



400 YEARS OF EXCELLENCE

## Malpractice Policy

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<b>Policy review date</b>	<b>February 2027</b>
<b>Policy Lead</b>	<b>David Sykes</b>
<b>Governor or SLT approval</b>	<b>SLT</b>
<b>Governor committee responsible for policy</b>	<b>N/A</b>

This policy is reviewed and updated annually to ensure that any malpractice at Richard Hale School 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)

### **Centre malpractice**

'Centre malpractice' normally involves malpractice where there is an element of systemic failure, a breach in policies or widespread malpractice such that a centre-level sanction is appropriate (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 Richard Hale 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 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; 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) (GR 5.3)

## General principles

In accordance with the regulations Richard Hale School will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments 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

Richard Hale 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**. (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 2024-2025;
  - Instructions for conducting examinations (ICE) 2024-2025;
  - Instructions for conducting coursework 2024-2025;
  - Instructions for conducting non-examination assessments 2024-2025;
  - Access Arrangements and Reasonable Adjustments 2024-2025;
  - A guide to the special consideration process 2024-2025;
  - Suspected Malpractice: Policies and Procedures 2024-2025;
  - Plagiarism in Assessments;
  - AI Use in Assessments: Protecting the Integrity of Qualifications;
  - A guide to the awarding bodies' appeals processes 2024-2025 (SMPP 3.3.1)

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

Assemblies are held for each year group where students are informed about the seriousness of the integrity of examinations. Posters are available on the school website, the Examinations Notice board; letters are sent home detailing the relevant sections of the JCQ Information to Candidates. Candidates complete a google quiz form, after their assemblies, to understand their understanding of the rules.

### **AI use in assessments**

To ensure candidates understand and avoid malpractice, a comprehensive briefing process is conducted. Firstly, during term one, all candidates receive a detailed presentation in assembly by the Exams Officer, Liz Bradbury, SLT Lead for Exams, David Sykes and Head of Key Stage, Kevin Patterson (KS4) or Lucy Gallagher (KS5). This briefing is part of the exam preparation assembly and covers the JCQ's 'Notice to Candidates' and specific school policies regarding examination conduct. We emphasize that AI, defined as the use of tools to generate information and content (e.g., large language models, text generators), can be a valuable resource, but its misuse constitutes malpractice.

Specifically, candidates are informed that:

- 1) any use of AI in assessments must be explicitly acknowledged and appropriately referenced;
- 2) failing to do so, or presenting AI-generated content as their own work, is considered plagiarism;
- 3) they may be required to sign a declaration confirming the originality of their work.

We discuss the inherent risks of AI, including the potential for factual inaccuracies, biased outputs, and the inability to demonstrate genuine understanding. Subject teachers and assessors will discuss with students the appropriate use of AI within their specific assessments. The misuse of AI, such as submitting unacknowledged AI-generated work, will be treated as serious malpractice and dealt with according to the JCQ's regulations and the school's disciplinary procedures. Follow-up sessions, led by subject teachers, reinforce these principles throughout the academic year, particularly before each examination series.

### **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)
- Information of the suspected incident, student statements and other information should be provided to the Examinations Officer. Once all the information has been collected this will be given to the Head of Centre

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 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)

### **Appeals against decisions made in cases of malpractice**

Richard Hale 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**

## **Changes 2025/2026**

(Added) New heading **Centre malpractice** added.

(Added) Under heading **Preventing malpractice** added to the list of JCQ documents.

(Added/amended) Under heading **AI use in assessments**:

- additional/amended text added in bullet points to reflect slight changes in SMPP
- optional insert field added referencing the JCQ document **Information for candidates - AI (Artificial Intelligence and assessments)** or similar centre document.

(Amended) Under heading **Reporting suspected malpractice to the awarding body** text amended to reflect wording changes/additions in SMPP.

## SUSPECTED MALPRACTICE: **CANDIDATE NOTIFICATION FORM**

Date		Candidate Name	
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This notification is to inform you/confirm to you [insert as/if relevant to the candidate, and your parent/carer/appropriate adult] that an alleged, suspected or actual report of malpractice has been made against you.

Details of the allegation / incident

Type of offence

As an approved examination centre, Richard Hale School is required to follow the policies and procedures in the JCQ **Suspected Malpractice: Policies and Procedures** [document available](http://www.jcq.org.uk/exams-office/malpractice) here [www.jcq.org.uk/exams-office/malpractice](http://www.jcq.org.uk/exams-office/malpractice).

As stated in this document (4 **Identification and reporting of malpractice**), the head of centre **must** notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice.

Enclosed [Attached (if sending this notification by email)] you are provided with:

- a copy of the form **JCQ/M1** used to report the allegation/incident to the awarding body supported by copies of any supporting evidence, where relevant
- details of (5.33) **The rights of the accused individuals** taken from the document referenced above

As further stated in this document (7 **Sanctions**, 10 **Sanctions applied against candidates**), awarding bodies will impose sanctions on individuals found guilty of malpractice where appropriate. You may therefore also want to refer to Appendix 6 (**Indicative sanctions against candidates**) of this document.

The awarding body will not normally communicate with you directly unless particular circumstances warrant this. Once a decision has been made, it will be communicated in writing to the head of centre as soon as possible (11 **Communicating decisions**).

On receiving communication from the awarding body, the head of centre will communicate the decision to you and pass on details of any sanction(s) and action imposed on you, together with information on the process for submitting an appeal, where relevant.

Malpractice cases are usually confidential between the centre and the awarding body. However, in cases of serious malpractice, such as where the threat to the integrity of the examination or assessment is such as to outweigh a duty of confidentiality, it may be necessary for information to be exchanged amongst the regulators, other awarding bodies, and other appropriate bodies as detailed in the JCQ document above (11 **Communicating decisions**).

Please read through all the information provided to you. If anything is unclear, please contact [insert name and/or job title and relevant contact details].

Enclosures **[Attachments]**:

Copy of form **JCQ/M1** (and supporting evidence where relevant)

Details of **The rights of the accused individuals**

The information below was taken directly from the JCQ document **Suspected Malpractice: Policies and Procedures** (1 September 2024 to 31 August 2025) on 04/10/2024.

### **The rights of the accused individuals – information gathering**

**5.33** If, in the view of the information-gatherer, there is sufficient evidence that an individual may have committed malpractice, that individual (the candidate or the member of staff) must:

- be informed (preferably in writing) of the allegation made against them;
- be provided with a copy of the JCQ document *Suspected Malpractice: Policies and Procedures*:  
<http://www.jcq.org.uk/exams-office/malpractice;>
- be made aware of all evidence that has been obtained during the investigation which supports the allegation;
- know the possible consequences should malpractice be proven (as set out in appendices 4–6);
- have the opportunity and sufficient time to consider their response to the allegations;
- be given an opportunity to submit a written statement in response to the allegations;
- be provided with a complete set of case documentation, in the event of the case being referred to the awarding body's Malpractice Committee;
- be informed that in the event that the case is referred to the awarding body's Malpractice Committee, they will:
  - be provided with a complete set of case documentation
  - have the opportunity to read, and make a statement in response to, the case documentation
  - have the opportunity to seek professional advice and to provide a supplementary statement;
- be made aware of their right to appeal should a sanction be applied to them (as set out in the JCQ document *A Guide to the Awarding Bodies' Appeals Processes*):

<http://www.jcq.org.uk/exams-office/appeals>