Bowbrook School

BOWBROOK HOUSE SCHOOL

MALPRACTICE POLICY

(EXAMS)

2026/27

THIS POLICY IS REVIEWED AND UPDATED ANNUALLY TO ENSURE COMPLIANCE WITH CURRENT REQUIREMENTS AND REGULATIONS

KEY STAFF INVOLVED IN THE POLICY

Role	Name(s)
Head of Centre	**Mr C Allen**
Exams Officer	**J Ironside**
Senior Leader(s)	**A Farr** **R Mills**
Other Staff	**L Kimberlee (SENDCo)**

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: Policy and Procedures.**

INTRODUCTION

WHAT IS MALPRACTICE?

'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 use the word 'malpractice' to cover both 'malpractice' and 'maladministration' and it means any act, default or practice which is:

- a perceived 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

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.

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 (regardless of how the incident might be categorised).

PURPOSE OF THE POLICY

To confirm Bowbrook House School:

- 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)

GENERAL PRINCIPLES

In accordance with the regulations Bowbrook House School will:

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

PREVENTING MALPRACTICE

Bowbrook House School has in place:

- Processes to prevent and identify malpractice, as outlined the JCQ document **Suspected Malpractice: Policies and Procedures**.

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
- JCQ Information for Candidates
- Access Arrangements and Reasonable Adjustments
- A Guide to the Special Consideration Process – Effective from 2025
- AI Use in Assessments: Protecting the Integrity of Qualifications
- A Guide to the Awarding Bodies' Appeals Processes

ADDITIONAL INFORMATION:

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

Candidates are routinely advised of their responsibilities when taking internal exams throughout years 7 to 10 by their class/subject teachers. In the run up to mocks exams the Exams Officer, with Form Tutors present, meets with candidates to remind them of their responsibilities (including what they can and can't bring into the exam venue) and to reinforce the JCQ rules when sitting external exams. They are shown a short (Exams Office produced) video clip and are told about some of the possible consequences of malpractice. The advice extends to their responsibilities when producing NEAS (non-exam assessments)

AI USE IN ASSESSMENTS

As has always been the case, and in accordance with JCQ General Regulations for Approved Centres (https://www.jcq.org.uk/examsoffice/general-regulations/), teachers and assessors must only accept work for qualification assessments which is the students' own;

- Students who misuse AI such that the work they submit for assessment is not their own will have committed malpractice, in accordance with JCQ regulations, and may attract severe sanctions

- students and centre staff must be aware of the risks of using AI and must be clear on what constitutes malpractice;
- Students must make sure that work submitted for assessment is demonstrably their own. If any sections of their work are reproduced directly from AI generated responses, those elements must be identified by the student and they must understand that this will not allow them to demonstrate that they have independently met the marking criteria and therefore will not be rewarded (please see the Acknowledging AI use and AI use and marking sections below and Appendix B: Exemplification of AI use in marking student work at the end of this document); and
- Where teachers have doubts about the authenticity of student work submitted for assessment (for example, they suspect that parts of it have been generated by AI but this has not been acknowledged), they must investigate and take appropriate action.

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 i.e., reporting to the Head of Centre/Deputy Headteacher/Exams Officer.
- Staff reporting suspected malpractice in good faith will be supported in accordance with the school's Whistleblowing Policy.
- **Escalating suspected Malpractice Issues**
  Suspected malpractice when producing NEA work or when sitting exams (by candidates and / or staff) is reported to the Exams Officer/SLT at the earliest opportunity who then, depending on the severity of the malpractice, confers with the teacher/invigilator/informer/SLT/other relevant staff to investigate the incident further.
- **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 document **Suspected Malpractice: Policies and Procedures**
- 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
- 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
- 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
- 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
- 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
- Form JCQ/M1 will be used when reporting candidate cases; for centre staff, form JCQ/M3 will be used
- 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

ADDITIONAL INFORMATION:

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.

Appeals Against Decisions Made in Cases of Malpractice

Bowbrook House 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 document **A guide to the awarding bodies' appeals processes**

Equality Act 2010

Bowbrook House School will ensure that all malpractice investigations are conducted fairly and in accordance with the Equality Act 2010, making reasonable adjustments where required for disabled candidates and considering the needs of vulnerable learners throughout the process.

Data Protection/UK GDPR

Information gathered during malpractice investigations will be processed in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the school's Data Protection Policy. Records will be retained securely and only shared where necessary with awarding bodies and other authorised agencies.

Safeguarding

Where safeguarding concerns arise during a malpractice investigation, the school's Designated Safeguarding Lead will be informed and procedures followed in accordance with Keeping Children Safe in Education (KCSIE).