



Malpractice and Maladministration Policy 2024-2025

Date Policy Reviewed:	September 2024
Date approved by Principal :	Juliette Gelling
To be reviewed:	Annually

This policy sets out to define the procedures to be followed in the event of any dispute or allegation regarding malpractice or maladministration in the assessment of internally marked qualifications (such as ASDAN, WJEC Pathways, Open Awards) and also regarding examinations invigilated by staff at the school and marked externally.

This policy is shared with all staff.

Malpractice is any act or practice which breaches regulations, or which:

- gives rise to prejudice to candidates
- compromises public confidence in qualifications
- compromises 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.

Centre staff malpractice

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by staff with regards to portfolio-based qualifications. This list is not exhaustive:

- Tampering with candidates work prior to external moderation/verification
- Assisting candidates with the production of work outside of the awarding body guidance
- Fabricating assessment and/or internal verification records or authentication statements
- The following are examples of malpractice by staff with regard to examinations
- Assisting candidates with exam questions outside of the awarding body guidance
- Allowing candidates to talk, use a mobile phone or go to the toilet unsupervised
- Tampering with scripts prior to external marking taking place.

Maladministration is any unintentional activity or practice that leads to non-compliance with exam bodies requirements. In most cases, maladministration will relate to administrative or quality assurance procedures, and may involve any or all of the following:

Maladministration, if serious enough, may be treated as malpractice.

The awarding body will be informed immediately of any actual or suspected incidents of malpractice or maladministration. will be before the school begins an investigation.

Investigations into allegations will be coordinated by Deputy Head Teacher, Claire Pattison, who will ensure the initial investigation is carried out within ten working days. The investigation will involve establishing the full facts and circumstances of any alleged malpractice. It should not be assumed that because an allegation has

been made, it is true. Where appropriate, the staff member concerned and any potential witnesses will be interviewed and their version of events recorded on paper.

The member of staff will be:

- informed in writing of the allegation made against him or her
- informed what evidence there is to support the allegation
- informed of the possible consequences, should malpractice be proven
- given the opportunity to consider their response to the allegations
- given the opportunity to submit a written statement
- given the opportunity to seek advice (as necessary) and to provide a supplementary statement (if required)
- informed of the applicable appeals procedure, should a decision be made against him/her
- informed of the possibility that information relating to a serious case of malpractice will be shared with the relevant awarding body and may be shared with other awarding bodies, the regulators Ofqual, the police and/or professional bodies

If work is submitted for moderation/verification or for marking which is not the candidate's own work, the awarding body may not be able to give that candidate a result.

All incidents of suspected staff and centre malpractice/maladministration and all incidents of suspected candidate malpractice identified after the candidate has signed the declaration of authentication will be reported to the Awarding body

Where a member of staff is found guilty of malpractice or maladministration, Bank View High School may impose the following sanctions:

- 1) Issue the member of staff with a written warning stating that if the offence is repeated within a set period of time, further specified sanctions will be applied
- 2) Require the member of staff, as a condition of future involvement in both internal and external assessments to undertake specific training or mentoring, within a particular period of time, including a review process at the end of the training
- 3) Impose special conditions on the future involvement in assessments by the member of staff
- 4) Bar the member of staff in all involvement in the administration of assessments for a set period of time
- 5) Should the degree of malpractice be deemed gross professional misconduct, the member of staff could face dismissal from his/her post

The member of staff may appeal against sanctions imposed on them. Appeals will be conducted in line with the Appeals Policy.

Candidate Malpractice

Attempted or actual malpractice activity will not be tolerated. The following are examples of malpractice by candidates with regards to portfolio-based qualifications. This list is not exhaustive:

- the copying and passing of as the candidate's own work, the whole or part of another person's work
- working collaboratively with other learners to produce work that is submitted as the candidate's only
- Failing to abide by the instructions of an assessor – This may refer to the use of resources which the candidate have be specifically told not to use
- The alteration of any results document

If a teacher suspects a candidate of malpractice, the candidate will be informed and the allegations will be explained. The Awarding Body will be notified. If found guilty of malpractice following an investigation, the teacher may decide to re-mark previous assignments and these could also be rejected if similar concerns are identified.

The following are examples of malpractice by candidates with regards to examinations. This list is not exhaustive:

- Talking during an examination
- Taking a mobile phone into an examination
- Taking any item other than those accepted by the Awarding Body into the examination, such as a book or notes
- Leaving the examination room without permission
- Passing notes or papers or accepting notes to, or accepting notes or papers from another candidate

If a teacher suspects a candidate of malpractice during an examination, the candidate will be informed, the allegations will be explained and the Awarding Body informed. Following an investigation the candidate's examination paper may be withdrawn. It is unlikely that the candidate will have the opportunity to repeat the examination.

Prior to beginning the examination courses all students are made aware of conduct for assessments and examinations. These are regularly revisited by class staff and senior leaders,

In the event that a malpractice decision is made, which the candidate feels is unfair, they can appeal in line the Appeals Policy.

JCQ guidance on malpractice can be found here:

[Malpractice - JCQ Joint Council for Qualifications](#)

Artificial Intelligence (AI)

What is AI? "It's the capability of a computer system to mimic human-like cognitive functions such as learning and problem-solving."

AI use is the use of AI tools to produce work for assessments that lead to qualifications. 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.

The misuse of AI tools used for assessment is classed as malpractice and pose significant risk as the tools have been developed to produce responses based on the likelihood of the language selected being an appropriate response. The responses cannot be relied upon and can often produce incorrect or biased information. In some instances, chatbots can provide dangerous and harmful answers to questions and produce fake references to books or people. AI chatbots generate text in response to user prompts and questions. Responses will be provided that are statistically likely to be relevant and appropriate.

Guidance can be found in [AI-Use-in-Assessments_Feb24_v6.pdf](#)

states that chatbots can complete different tasks such as:

- Answering questions
- Analysing, improving, and summarising text
- Authoring essays, articles, fictions, 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 formality

What is AI Misuse?

As per the JCQ General Regulations for Approved Centres. Learners are required to submit work for assessments which is their own and should not be copied or paraphrased from another source such as an AI tool. Where the use of an AI tool demonstrates that a learner has not independently demonstrated their own attainment is likely to be considered malpractice. AI tools can only be used when the conditions of the assessment permit the use of the internet and where the learner is able to demonstrate that the final submission is a product of their own independent work and independent thinking.

Staff have been directed towards the AI Use in Assessments: Protecting the Integrity of Qualifications guidance. [AI-Use-in-Assessments_Feb24_v6.pdf](#)