA - Internal appeals policy for non-examination assessments  
TWA – Word Processors in Examinations Policy  
JCQ – ‘Instructions for conducting non-examinations assessment’ [Instructions\\_NEA\\_24-25\\_FINAL.pdf](#)  
JCQ – ‘Instructions for conducting coursework’ [Coursework\\_ICC\\_24-25\\_FINAL.pdf](#)  
JCQ - ‘Suspected malpractice Policies and Procedures’. [Malpractice\\_Sep24\\_FINAL.pdf](#)  
JCQ - ‘Access Arrangements and Reasonable Adjustments’ regulations’ [JCQ - Access Arrangements and Reasonable Adjustments](#)  
JCQ - ‘Instructions for conducting examinations’ [JCQ - Instructions for Conducting Examinations](#)  
JCQ - ‘Instructions for GCSE and GCE MFL Listening Exams’ [MFL Listening\\_2024\\_FINAL.pdf](#)  
JCQ - [Invigilator checklist’ JCQ-Invigilation-training-checklist-updated-2024.pdf](#)  
JCQ - [Information for candidates documents - JCQ Joint Council for Qualifications](#)  
JCQ - ‘Access Arrangements and Reasonable Adjustments’ regulations [JCQ - Access Arrangements and Reasonable Adjustments](#)  
JCQ - ‘Joint Contingency Plan’ [Joint Contingency Planhttps://www.jcq.org.uk/wp-content/uploads/2022/08/4-5-1-Joint-Contingency-Plan-April-2019.pdf](https://www.jcq.org.uk/wp-content/uploads/2022/08/4-5-1-Joint-Contingency-Plan-April-2019.pdf)  
TWA – Examination Contingency Plan  
TWA - Emergency Evacuation Procedure for Examinations

## REVISION RECORD

Date	Version	Revision Description
Sept 2009	1.0	Written in relation to current legislation and school policies
June 2013	2.0	Written in line with current processes and legislation
March 2017	3.0	Written in line with current processes and legislation
April 2018	4.0	Updated and written in line with current processes and legislation
Sept 2018	5.0	Updated to refer to Equality Act 2010; Reference to Contingency Plans; Reference to Candidate Exams Booklet – NEAs appeals procedure

Sept 2019	6.0	Updated and written in line with current processes and legislation
Sept 2020	7.0	Updated and written in line with current processes and legislation
Sept 2021	8.0	Updated and written in line with current processes and legislation
Sept 2022	9.0	Updated and written in line with current processes and legislation
Sept 2023	10.0	Updated and written in line with current processes and legislation
Dec 2024	11.0	Updated and written in line with current processes and legislation

## Malpractice Policy

Centre name	The Wellington Academy
Centre number	66711
Date policy first created	04/12/2024
Current policy approved by	Robert Wood
Current policy reviewed by	Robert Wood
Date of review	04/12/2024
Date of next review	02/09/2025

## Key staff involved in the policy

Role	Name
Head of Centre	Robert Wood
Senior leader(s)	Sabrina Hawkins, Jon Hill, Matthew Baker, Femi Adeniran, Jennie Cash
Exams officer	Amanda Stiggants
Other staff (if applicable)	

This policy is reviewed and updated annually to ensure that any malpractice at The Wellington Academy 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 documents **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 being 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, and/or
- a breach of awarding body requirements regarding how a qualification should be delivered, and/or •  
a failure to follow established procedures in relation to a qualification which:
- gives rise to prejudice to candidates, and/or
- compromises public confidence in qualifications, and/or

- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate, and/or
- 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)

### **Candidate malpractice**

'Candidate malpractice' normally involves malpractice by a candidate in connection with any examination or assessment, including the preparation and authentication of any controlled assessments, coursework or nonexamination assessments, the presentation of any practical work, the compilation of portfolios of assessment evidence and the completion of any examination. (SMPP 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)

### **Suspected malpractice**

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice (regardless of how the incident might be categorised, as described in SMPP, section 19). (SMPP 2)

### **Purpose of the policy**

To confirm The Wellington Academy:

- has in place for inspection that must be reviewed and updated annually, a written malpractice policy which covers all qualifications delivered by the centre detailing 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 must also acknowledge 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) (GR 5.3)

### **General principles**

In accordance with the regulations The Wellington Academy 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)
- 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 current JCQ document **Suspected Malpractice - Policies and Procedures** and provide such information and advice as the awarding body may reasonably require (GR 5.11)

## **Preventing malpractice**

The Wellington Academy has in place:

- Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ document **Suspected Malpractice: Policies and Procedures**. (SMPP 4.3)
- This includes ensuring that 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 2024-2-25
- 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 (this document)
- Plagiarism in Assessments
- AI Use in Assessments: Protecting the Integrity of Qualifications
- Post Results Services June 2024 and November 2024
- A guide to the awarding bodies' appeals processes 2024-2025

(SMPP 3.3.1)

Additional information:

### **Informing and advising candidates how to avoid committing malpractice in examinations/assessments**

The candidates are informed in assemblies by Senior Leaders named at the beginning of this document of what Malpractice is and how it can affect them in line with current JCQ policy guidance (Suspected Malpractice Policies and Procedures).

For any assessments that could be affected by the use of AI, the teaching staff will inform the candidates of the regulations of if/when AI technology can be used, and also the consequences of its misuse. Staff have been directed towards the AI Use in Assessments: Protecting the Integrity of Qualifications guidance.

Candidates are informed of the 'Warning to Candidates' and 'Unauthorised Items' posters which are also outside all exam rooms in exam assemblies. The Suggested wording for invigilators' announcements at the beginning of written examinations also details what can and cannot be done in the exam environment and is played out at the beginning of every exam by the invigilators.

### **Identifying and preventing the misuse of AI in an NEA**

Teachers will:

- Notice differences in style and argument between student's normal way of working and that submitted for assessment,

- Talk to students to check their work is their own, using vivas, drills and quizzes to check they understand the content of their work, and that they are responsible for it,
- Educate students about the misuse of AI and the consequences of it.

### **AI use in assessments**

Students are reminded of the key forms of malpractice in their exams briefing assembly, which takes place just before they start their written exams.

Information provided to students includes the JCQ AI Poster for Students detailing the risks of using AI, what AI misuse is, how it will be treated as malpractice, when it may be used and how it should be acknowledged (as per the JCQ document 'Teachers & Assessors - AI Use in Assessments: Protecting the Integrity of Qualifications'). Form Tutors brief their forms using the JCQ AI teacher presentation for students [Updating the JCQ guidance on AI Use in Assessments - JCQ Joint Council for Qualifications](#)

AI is the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications. Misuse of AI tools in relation to qualification assessments at any time constitutes malpractice.

### **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/AI Use in Assessments: Protecting the Integrity of Qualifications](https://www.jcq.org.uk/exams-office/malpractice/AI%20Use%20in%20Assessments%3A%20Protecting%20the%20Integrity%20of%20Qualifications) for further information.

## **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)

Any suspected malpractice should be referred to the Exams Officer in the first instance. The Exams Officer will escalate issues as appropriate to the Head of Centre.

### **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 document **Suspected Malpractice: Policies and Procedures** (SMPP 4.1.3)
- The Head of Centre will ensure that, where a candidate is a child or an adult at risk and 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)
- 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 does not need to 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 (the candidate or the 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 information obtained and actions taken to the relevant awarding body, accompanied by the information obtained during their enquiries (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 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 (SMPP 5.40) Additional information:

### **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) Additional information:

### **Appeals against decisions made in cases of malpractice**

The Wellington Academy will provide the individual with information on the process and timeframe for submitting an appeal, where relevant. They will be sent further information about the process as per the JCQ document A guide to the awarding bodies' appeals processes.