

SAPIENTIA EDUCATION TRUST



OLD BUCKENHAM
HIGH SCHOOL

OLD BUCKENHAM HIGH SHOOOL

MALPRACTICE IN PUBLIC EXAMS POLICY

Author / Edited by	Mr Fell
Date	March 2022
Executive summary	This policy has been reviewed and amendments made in order to comply with JCQ ICE Regulations
Review Body	School
Endorsed by	Governing Body
Review frequency & next review due	Annually – March 2023
Comments	This policy will be reviewed in full by the Governing Body on an annual basis.

Foreword

Candidate Malpractice means malpractice by a candidate in the course of any examination or assessment, including the preparation and authentication of any controlled assessment or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of an examination paper.

Candidates have been given, in advance of each exam session, clear instructions (both written and verbal) on what they must and must not do in public examinations and clear examples of what is considered to be malpractice. They have also been warned of the consequences should they fail to adhere to the rules and regulations laid down by the exam boards.

What is Malpractice?

Malpractice is where a candidate, intentionally or otherwise, puts themselves at an advantage over the other candidates. Such examples include, but are not limited to:

- plagiarism in coursework
- use of any unauthorised materials (such as notes, writing on hand, having a mobile phone on their person etc)
- copying or attempting to copy another person's work
- impersonating another person
- including inappropriate or offensive material in scripts
- talking to other candidates

OBHS Responsibilities

Under the regulations the School is under obligation to:

- notify the appropriate awarding body at the earliest opportunity all suspicions or actual incidents of malpractice. The only exception to this is malpractice discovered in controlled assessments or coursework before the authentication forms have been signed by the candidate.
- Investigate the incident thoroughly and as quickly as possible
- Inform candidates of their individual responsibilities and rights as set out in the guidelines
- Pass on to the individuals concerned any warning or notification of penalties and ensure compliance with any requests made by the awarding body as a result of a malpractice case.

The Right of the accused individual

When, in the view of the investigation, there is sufficient evidence to implicate a candidate in malpractice, that individual must:

- be informed of the allegation made against him or her (preferably in writing but only if circumstances dictate)
- know what evidence there is to support that allegation
- know the possible consequences should malpractice be proven
- have the opportunity to consider their response to the allegations (if required)
- have an opportunity to submit a written statement
- have an opportunity to seek advice (as necessary) and provide a supplementary statement (if required)

- be informed of the applicable appeals procedure, should a decision be made against him or her
- be informed of the possibility that information relating to a serious case of malpractice may be shared with other awarding bodies.

What will happen in the case of suspected malpractice?

Written Exam or Controlled Assessment

If a candidate is suspected of malpractice in a written exam or controlled assessment, the following procedure will apply:

1. The candidate will have any unauthorised material confiscated. They will be allowed to finish the paper along with all other candidates.
2. Once the exam is concluded they will be asked to remain behind and will be supervised until the Exams Officer can meet with the candidate. This will usually be within 15 minutes of the end of the exam.
3. The school will attempt to contact the candidate's parents prior to the interview to advise them of the incident and confirm that the candidate will be interviewed following the exam. (If they are not contactable within this window then the Exams Officer will attempt to contact them in another form so that they are aware of the incident and can discuss it with the candidate).
4. The candidate will be advised of their rights as outlined above and then interviewed by the Exams Officer (or a member of the pastoral team).
5. The candidate will be asked to provide a statement. This will be done within 24 hours of the incident (if possible) or will not be eligible for submission to the awarding body in mitigation should it be deemed necessary.
6. Following the interview an investigation will take place in which the Exams Officer will speak to the Examinations Invigilator at the very least and any other third party and the outcome notified to the candidate/candidate's parents.
7. If the investigation concludes that there is suspected malpractice then this will be notified to the Awarding Body.
8. The Awarding Body's decision (which should reach the centre within 14 days of the notification but can take up to 1 month depending on the severity of the malpractice) will be sent to the Exams Officer and they will notify the candidate and candidate's family within 24 hours of receipt.

The awarding body's response to an allegation of malpractice:

In the case of notifications of suspected malpractice received from centres, the awarding body will consider the information provided and may decide to:

- take no further action;

- make a decision on the case in accordance the procedures (see section 8 to 13 of JCQ Suspected Malpractice guidelines https://www.jcq.org.uk/wp-content/uploads/2021/09/Malpractice_21-22_FINAL.pdf)
- carry out a further investigation as described in sections 6.2 to 6.7 (as above) and provide further evidence;
- investigate the matter further itself

Appeals

If a candidate wishes to appeal the decision by the Awarding Body then the following procedures should be followed :

- 1) The parent or guardian of the candidate, but not the candidate acting alone, must contact the Examinations Office to confirm that they wish to appeal the outcome of the Awarding Body's decision, outlining the grounds upon which they wish to make the appeal (see point 70 & 71 of the JCQ appeals guidelines <http://www.jcq.org.uk/exams-office/appeals>). The application must be made within 48 hours of the outcome being made available to the candidate. This will allow the School time to investigate and, if the view of the candidate is upheld, get the appeal in to the Examinations Board with the 14 calendar day deadline.
- 2) The Exams Officer together with the Head of Centre (or their delegated representative) will then review the evidence, in line with the JCQ guidelines and advise the parent/guardian or candidate of the outcome.

It must be stressed that only the School is able to make the appeal and it will only do so if it is satisfied that it is able to support the evidence of the candidate. The Head of Centre's decision is final.

- 3) The outcome of the School's investigations will be reported, in writing, to the parents or guardian of the candidate within 48 hours.
- 4) If the Appeal is upheld by the School then the Exams Officer will make the necessary application by the deadline. A fee will be charged by the Exam Board for the appeal and this cost will be borne by the parents. The cost varies and depends on the exam board but will be around £100. Please note that the charge will be refunded if the appeal is upheld by the Awarding Body.
- 5) The Examinations Office will then report the outcome of the appeal to the Awarding Body to parent/guardian and Head of Subject within 24 hours of receipt.
- 6) If the appeal is not upheld then the outcome is final and no further recourse is available.

Further information may be found in the JCQ publication *A guide to the awarding bodies' appeal process* (<http://www.jcq.org.uk/exams-office/appeals>)

March 2022