

WEST DERBY SCHOOL



Malpractice

These procedures are reviewed annually to ensure compliance with current regulations

Approved on:	
Next review date:	
Signed:	S Graham (Headteacher)
Signed:	

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Key staff involved in malpractice procedures

Role	Name(s)
Head of centre	Sian Graham
Senior leader(s)	
Exams officer	Anthony Card

What does this policy affect?

What is malpractice and maladministration?

'Malpractice' and 'maladministration' are related concepts, the common theme of which is that they involve a failure to follow the rules of an examination or assessment. This policy and procedure use the word 'malpractice' to cover both 'malpractice' and 'maladministration' and it means any act, default or practice which is:

- a breach of the Regulations
- a breach of awarding body requirements regarding how a qualification should be delivered
- a failure to follow established procedures in relation to a qualification which:
 - gives rise to prejudice to candidates
 - compromises public confidence in qualifications
 - compromises, attempts to compromise or may compromise 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 or any officer, employee or agent of any awarding body or centre

Candidate malpractice

'Candidate malpractice' means 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 writing of any examination paper.

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.

Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice.

Purpose of the policy

To confirm West Derby School:

- 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

Procedure for planning and managing conflict of interests

The process

In accordance with the regulations West Derby School will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations have taken place.
- 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.
- As required by an awarding body, gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ publication Suspected Malpractice - Policies and Procedures and provide such information and advice as the awarding body may reasonably require.

West Derby School has in place:

- Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ publication Suspected Malpractice: Policies and Procedures.
- This includes ensuring that all 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 2023-2024; Instructions for conducting examinations (ICE) 2023- 2024; Instructions for conducting coursework 2023-2024; Instructions for conducting non-examination assessments 2023-2024; Access Arrangements and Reasonable Adjustments 2023-2024; A guide to the special consideration process 2023-2024; Suspected Malpractice: Policies and Procedures 2023- 2024; Plagiarism in Assessments; AI Use in Assessments: Protecting the Integrity of Qualifications; A guide to the awarding bodies' appeals processes 2023-2024 (SMPP 3.3.1)

Informing and advising candidates

The candidates are informed in lessons 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. 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 read out at the beginning of every exam.

Identification and reporting of malpractice

As soon as suspected malpractice is suspected during the exam process, the Exams Officer is made aware and discusses with the witness of what occurred and logs this on the appropriate JCQ form and gets it signed by the witness. The candidate is then informed of the incident and the potential impact that it may have on their results. They are asked if they agree with the statement and if they would like to add a statement.

The checklist on Form M1 is followed for candidate malpractice.

The checklist on Form M2/M3 is followed for centre/staff maladministration/malpractice.

Reporting suspected malpractice to the awarding body

- The exams officer or 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)
- The head of centre will ensure that where a candidate who is a child/vulnerable adult 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 need not 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 (a candidate or a 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 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)

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)

Appeals against decisions made in cases of malpractice

West Derby School 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 publication 'A guide to the awarding bodies' appeals processes

Responsibilities

Head of centre

- notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice
- review and sign any Malpractice cases prior to submission
- ensure that where a candidate who is a child/vulnerable adult 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)
- pass on details of any sanctions and action in cases where this is indicated

Senior Leaders

- Ensure that centre staff are aware of the requirement to adhere to the examinations regulations, instances that class as Malpractice and the Malpractice process

Exams Office/officer

- Complete the administrative process for any cases of Suspected Malpractice
- Identify and follow the awarding body's administrative process for malpractice
- Retain the records of any cases of Malpractice.

AI (Artificial Intelligence)

At West Derby School 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.

The majority of these assessments will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications (GQs) and Vocational & Technical Qualifications (VTQs).

This information is primarily intended to provide guidance in relation to these assessments.

What is AI use and what is the risk of using it 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 evolving quickly but there are still 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 formality

AI chatbots currently available include:

- ChatGPT (<https://chat.openai.com/auth/login>)
- Jenni AI (<https://jenni.ai>)
- Jasper AI (<https://www.jasper.ai/>)
- Writesonic (<https://writesonic.com/chat/>)
- Bloomai (<https://huggingface.co/bigscience/bloom>)
- Gemini (<https://gemini.google.com/>)
- Claude (<https://claude.ai/>)

There are also AI tools which can be used to generate images, such as:

- Midjourney (<https://midjourney.com/showcase/top/>)
- Stable Diffusion (<https://stablediffusionweb.com/>)
- Dalle-E 2 (OpenAI) (<https://openai.com/dall-e-2/>)

There are also AI tools which can be used to generate music. These include:

- Soundraw (<https://soundraw.io/>)
- wavtool (<https://wavtool.com/>)
- Musicfy (<https://create.musicfy.lol/>)

The use of AI chatbots may pose significant risks if used by students completing qualification assessments. As noted above, they have been developed to produce responses based upon the statistical likelihood of the language selected being an appropriate response and so the responses cannot be relied upon.

AI chatbots often produce answers which may seem convincing but contain incorrect or biased information. Some AI chatbots have been identified as providing dangerous and harmful answers to questions and some can also produce fake references to books/ articles by real or fake people.

What is AI misuse?

As has always been the case, and in accordance with section 5.3(k) of the *JCQ General Regulations for Approved Centres* (<https://www.jcq.org.uk/exams-office/general-regulations/>), students must submit work for assessments which is their own. This means both ensuring that the final product is in their own words, and isn't copied or paraphrased from another source such as an AI tool, and that the content reflects their own independent work. Students are expected to demonstrate their own knowledge, skills and understanding as required for the qualification in question and set out in the qualification specification. This includes demonstrating their performance in relation to the assessment objectives for the subject relevant to the question/s or other tasks students have been set.

While AI may become an established tool at the workplace in the future, for the purposes of demonstrating knowledge, understanding and skills for qualifications, it's important for students' progression that they do not rely on tools such as AI. Students should develop the knowledge, skills and understanding of the subjects they are studying.

Students must be able to demonstrate that the final submission is the product of their own independent work and independent thinking.

AI misuse is where a student has used one or more AI tools but has not appropriately acknowledged this use and has submitted work for assessment when it is not their own. Examples of AI misuse include, but are not limited to, the following:

- Copying or paraphrasing sections of AI-generated content so that the work submitted for assessment 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.

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 cases dealt with by awarding organisations can be found in [Appendix A: AI misuse examples; AI-Use-in-Assessments_Feb24_v6.pdf \(jqc.org.uk\)](#)

Further guidance to inform and implement malpractice procedures

JCQ publications

- General Regulations for Approved Centres 2023-2024
[Gen regs approved centres 23-24 FINAL.pdf \(jcq.org.uk\)](#)
- Instructions for conducting examinations (ICE) 2023-2024
[‘ICE’ – Instructions for conducting examinations - JCQ Joint Council for Qualifications](#)
- Instructions for conducting coursework 2023-2024
[Coursework ICC 23-24 FINAL.pdf \(jcq.org.uk\)](#)
- Instructions for conducting non-examination assessments 2023-2024
[Instructions NEA 23-24 FINAL.pdf \(jcq.org.uk\)](#)
- Access Arrangements and Reasonable Adjustments 2023-2024
[AA regs Revision One Sep23 FINAL.pdf \(jcq.org.uk\)](#)
- A guide to the special consideration process 2023-2024
[Guide to spec con process 2023 24 FINAL.pdf \(jcq.org.uk\)](#)
- Suspected Malpractice: Policies and Procedures 2023-2024
[Malpractice Mar24 Revision One FINAL.pdf \(jcq.org.uk\)](#)
- Plagiarism in Assessments
[Plagiarism in Assessments - JCQ Joint Council for Qualifications](#)
- AI Use in Assessments: Protecting the Integrity of Qualifications
[AI-Use-in-Assessments Feb24 v6.pdf \(jcq.org.uk\)](#)
- A guide to the awarding bodies’ appeals processes 2023-2024
[Appeals Booklet 2023 FINAL.pdf \(jcq.org.uk\)](#)