

THE WESTGATE SCHOOL

Hampshire's First 4-16 'All Through' School

*"The Westgate School is a community of learners where partnerships inspire success for all:
learning together – achieving excellence"*

Headteacher: Mrs F A Dean, MA (Ed)

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Governor approved	September 2023	Key person/people	AHT
Model Policy	JCQ guidelines	Model localised	Yes
Pupil leadership team review	Yes/No N/A	Rotherly Day Nursery variations in policy	Yes/No

Malpractice Policy

This policy is to be read in conjunction with Non-examination assessment (NEA) policy, and has been split into 6 sections:

1. Malpractice
2. Preventing malpractice
3. Sanctions
4. AI malpractice
5. AI misuse
6. Appendix

1. Malpractice

This policy is applicable to formal assessments which lead to an external qualification, e.g. GCSEs, and internal assessments, such as class tests and mock exams: it should be read in conjunction with the Non-examination assessment (NEA) policy. Below is an excerpt defining malpractice from JCQ's Suspected Malpractice Policies and Procedures:

'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; 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.

JCQ guidance stipulates that instigators of malpractice can be categorised into the following:

- Malpractice by candidate- ‘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- 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.

Further details of examples of malpractice are given in the appendices.

Plagiarism and the submission of inauthentic work is considered malpractice: Teachers/assessors must not accept work which is inauthentic, and candidates are required to sign a declaration of authentication when work is submitted for all formal qualifications. If plagiarism is detected/suspected after a candidate has signed the declaration of authentication, then the centre **must** report this to the relevant awarding body. Cases of malpractice (including plagiarism) will be subject to sanctions imposed by the centre, and/or awarding body, and/or JCQ.

2. Preventing malpractice

The Westgate School is proactive in informing pupils about candidate malpractice; Subject Leaders are responsible for ensuring their curriculums include the necessary knowledge, instruction, and/or structures to avoid accidental/un-intentional malpractice, whilst informing/warning pupils of what constitutes malpractice in their subjects- especially in relation to formal, external qualifications, such as GCSEs. Additional information regarding external qualifications is also shared with pupils/candidates and parents/carers through ‘Partners in Learning’ events and the most up to date JCQ ‘Information for Candidates’ is shared with pupils and they are instructed and expected to read the guidelines.

3. Sanctions

Malpractice in external qualifications, such as GCSEs, can lead to serious and long-lasting sanctions being imposed: teachers/colleagues will proactively identify cases of malpractice and all suspicion of malpractice will be thoroughly investigated. Sanctions are only based on the evidence available and awarding bodies reserve the right to apply sanctions flexibly, outside of the defined ranges, if particular mitigating or aggravating circumstances are found to exist; however, all sanctions must be justifiable and reasonable.

Malpractice which is detected/suspected in formal assessments which are part of an external qualification-such as GCSEs- after the declaration of authentication has been signed, **must** be

reported to the appropriate awarding body; in this circumstance, the **relevant awarding body will decide on the action(s)/sanction(s) to be imposed**. Examples of standard sanctions are given below, although this is not an exhaustive list:

- Written warning,
- loss of all marks gained for a section,
- loss of all marks gained for a component,
- loss of all marks gained for a unit,
- disqualification from the unit,
- disqualification from all units in one or more qualifications taken in the series,
- disqualification from the whole qualification
- barred from entering for examinations for a set period of time.

If the malpractice is suspected/detected in an internal test(s)/assessment(s), or prior to the signing of the declaration of authentication, then the centre will determine the appropriate sanction(s)/action(s) on a case-by-case basis; there is no requirement to inform the exam board although the centre may deem this necessary after reviewing the evidence and the nature/severity of the malpractice. Internal sanctions may include, but are not limited to:

- Re-drafting and resubmission of work,
- Verbal warning,
- Work being considered 'ungraded', particularly in relation to mock examinations and tests,
- Formal written warning

Records of malpractice in internal assessments- particularly mock exams- may be kept on file until the pupil is off-roll, as evidence of centre intervention.

The Westgate School, as an exam centre, and its employees (staff) are also subject to sanctions as a result of malpractice. Colleagues who commit malpractice may be subject to sanctions imposed by the exam board and/or disciplinary action. Examples of sanctions imposed by the awarding body as a result of centre staff malpractice are given below, this is not an exhaustive list:

- Formal written warning,
- additional training,
- special conditions being applied over involvement in assessments,
- suspension.

4. AI Malpractice

This section has been written to be read in conjunction with the JCQ guidance '*AI Use in Assessments: Protecting the Integrity of Qualifications*' (<https://www.jcq.org.uk/exams-office/malpractice/artificial-intelligence/>). Some of the details in this policy have been directly quoted from this guidance.

Artificial Intelligence (AI) is an established, accessible, but developing technology; we recognise that pupils will have access to AI tools, specifically AI chatbots and may even explore the capabilities out of their own interest or study them as part of their curriculum. Although AI technology is readily available, pupils are still required to demonstrate that the work they produce for assessment, specifically for non-exam assessment (NEA), has been completed independently and is their own, **using AI to submit work which has not been completed independently and is not the pupils' own**

constitutes malpractice. Below is an excerpt from the JCQ guidance '*AI Use in Assessments: Protecting the Integrity of Qualifications*' which outlines the responsibilities and expectation of pupils and teachers/assessors.

The guidance emphasises the following requirements:

- As has always been the case, and in accordance with section 5.3(j) of the JCQ General Regulations for Approved Centres (<https://www.jcq.org.uk/examsoffice/general-regulations/>), all work submitted for qualification assessments must be 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;
- Teachers and assessors must only accept work for assessment which they consider to be the students' own (in accordance with section 5.3(j) of the JCQ General Regulations for Approved Centres); 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.

5. AI misuse

AI tools must only be used when the conditions of the assessment permit the use of the internet and where the student is able to demonstrate that the final submission is the product of their own independent work and independent thinking. Examples of AI misuse include, but are not limited to, the following:

- Copying or paraphrasing sections of AI-generated content 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 bibliographies.

In most assessments, it would not be appropriate to use AI tools and pupils **must inform their teacher** if they are planning to use AI tools as part of their preparation or completion of an assessment.

Pupils who submit plagiarised work through misuse of AI, either accidentally or intentionally, will be subject to sanctions from JCQ which could range from a written warning to disqualification and debarment from undertaking qualifications overseen by JCQ for several years. If a pupil/teacher/assessor is suspected of malpractice, then they are subject to processes outlined in this policy. If AI misuse is detected/suspected by our centre and the declaration of authentication has been signed then we **must** inform the awarding body for that qualification.

Rotherly Day Nursery variations: no specific variation to policy needed.

6. Appendix

Below are examples of both candidate malpractice and centre staff malpractice, taken from appendix 2 of JCQs, Suspected Malpractice Policies and Procedures.

The following are examples of malpractice. This is not an exhaustive list and as such does not limit the scope of the definitions set out earlier in this document. Other instances of malpractice may be identified and considered by the awarding bodies at their discretion.

Part 1: Centre staff malpractice

1. Breach of security

Any act which breaks the confidentiality of question papers or materials, and their electronic equivalents, or the confidentiality of candidates' scripts or their electronic equivalents. It could involve:

- failing to keep examination material secure prior to an examination;
- discussing or otherwise revealing information about examinations and assessments that should be kept confidential, e.g. internet forums/social media;
- moving the time or date of a fixed examination beyond the arrangements permitted within the JCQ publication Instructions for conducting examinations. Conducting an examination before the published date constitutes centre staff malpractice and is a clear breach of security;
- failing to adequately supervise candidates who have been affected by a timetable variation (this would apply to candidates subject to overnight supervision by centre personnel or where an examination is to be sat in an earlier or later session on the scheduled day);
- releasing candidates early from a timetabled assessment (e.g. before 10 a.m. for a morning session examination);
- permitting, facilitating or obtaining unauthorised access to examination material prior to an examination;
- failing to retain and secure examination question papers after an examination in cases where the life of the paper extends beyond the particular session, e.g., where an examination is to be sat in a later session by one or more candidates due to a timetable variation;
- tampering with candidate scripts, controlled assessments, coursework or non-examination assessments after collection and before despatch to the awarding body/examiner/moderator (this would additionally include reading candidates' scripts or photocopying candidates' scripts prior to despatch to the awarding body/examiner);
- failing to keep secure computer files which contain candidates' controlled assessments, coursework or non-examination assessments.

2. Deception

Any act of dishonesty in relation to an examination or assessment including, but not limited to:

- inventing or changing marks for internally assessed components (e.g. non-examination assessments) where there is no actual evidence of the candidates' achievement to justify the marks awarded;
- manufacturing evidence of competence against national standards;
- fabricating assessment and/or internal verification records or authentication statements;
- entering fictitious candidates for examinations or assessments, or otherwise subverting the assessment or certification process with the intention of financial gain (fraud);
- substituting one candidate's controlled assessment, coursework or non-examination assessment for another's;
- providing misleading or inaccurate information to an awarding body, candidates and/or parents. Appendix 2 Examples of malpractice 37

3. Improper assistance to candidates

Any act where assistance is given beyond that permitted by the specification or regulations to a candidate or group of candidates, which results in a potential or actual advantage in an examination or assessment. For example:

- assisting candidates in the production of controlled assessment, coursework, nonexamination assessment or portfolios, beyond that permitted by the regulations;
- sharing or lending candidates' controlled assessment, coursework or non-examination assessment with other candidates in a way which allows malpractice to take place;
- assisting or prompting candidates with the production of answers;
- permitting candidates in an examination to access prohibited materials (dictionaries, calculators etc.);
- prompting candidates in an examination/assessment by means of signs, or verbal or written prompts;
- assisting candidates granted the use of a Communication Professional, a Language Modifier, a practical assistant, a prompter, a reader or a scribe beyond that permitted by the regulations.

4. Failure to co-operate with an investigation:

- failure to make available information reasonably requested by an awarding body in the course of an investigation, or in the course of deciding whether an investigation is necessary; and/or
- failure to investigate on request in accordance with the awarding body's instructions or advice; and/or
- failure to investigate or provide information according to agreed deadlines; and/or
- failure to immediately report all alleged, suspected or actual incidents of malpractice to the awarding body.

5. Maladministration

Failure to adhere to the regulations regarding the conduct of controlled assessments, coursework, examinations and non-examination assessments, or malpractice in the conduct of examinations/assessments and/or the handling of examination question papers, candidate scripts, mark sheets, cumulative assessment records, results and certificate claim forms, etc.

For example:

- failing to ensure that candidates' controlled assessment, coursework, non-examination assessment or work to be completed under controlled conditions is adequately completed and/or monitored and/or supervised;
- failure, on the part of the head of centre, to adhere to awarding body specification requirements in the delivery of non-examination assessments, Endorsements and other projects required as part of a qualification. These include the GCSE Computer Science Programming Project, GCSE English Language Spoken Language Endorsement and/or the GCE A-level Biology, Chemistry, Geology and Physics Practical Skills Endorsement;
- inappropriate members of staff assessing candidates for access arrangements who do not meet the criteria as detailed within Chapter 7 of the JCQ publication Access Arrangements and Reasonable Adjustments;
- failure to use the correct tasks/assignments for assessments;
- failure to train invigilators and those facilitating access arrangements adequately, e.g. readers and scribes, leading to non-compliance with the JCQ publications;
- failing to issue to candidates the appropriate notices and warnings, e.g. JCQ Information for candidates documents;
- failure to inform the JCQ Centre Inspection Service of alternative sites for examinations;
- failing to post notices relating to the examination or assessment outside all rooms (including Music and Art rooms) where examinations and assessments are held;
- not ensuring that the examination venue conforms to the requirements as stipulated in the JCQ publication Instructions for conducting examinations;
- failing to prevent the introduction of unauthorised material into the examination room, either prior to or during the examination (NB this precludes the use of the examination room to coach candidates or give subject-specific presentations, including power-point presentations, prior to the start of the examination);
- failing to remind candidates that any mobile phones or other unauthorised items found in their possession must be handed to the invigilator prior to the examination starting;
- failure to invigilate examinations in accordance with the JCQ publication Instructions for conducting examinations;
- failure to have on file for inspection purposes accurate records relating to overnight supervision arrangements;
- failure to have on file for inspection purposes appropriate evidence, as per the JCQ publication Access Arrangements and Reasonable Adjustments, to substantiate approved

- access arrangements processed electronically using the Access arrangements online system;
- granting access arrangements to candidates who do not meet the requirements of the JCQ publication Access Arrangements and Reasonable Adjustments;
 - granting access arrangements to candidates where prior approval has not been obtained from the Access arrangements online system or, in the case of a more complex arrangement, from an awarding body;
 - failure to supervise effectively the printing of computer-based assignments when this is required;
 - failing to retain candidates' controlled assessments, coursework or non-examination assessments securely after the authentication statements have been signed or the work has been marked;
 - failing to maintain the security of candidate scripts prior to despatch to the awarding body or examiner;
 - failing to despatch candidates' scripts, controlled assessments, coursework or nonexamination assessments to the awarding bodies, examiners or moderators in a timely way;
 - failing to notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice;
 - failing to conduct a thorough investigation into suspected examination or assessment malpractice when asked to do so by an awarding body;
 - breaching the published arrangements for the release of examination results;
 - inappropriate retention or destruction of certificates;
 - failing to recruit learners with integrity, including the recruitment of learners who have not met the qualification's minimum entry requirements wherever stipulated and/or the recruitment of learners who are unable or otherwise unlikely to complete the qualification.

Part 2: Candidate malpractice

For example:

- the alteration or falsification of any results document, including certificates;
- a breach of the instructions or advice of an invigilator, supervisor, or the awarding body in relation to the examination or assessment rules and regulations;
- the unauthorised use of alternative electronic devices or technology during remote assessment and remote invigilation;
- accessing the internet or online materials during remote assessment and remote invigilation, where this is not permitted;
- failing to abide by the conditions of supervision designed to maintain the security of the examinations or assessments;

- collusion: working collaboratively with other candidates, beyond what is permitted;
- copying from another candidate (including the use of technology to aid the copying);
- allowing work to be copied, e.g. posting work on social networking sites prior to an examination/assessment;
- the deliberate destruction of another candidate's work;
- disruptive behaviour in the examination room or during an assessment session (including the use of offensive language);
- failing to report to the centre or awarding body the candidate having unauthorised access to assessment related information or sharing unauthorised assessment related information online;
- exchanging, obtaining, receiving, passing on information (or the attempt to) which could be assessment related by means of talking, electronic, written or non-verbal communication;
- making a false declaration of authenticity in relation to the authorship of controlled assessment, coursework, non-examination assessment or the contents of a portfolio;
- allowing others to assist in the production of controlled assessment, coursework, nonexamination assessment or assisting others in the production of controlled assessment, coursework or non-examination assessment;
- the misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. exemplar materials);
- being in possession of unauthorised confidential information about an examination or assessment;
- bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations);
- the inclusion of offensive comments, obscenities or drawings; discriminatory language, remarks or drawings directed at an individual or group in scripts, controlled assessments, coursework, non-examination assessments or portfolios;
- impersonation: pretending to be someone else, arranging for another person to take one's place in an examination or an assessment;
- plagiarism: unacknowledged copying from, or reproduction of, published sources or incomplete referencing;
- theft of another candidate's work;
- bringing into the examination room or assessment situation unauthorised material, for example: notes, study guides and personal organisers, own blank paper, calculators (when prohibited), dictionaries (when prohibited), watches, instruments which can capture a digital image, electronic dictionaries (when prohibited), translators, wordlists, glossaries, iPods, mobile phones, MP3/4 players, pagers, or other similar electronic devices;

- the unauthorised use of a memory stick or similar device where a candidate uses a word processor;
- facilitating malpractice on the part of other candidates;
- behaving in a manner so as to undermine the integrity of the examination.