

Newbridge Learning Community

Malpractice and Maladministration Policy

Introduction and Purpose

Newbridge Learning Community has an obligation to its learners and awarding bodies to ensure that the qualifications its learners receive are a fair and accurate representation of their work, and of the knowledge and skills attained. Therefore the purpose of this policy is to ensure that the integrity of the qualifications is upheld by taking reasonable steps to prevent malpractice and/or maladministration and by approaching in a consistent manner, all reports of suspected or actual cases of malpractice and/or maladministration, whether carried out by learners or staff.

This policy has been prepared with reference to “JCQ General and Vocational qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures”
<http://www.jcq.org.uk/exams-office/malpractice>

Definitions

Malpractice is any act, default or practice which is a breach of the regulations by which Newbridge Learning Community is required to abide or which compromises 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.

Staff malpractice is malpractice committed by a member of staff, examples of which are set out in Appendix A.

Learner malpractice is malpractice by a learner in the course of any examination or assessment, including the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper. Examples of Learner malpractice are set out in Appendix B.

Maladministration is defined as any activity or practice which results in non-compliance with an awarding body’s administrative regulations and requirements including the application of persistent mistakes or poor administration. Examples of Maladministration are set out in Appendix C.

Implementation

Suspected malpractice and maladministration will be dealt with under the guidance of “JCQ General and Vocational qualifications Suspected Malpractice in Examinations and Assessments Policies and Procedures” <http://www.jcq.org.uk/exams-office/malpractice>

Incidents of suspected or alleged malpractice or maladministration must be reported so that an investigation can take place.

Procedures for reporting and investigating suspected or alleged malpractice or maladministration are shown in Appendix D

Responsibilities

The Head of Centre will promptly notify the appropriate awarding body of suspicions or actual incidents of malpractice or maladministration in line with the requirements of the awarding body’s

malpractice/ maladministration policy and will take all reasonable steps to investigate any suspected incidents of malpractice or maladministration.

The school's SLT will take all reasonable steps to prevent malpractice or maladministration from occurring and ensure all staff are aware of their responsibilities in this matter.

All school staff will take all reasonable steps to prevent malpractice or maladministration from occurring, implement assessment practices that reduce the opportunity for malpractice, abide by the specific assessment and administrative requirements for each course and qualification as laid down by the relevant awarding body, take seriously any allegations made in a professional capacity and report any suspected incidences of malpractice or maladministration to their line manager, ensure learners are aware of their responsibilities, check the validity of all work submitted for assessment and make learners aware of the procedures for reporting any suspected incident of malpractice.

Learners are responsible for submitting work for assessment that is the learner's own original work and report any suspected incident of malpractice or maladministration to a member of staff.

Monitoring, Review and Evaluation

This policy will be reviewed annually and revised as necessary in response to and including learner feedback, changes in its practices, advice from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous instances of assessment malpractice or maladministration.

Appendix A Staff Malpractice

The following are examples of staff malpractice. This is not an exhaustive list. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

Breach of security

Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents.

It could involve:

- failing to keep examination material secure prior to an examination
- discussing or otherwise revealing secure information in public, e.g. internet forums
- moving the time or date of a fixed examination beyond the arrangements permitted within the JCQ publication Instructions for conducting examinations.
- conducting an examination before the published dates
- failing to supervise adequately candidates who have been affected by a timetable variation
- facilitating or obtaining unauthorised access to examination material prior to an examination
- failing to retain and secure examination question papers after an examination in cases where the life of the paper extends beyond the particular session
- tampering with candidate scripts or controlled assessments or coursework after collection and before despatch to the awarding body/examiner/moderator
- failing to keep candidates' computer files secure which contain controlled assessments or coursework.

Deception

Any act of dishonesty in relation to an examination or assessment including

- inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of the candidates' achievement to justify the marks awarded
- manufacturing evidence of competence against national standards
- fabricating assessment and/or internal verification records or authentication statements
- entering fictitious candidates for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain
- substituting one candidate's controlled assessment or coursework for another

Improper assistance to candidates

Any act where assistance is given beyond that permitted by the specification or regulations to a candidate or group of candidates, which results in a potential or actual advantage in an examination or assessment. For example:

- assisting candidates in the production of controlled assessments or coursework, or evidence of achievement, beyond that permitted by the regulations
- sharing or lending candidates' controlled assessments or coursework with other candidates in a way which allows malpractice to take place
- assisting or prompting candidates with the production of answers
- permitting candidates in an examination to access prohibited materials (dictionaries, calculators etc.)
- prompting candidates in an examination/assessment by means of signs, or verbal or written prompts
- assisting candidates granted the use of an Oral Language Modifier, a practical assistant, a prompter, a reader, a scribe or a Sign Language Interpreter beyond that permitted by the regulations.
- failure to co-operate with an investigation
- failure to make available information reasonably requested by an awarding body in the course of an investigation, or in the course of deciding whether an investigation is necessary
- failure to investigate on request in accordance with the awarding body's instructions or advice
- failure to investigate or provide information according to agreed deadlines
- failure to report all suspicions of malpractice.

Appendix B Learner malpractice

The following are examples of learner malpractice. This is not an exhaustive list. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

- the alteration or falsification of any results document, including certificates
- a breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination or assessment rules and regulations
- failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments
- collusion: working collaboratively with other candidates, beyond what is permitted
- copying from another candidate (including the use of IT to aid the copying)
- allowing work to be copied e.g. posting written coursework on social networking sites prior to an examination/assessment
- the deliberate destruction of another candidate's work
- disruptive behaviour in the examination room or during an assessment session (including the use of offensive language)
- exchanging, obtaining, receiving, passing on information (or the attempt to) which could be examination related by means of talking, electronic, written or non-verbal communication
- making a false declaration of authenticity in relation to the authorship of controlled assessments, coursework or the contents of a portfolio
- allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework
- the misuse, or the attempted misuse of examination and assessment materials and resources (e.g. exemplar materials)
- being in possession of confidential material in advance of the examination
- bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations)
- the inclusion of inappropriate, offensive or obscene material in scripts, controlled assessments, coursework or portfolios
- impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment
- plagiarism: unacknowledged copying from published sources
- theft of another candidate's work
- bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), instruments which can capture a digital image, electronic dictionaries (when prohibited), translators, wordlists, glossaries, iPods, mobile phones, Smartwatches or other similar electronic devices
- the unauthorised use of a memory stick or similar device where a candidate uses a word processor
- behaving in a manner so as to undermine the integrity of the examination.

Appendix C Maladministration

The following are examples of maladministration. This is not an exhaustive list, other instances of maladministration may be identified and considered by the awarding bodies at their discretion.

- failure to adhere to the regulations regarding the conduct of controlled assessments, coursework and examinations or malpractice in the conduct of the examinations/assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc. For example: failing to ensure that candidates' coursework or work to be completed under controlled conditions is adequately monitored and supervised
- inappropriate members of staff assessing candidates for access arrangements who do not meet the criteria as detailed within Chapter 7 of the JCQ publication Access Arrangements and Reasonable Adjustments
- failure to use current assignments for assessments
- failure to train invigilators adequately, leading to non-compliance with the JCQ publication Instructions for conducting examinations
- failing to issue to candidates the appropriate notices and warnings, e.g. JCQ Information for candidates documents
- failure to inform the JCQ Centre Inspection Service of alternative sites for examinations
- failing to post notices relating to the examination or assessment outside all rooms (including Music and Art rooms) where examinations and assessments are held
- not ensuring that the examination venue conforms to the requirements as stipulated in the JCQ publication Instructions for conducting examinations
- the introduction of unauthorised material into the examination room, either prior to or during the examination
- failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting
- failure to invigilate examinations in accordance with the JCQ publication Instructions for conducting examinations
- failure to have on file for inspection purposes accurate records relating to overnight supervision arrangements
- failure to have on file for inspection purposes appropriate evidence, as per the JCQ publication Access Arrangements and Reasonable Adjustments, to substantiate approved access arrangements processed electronically using the Access arrangements online system
- granting access arrangements to candidates who do not meet the requirements of the JCQ publication Access Arrangements and Reasonable Adjustments
- granting access arrangements to candidates where prior approval has not been obtained from the Access arrangements online system or, in the case of a more complex arrangement, from an awarding body
- failure to supervise effectively the printing of computer based assignments when this is required
- failing to retain candidates' controlled assessments or coursework in secure conditions after the authentication statements have been signed or the work has been marked
- failing to maintain the security of candidate scripts prior to despatch to the awarding body or examiner
- failing to despatch candidate scripts / controlled assessments / coursework to the awarding bodies or examiners or moderators in a timely way

- failing to notify the appropriate awarding body at the earliest opportunity of all suspicions or actual incidents of malpractice
- failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding body
- the inappropriate retention or destruction of certificates.

Appendix D

Procedures for reporting and investigating suspected or alleged malpractice or maladministration.

Reporting and investigating Suspected Malpractice or Maladministration within Newbridge

Allegations of suspected malpractice or maladministration should normally be made in writing. Where an allegation is made orally, the receiver of the allegation should attempt to obtain written confirmation from the person(s) making the allegation, but if this is not possible should make a written record. All school staff and learners should report any suspected incidences of staff malpractice or maladministration to the Head. If a suspected or alleged incidence of malpractice or maladministration is reported, the Head, or person nominated by the Head will promptly carry out a documented brief preliminary investigation to establish the basis and validity of any suspected or alleged malpractice. This will determine whether a full investigation is necessary and be the basis of informing the awarding body. Should it be that a full investigation is necessary, the Head of Centre or a person delegated by the Head will oversee all investigations.

Reporting and investigating Suspected Malpractice or Maladministration to Awarding

Organisations The Head of Centre must notify the appropriate awarding body at the earliest opportunity of all suspicions or actual incidents of malpractice. The only exception to this is candidate malpractice discovered in controlled assessments or coursework before the authentication forms have been signed by the candidate. Malpractice by a candidate in a coursework or controlled assessment component of a specification discovered prior to the candidate signing the declaration of authentication need not be reported to the awarding body, but must be dealt with in accordance with the centre's internal procedures. If a candidate has not been entered with an awarding body for the component, unit or qualification, malpractice discovered in controlled assessment or coursework must also be dealt with in accordance with the centre's internal procedures. Centres should not normally give credit for any work submitted which is not the candidate's own work. If any assistance has been given, a note must be made of this on the cover sheet of the candidate's work or other appropriate place. Where malpractice by a learner in a vocational qualification is discovered prior to the work being submitted for certification, centres should refer to the guidance provided by the awarding body. The Head of Centre must:

- supervise personally, and as directed by the awarding body, all investigations resulting from an allegation of malpractice unless the investigation is being led by the awarding body or another party
- ensure that if it is necessary to delegate an investigation to a senior member of centre staff, the senior member of centre staff chosen is independent and not connected to the department or candidate involved in the suspected malpractice. This is to avoid conflicts of interest which can otherwise compromise the investigation
- respond speedily and openly to all requests for an investigation into an allegation of malpractice. This will be in the best interests of centre staff, candidates and any others involved
- make available information as requested by an awarding body

- co-operate and ensure their staff co-operate with an enquiry into an allegation of malpractice
- inform staff members and candidates of their individual responsibilities and rights as set out in the JCQ guidelines
- pass on to the individuals concerned any warnings or notifications of penalties, and ensure compliance with any requests made by the awarding body as a result of a malpractice case.

AI Malpractice

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

While the range of AI tools, and their capabilities, is likely to expand greatly in the near future, misuse of AI tools in relation to qualification assessments at any time constitutes malpractice. Teachers and students should also be aware that AI tools are still being developed and there are often limitations to their use, such as producing inaccurate or inappropriate content.

AI chatbots are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided. AI chatbots respond to prompts based upon patterns in the data sets (large language model) upon which they have been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- Answering questions
- Analysing, improving, and summarising text
- Authoring essays, articles, fiction, 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 format

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/artificial-intelligence/> for further information.