Malpractice Policy (Exams/Assessments) 2026-27

Centre name	Babington Academy
Centre number	25112
Date policy first created	05/04/2024
Current policy approved by	Ed Herbert
Current policy reviewed by	Ed Herbert
Date of review	October 2026
Date of next review	November 2027

Key staff involved in the policy

Role	**Name**
Head of centre	Fiona Laywood
Senior leader(s)	Edward Herbert - Vice Principal
Exams officer	Adrene Henley
Other staff (if applicable)	Sam Mayes - Office Manager

This policy is reviewed and updated annually to ensure that any malpractice at Babington 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)

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)

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 non-examination assessments, the presentation of any practical work, the compilation of portfolios of assessment evidence and the completion of any examination. (SMPP Appendix 2 part 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 Appendix 2 Part 1)

Centre Malpractice

'Centre malpractice' normally involves malpractice where there is an element of systemic failure, a breach in policies or widespread malpractice such that a centre-level sanction is appropriate (SMPP Appendix 2 Part 1)

Purpose of the policy

To confirm Babington 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 Babington 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)
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Preventing malpractice

Babington 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
- Instructions for conducting examinations (ICE)
- Instructions for conducting coursework
- Instructions for conducting non-examination assessments
- Access Arrangements and Reasonable Adjustments
- A guide to the special consideration process
- Suspected Malpractice: Policies and Procedures (this document)
- Plagiarism in Assessments
- AI Use in Assessments: Protecting the Integrity of Qualifications

- Post-Results Services
- A guide to the awarding organisations' appeals processes
- Guidance for centres on cyber security
- (SMPP 3.3.2)

Additional information:

Not applicable

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

Students are informed of what malpractice is in several ways:

- Hard copy booklets of exam regulations, including the use of AI are posted directly to students by Exams Officers
- An assembly outlining the various forms of malpractice: including the need for silence, lack of communication, the regulations around mobile phones, watches and the use of AI is delivered before each examination series and also before each mock examination series. Slides are prepared jointly by the Exams Officer and member of SLT responsible for exams.
- Posters re. Exam regulations are displayed clearly and prominently outside and at the front of every examination room, including those rooms used for students with access arrangements.
- Standard notices, informed by JCQ, outlining the expectations of exams and the conduct expected of each candidate are read out by the Lead Invigilator/Member of SLT starting the examination before each exam commences.

AI use in assessments

With reference to the JCQ guidance for Teachers & Assessors - AI Use in Assessments: Protecting the Integrity of Qualifications:

Students complete the majority of their exams and a large number of other assessments under close staff supervision with limited access to authorised materials and no permitted access to the internet. The delivery of these assessments should be unaffected by developments in AI tools as students must not be able to use such tools when completing these assessments.

There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. Many of these assessments will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications (GQs) and Vocational & Technical Qualifications (VTQs). JCQ's guidance which is designed to help students and teachers to complete NEAs, coursework and other internal assessments successfully is followed in relation to these assessments.

The following JCQ support resources will also be used to help teachers understand and prevent AI misuse and to help students to better understand the rules for use of AI in assessments: Information Sheet for Teachers, Senior Leader Presentation for Teachers, Poster for Students, Teacher Presentation for Students.

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)

Malpractice of any form by a candidate during an external exam should be reported to the Lead Invigilator. This instance of malpractice should be recorded by the Lead Invigilator during the examination and they should notify the Exams Officer immediately once the examination has finished. In all cases, where possible, the candidate should have the opportunity to complete their examination.

Malpractice by a member of staff, who is not the Lead Invigilator, should be reported to the Lead Invigilator, recorded during the examination by the Lead Invigilator and they should notify the Exams Officer immediately once the examination has finished. In all cases, the candidates should have the opportunity to complete their examination.

Malpractice by the Lead Invigilator, should be recorded during the examination by an assisting Invigilator and they should notify the Exams Officer immediately once the examination has finished. In all cases, the candidates should have the opportunity to complete their examination.

Malpractice by the Exams Officer should be reported immediately to the Head of Centre and member of SLT with responsibility for examinations.

On receipt of a malpractice report, the Exams Officer must report immediately to the Head of Centre and the member of SLT with responsibility for examinations.

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 (SMPP 4.1.3)

  This process may, in practice, be delegated to the Vice Principal with responsibility for examinations or another member of SLT, in order to avoid a conflict of interest.

- 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. The form is available from the JCQ website: http://www.jcq.org.uk/exams-office/malpractice

- Form JCQ/M2 should be used to notify an awarding organisation of an incident of suspected staff malpractice/maladministration The form is available from the JCQ website at: http://www.jcq.org.uk/exams-office/malpractice . Form JCQ/M3 will be used to report into suspected staff malpractice/maladministration involving centre staff (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)

- Malpractice by a candidate discovered in a controlled assessment, coursework or non-examination assessment where the offence does not relate to the content of candidates' work (e.g. possession of unauthorised materials, breach of assessment conditions) or where a candidate has signed the

declaration of authentication, must be reported using a JCQ/M1 to the relevant awarding organisation. If, at the time of the malpractice, there is no entry for that candidate (who the centre intended to enter), the centre is required to submit an entry by the required entry deadline.

- 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 5.35)
- 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 the course of 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 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)

Additional information:

Not applicable

The rights of accused individuals – information gathering

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;

· be made aware that knowingly providing misleading or inaccurate information constitutes malpractice;

· be informed of 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 informed that if the case is referred to the awarding organisation'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 Organisations' Appeals Processes):

http://www.jcq.org.uk/exams-office/appeal

The head of centre is responsible for ensuring that the accused individual is informed of their rights and responsibilities. Where it is identified that there is a need to exercise discretion in the light of the circumstances of the case in terms of how the evidence is presented to the accused individual (for example, if they have concerns about revealing the identity of a third party mentioned in the documentation), this should be discussed with the awarding organisation.If the accused individual is provided with a reduced or redacted set of case documentation by the information gatherer, then the awarding organisation should be provided with the same information as provided to the individual. Where there are multiple individuals involved in the same incident, copies of the redacted documents for each individual should be provided to the awarding organisation.

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:

Not applicable

Appeals against decisions made in cases of malpractice

Babington Academy will:

- Provide the individual with information on the process and timeframe for submitting an appeal, where relevant
- Refer to further information and follow the process provided in the JCQ document **A guide to the awarding bodies' appeals processes**

Additional information: Not applicable

Changes 2024/2025

Under headings **What is malpractice**, **Candidate malpractice**, **Suspected Malpractice** amended to reflect slight wording changes in SMPP.

Under heading **Purpose of the policy**: To confirm Babington Academy: 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

(Amended to reflect the change in GR 5.3) To confirm Babington 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)

Under heading **General Principles**, bullet point amended to reflect the change in GR 5.11: take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after ~~examinations~~ assessments have taken place

Under heading **Preventing Malpractice**: Updated the list of JCQ documents.

Under the heading **Informing and advising candidates how to avoid committing malpractice in examinations/assessments** updated the prompt in the insert field to: Detail the process in your centre which confirms how, when and by whom candidates are informed and advised to avoid committing malpractice in examinations/assessments. Describe the process and 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). Confirm when this takes place and include the name(s) and/or role(s) of those staff involved in briefing candidates.

Changes 2025-26

Under Reporting suspected malpractice to the awarding body wording changed to indicate investigations may be delegated to Vice Principal or another member of SLT in order to avoid conflicts of interest.

Changes 2026-27

Under rights to individual – The accused will now be able to receive information that can be redacted/reduced and the same information needs to be provided to the awarding body.

Centre-specific changes

Not applicable