



# Exam Malpractice

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## Exam Malpractice Policy

Centre Name	North East Surrey College of Technology
Centre Number	64720
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### Key staff involved in the policy

Role	Name
Head of Centre	Julie Kapsalis
Senior leader(s)	Lorraine Richards & Paula Wood
Exams officer	Jacque Youles
Other staff (if applicable)	Exams Staff

This policy is reviewed and updated annually to ensure that any malpractice at North East Surrey College of Technology 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 publications **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 of which is 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
- 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 (SMPP 1)

### 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. (SMPP 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 2)

### Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice. (SMPP 2)

## **Purpose of the policy**

To confirm North East Surrey College of Technology:

- 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 (GR 5.3)

## **General principles**

In accordance with the regulations North East Surrey College of Technology will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations 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 JCQ publication **Suspected Malpractice - Policies and Procedures** and provide such information and advice as the awarding body may reasonably require (GR 5.11)

## Preventing malpractice

North East Surrey College of Technology has in place:

- Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ publication **Suspected Malpractice: Policies and Procedures**. (SMPP 4.3)
- 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)

Additional information:

Not Applicable

## Informing and advising candidates

The candidates are informed at the beginning of each exam by the invigilator to turn their phones off and take off their watches and place them either in their bags or in their coats and put all belongings at the front of the exam room and the internet has to be disabled if using a PC (this includes the usage of AI within any exams and or assessments). The Invigilator also informs the students that if they are found with their phones, watches or earphones on then it is classed as malpractice and they maybe disqualified from the exam.

## 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)

All invigilators report any suspected malpractice to the exams office where the exams manager will collate all of the evidence, including invigilators reports and other paperwork, and will complete a JCQ M1 form if the malpractice is a candidate and an M3 form if it is regarding a member of staff. This form, along with any evidence, will be sent to the relevant awarding body. Once an outcome has been agreed we inform the candidate or member of staff of this.

## Reporting suspected malpractice to the awarding body

Additional information:

Not Applicable

- 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)
- 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)

Additional information: Not Applicable

## **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**

North East Surrey College of Technology 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**

# **Additional information - Appendix One**

## **AI - Use in Assessments**

AI (Artificial Intelligence) 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 evaluation, 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 bibliography.

## **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/AI\\_Use\\_in\\_Assessments:\\_Protecting\\_the\\_Integrity\\_of\\_Qualifications/](https://www.jcq.org.uk/exams-office/malpractice/AI_Use_in_Assessments:_Protecting_the_Integrity_of_Qualifications/) for further information.

## **Informing and advising candidates**

Students are made aware of the college approach to plagiarism and the consequences of malpractice. The college also ensures that students are made aware of the appropriate and inappropriate use of AI, the risks of using AI, and the possible consequences of using AI inappropriately in a qualification assessment.

### **Students are made aware of:**

- a) The importance of submitting their own independent work (a result of their own efforts, independent research, etc) for assessments and it is stressed to them the risks of malpractice.
- b) What AI is, the risks of using it, what AI misuse is, how this will be treated as malpractice, when it may be used and how it should be acknowledged.
- c) How they should reference appropriately in their work (including websites) and are given clear guidance on how they should acknowledge any use of AI to avoid misuse.

d) That awarding organisation staff, examiners and moderators have established procedures for reporting and investigating malpractice.

e) The significance of their (electronic) declaration where they confirm the work, they are submitting is their own, the consequences of a false declaration, and that they have understood and followed the requirements for the subject.

f) The appropriate JCQ Information for Candidates publications ([www.jcq.org.uk/exams-office/information-for-candidates-documents](http://www.jcq.org.uk/exams-office/information-for-candidates-documents)).

# **Additional information - Appendix Two**

## **Conflict of Interest**

JCQ and awarding organisation requirements. The purpose of this policy and appendix:

- To ensure the centre meets all requirements under section 5.3(j) of The Joint Council for Qualifications (JCQ) General Regulations for Approved Centres.
- To ensure that all staff involved clearly understand their roles and responsibilities.

### **SCOPE**

The scope of the document covers:

- All college staff

### **CONTEXT**

The following documents were considered in writing this Conflict-of-Interest Policy/Appendix documentation:

[Joint Council for Qualifications General Regulations 2023-2024](#)

### **ROLES AND RESPONSIBILITIES**

#### **Head of Centre**

The Head of Centre will be responsible for approving the Conflict-of-Interest Policy.

The Head of Centre has overall responsibility for the College as an examinations centre and ensures that clear roles and responsibilities are defined.

#### **The Examinations Manager**

The Examinations Manager will:

- In September of each academic year be responsible for reviewing and updating this policy in conjunction with the release of new Joint Council of Qualifications and Awarding Organisation documentation. The amended policy will be sent to the Head of Centre for approval.
- In October be responsible for issuing all staff a conflict-of-interest survey for completion. Collate responses and start the reporting and mitigation process, ensuring compliance with Joint Council of Qualifications and Awarding Organisation deadlines.
- Be responsible for informing the Awarding Organisation of any notifiable cases.

- Be responsible for collating and updating a Conflict-of-Interest log.
- Be responsible for ensuring the full Conflict of Interest policy is followed and notifying the Head of Centre and Human Resources team of any issues arising.
- Be responsible for supporting the contacting of staff and completing the required paperwork.
- Be responsible for supporting the informing the Awarding Organisations of the high-risk conflict of interests.

### **POTENTIAL CONFLICTS OF INTEREST**

The following situations are defined as a conflict of interest by The Joint Council for Qualifications:

- a) Any members of centre staff who are taking Qualification sat their own centre which include internally assessed components/units. This is identified as high risk.
- b) Any members of centre staff who are teaching and preparing members of their family (which includes stepfamily, foster family, and similar close relationships) or close friends and their immediate family (e.g., son/daughter) for Qualifications which include internally assessed components/units. This is identified as high risk.
- c) Any exams office staff that have members of their family (which includes stepfamily, foster family, and similar close relationships) or close friends and their immediate family (e.g., son/daughter) being entered for examinations and assessments either at the centre itself or other centres. This is identified as medium risk.
- d) Any staff that are taking Qualification sat their centre which do not include internally assessed components/units. This is identified as medium risk.
- e) Any staff that are taking Qualification sat other centres. This is identified as medium risk.

### **IDENTIFYING CONFLICTS OF INTEREST**

**Autumn Term** - An annual audit of all staff is carried out to identify any conflicts of interest and determine appropriate protocols and mitigations to be put in place for that academic year. On completion of the survey the results are collated.

The responses will be reviewed and those that require mitigation identified. Staff will be contacted individually to discuss and assess the declared conflict of interest. Steps to mitigate the risk will be put in place and the paperwork completed. The Awarding Organisations will then be notified of any conflicts of interests considered to be high risk.

## **MITIGATION**

Where a conflict of interest is identified the College must put in place steps to mitigate the risks involved.

Mitigation steps will include:

- Medium Risk: The Examinations Manager will discuss the conflict of interest with the staff member and the Curriculum Lead of the area involved.
  - Appendix C/D/E to be completed as relevant.
  - Clear records will be maintained, and details will be kept on file.
  - The Awarding Organisations do not need to be informed of these cases.
- High Risk: The Examinations Manager will discuss the conflict of interest with the staff member and Curriculum Lead of the area involved.
  - Appendix A/B to be completed as relevant.
  - Clear records will be maintained, and details will be kept on file.
  - The Awarding Organisations involved will be informed.

All records will include details of the measures taken to mitigate any potential risk to the integrity of the qualifications affected. These records will be made available, if required, to the Joint Council for Qualifications or Awarding Organisation staff.

## **FAILURE TO DECLARE A CONFLICT OF INTEREST**

Where a member of staff fails to declare a conflict of interest that later comes to light The College considers this as potential gross misconduct. In this instance The College's disciplinary procedures will be invoked.

## **DATA PROTECTION**

The College are obliged, under contract, to meet the requirements set out by the Awarding Organisations in their policies and regulations, including those issued by Joint Council of Qualifications. This is a lawful basis for collecting and, where appropriate, providing on request information about potential Conflicts of Interest.

Likewise, the Awarding Organisations are handling this information to comply with Statutory Regulations, and the data is held in accordance with their Data Privacy and Usage policies.

## **IMPLICATIONS**

Failure to follow this policy will result in the following:

- Incidences of malpractice and maladministration with its associated consequences. The consequences of malpractice and maladministration have been outlined to all relevant staff.
- Reputational damage which could affect student recruitment and potential income.

## **CONFLICT OF INTEREST**

## APPENDIX A

To be completed if a member of centre staff who are taking Qualifications at their own centre which include internally assessed components/units.

Staff Name	Role of Staff Member	Qualifications being taken	Any additional information

### Additional Note:

The Joint Council for Qualifications regulations require that centre staff should only enter for qualification sat their own centre as a last resort, where the member of centre staff is unable to find another centre.

### Steps taken to mitigate any protentional risk:

The member of staff does not have access to examination materials prior to the examination.

Centre staff are briefed on maintaining the integrity and confidentiality of the examination materials.

The member of centre staff is treated as per any other candidate entered for that examination and does not receive any preferential treatment.

### FOR COMPLETION BY EXAMINATIONS MANAGER /EXAMINATIONS MANAGER

DATE	ACTION	BY WHOM	ADDITIONAL INFORMATION
	Initial Discussion with staff member		
	Declaration recorded on Conflict-of-Interest log		
	Staff member email and informed of measures/protocols in place to manage the risk		
	Any relevant centre staff emailed and informed of the Conflict of Interest		
	Awarding Organisation informed of the Conflict of Interest		
	Curriculum Lead emailed and informed of the Conflict of Interest		
	Paperwork checked and signed off by Examinations Manager		

## CONFLICT OF INTEREST

### APPENDIX B

To be completed if any member of centre staff are teaching and preparing members of their family (which includes stepfamily, foster family, and similar close relationships) or close friends and their immediate family (e.g., son/daughter) for qualifications which include internally assessed components/units.

Staff name	Role of staff member	Relationship to student	Any additional Information
Student name	Enrolment number	Subjects been studied	Awarding Organisations of subjects

#### Steps taken to mitigate any protentional risk:

- Centre staff are briefed on maintaining the integrity and confidentiality of the examination materials.
- The candidate entered for that examination does not have access to examination materials.
- The candidate is treated as per any other candidate entered for that examination and does not receive any preferential treatment.
- The member of staff does not have access to the secure examination areas.

## CONFLICT OF INTEREST

### APPENDIX C

To be completed if any exams office staff that have members of their family (which includes stepfamily, foster family, and similar close relationships) or close friends and their immediate family (e.g., son/daughter) being entered for examinations and assessments either at the centre itself or other centres.

Staff name	Role of staff member	Relationship to student	Any additional Information

Student name	Enrolment number	Subjects been studied	Awarding Organisations of subjects

**Steps taken to mitigate any protentional risk:**

The above-named member of staff:

- Will not be involved in the results download process on results day for the above Qualifications(s).
- Will not be permitted in any of the centre’s examinations office or secure room unsupervised.
- Will not be allowed to process any special consideration or access arrangement applications for the student listed.
- Any exam related administrative work for the above student, will be double checked and quality assured by an Examinations Manager or appropriate senior member of the leadership team.
- All relevant centre staff will be informed of this conflict of interest to ensure the above member of staff is not party to any information that would compromise the integrity of the college process for awarding the teachers assessed grades e.g., copied into emails, office paperwork left unsupervised/on display, copying left unattended at photocopier, discussion at departmental meetings etc.

**CONFLICT OF INTEREST**

APPENDIX D

To be completed if any staff that are taking qualifications at their centre which do not include internally assessed components/units.

Staff Name	Role of Staff Member	Qualifications being taken	Any additional information

**Additional Note:**

The Joint Council for Qualifications regulations require that centre staff should only enter for Qualification sat their own centre as a last resort, where the member of centre staff is unable to find another centre.



### Steps taken to mitigate any protentional risk:

- The member of staff does not have access to examination materials prior to the examination.
- Centre staff are briefed on maintaining the integrity and confidentiality of the examination materials.
- The member of centre staff is treated as per any other candidate entered for that examination and does not receive any preferential treatment.

Date	Action	By whom	Additional Information
	Initial Discussion		
	Declaration recorded on Conflict-of-Interest log		
	Staff member email and informed of measures/protocols in place to manage the risk		
	Any relevant centre staff emailed and informed of the Conflict of Interest.		
	Curriculum Lead emailed and informed of the Conflict of Interest		
	Paperwork checked and signed off by Examinations Manager		

### CONFLICT OF INTEREST

#### APPENDIX E

To be in completed if any staff that are taking qualifications at other centres.

Staff Name	Role of Staff Member	Qualifications being taken	Centre details of where Qualifications are being taken

### Steps taken to mitigate any protentional risk:

The member of staff does not have access to examination materials prior to the examination.

The member of staff does not have access to confidential exam materials for the same Awarding

Organisation, as taking the qualification/s with.

Centre staff are briefed on maintaining the integrity and confidentiality of the examination materials.

The member of centre staff is treated as per any other candidate entered for that examination and does not receive any preferential treatment.