



**KING EDWARD VI
HANDSWORTH WOOD
GIRLS' ACADEMY**



**KING EDWARD VI
FOUNDATION
BIRMINGHAM**

Educational excellence for our City

Internal Procedure

**General and Vocational
(including BTEC) Qualifications**

**Policy for Suspected Malpractice in
Examinations and Assessments**

Control Change

Policy updated May 2021. A section has been added to cover suspected malpractice in the special case of the awarding of teacher assessed grades for the Summer 2021 exam season.

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This document should be read in conjunction with the JCQ document *General and vocational qualifications - Suspected malpractice in examinations and assessments - Policies and procedures* or, for non-JCQ awarding bodies, the awarding body's own malpractice procedures.

1. Malpractice:

“Malpractice” means any act, default or practice which is a breach of the regulations or which:

- 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.

A failure by a centre to investigate allegations of suspected malpractice in accordance with the requirements in this document also constitutes malpractice.

If an awarding body is not regulated by the JCQ then this awarding body's procedures will be followed.

2. Centre Staff Malpractice:

“Centre Staff Malpractice” means malpractice committed by a member of staff or contractor (whether employed under a contract of employment or a contract for service) at a centre, or an individual appointed in another capacity by a centre such as an invigilator or facilitator of an access arrangement.

Examples of Centre Staff Malpractice:

2.1 Breach of Security:

Breaking 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 secure information in public, e.g. internet forums;
- Moving the time or date of a timetabled examination (unless done so in accordance with the awarding body's procedures for resolving timetable clashes (**conducting a timetabled examination before the published date constitutes centre staff malpractice and a clear breach of security**);
- Failing to supervise adequately clash candidates;
- Allowing candidates to be supervised overnight by a parent / care without contacting the awarding body and following any procedures / conditions which they lay down;
- Permitting, facilitating or obtaining unauthorised access to examination material prior to an examination;
- Failing to maintain the security of examination materials after an examination for the period laid down by the awarding body (e.g. for a set length of time after the exam date such as two days, or until all candidates in the centre have completed the examination);
- Tampering with candidate scripts or other work produced by candidates;
- Failing to maintain the security of candidate work which is stored electronically.

2.2. Deception

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

- Inventing or changing marks for internally assessed components (e.g. coursework) where there is no actual evidence of candidate 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).

2.3. Improper Assistance to Candidates

Giving assistance beyond that permitted by the specification 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 coursework, or evidence of achievement, beyond that permitted by the regulations;
- Sharing or lending the work of one candidate with another candidate;

- Assisting or prompting candidates with the production of answers;
- Permitting candidates in an examination to access prohibited materials (dictionaries, calculators etc.);
- Prompting candidates in Language Speaking Examinations by means of signs, or verbal or written prompts;
- When acting as a facilitator of an access arrangement, giving assistance which goes beyond the awarding body's regulations to candidates.

2.4. Maladministration

Failure to adhere to the awarding body's regulations regarding the administration of assessments and examinations.

For example:

- Allowing assessments to be conducted without adequate controls or supervision;
- Allowing unqualified members of staff to assess candidates for access arrangements;
- Granting access arrangements to candidates when not appropriate;
- Failure to use current assignments for assessments;
- Failure to train invigilators adequately;
- Failing to inform candidates about: exam regulations, data protection issues, post results services and other essential exam information (e.g. exam dates / times / venues, clash handling);
- Conducting examinations in a location (e.g. off-site) which has not been authorized by the awarding body;
- Failing to follow awarding body regulations on the set-up of exam rooms;
- Not ensuring that the examination venue conforms to awarding body requirements;
- Introducing unauthorised material into an examination room, either during or prior to the examination;
- Using an examination room to coach candidates or give subject-specific presentations, including power-point presentations, prior to the start of the examination;
- Failing to make the invigilator announcements required by the awarding body at the start of each examination;
- Not reminding candidates to hand in unauthorised materials, including notes, mobile phones and smartwatches;
- Failure by invigilators to uphold the awarding body's regulations in relation to conducting examinations;
- Failure to keep accurate and up to date records in respect of access arrangements;
- Failure to supervise effectively the printing of computer based assignments when this is required;
- Failing to store assessment work produced by candidates in secure conditions after the authentication statements have been signed;
- Failing to maintain the security of candidate scripts prior to despatch;
- Failing to despatch candidate scripts / assessment work to awarding bodies / examiners / moderators in a timely way;
- Failing to report an instance of suspected malpractice in examinations or assessments to the appropriate awarding body as soon as possible after such an instance occurs or is discovered;
- Failing to fully co-operate with an awarding body during their investigation of actual or alleged malpractice;
- Withholding results or certificates from candidates;
- Failure to keep proper certificate records;
- Improper destruction of certificates and failing to keep destruction records.

3. Candidate Malpractice:

"Candidate Malpractice" means malpractice by a candidate in the course of any examination or assessment, including the preparation and authentication of any assessment work, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper.

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;

- 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 ICT to aid the copying);
- Allowing work to be copied, e.g. posting written coursework on social networking sites prior to an examination/assessment;
- The deliberate destruction of another candidate's work;
- Disruptive behavior in the examination room or during an assessment session (including the use of offensive language);
- Any kind of communication with or passing any kind of message to another candidate whilst in an exam room;
- Making a false declaration of authenticity in relation to the authorship of assessment work;
- Allowing others to assist in the production of assessment work;
- The misuse, or the attempted misuse, of examination and assessment materials and resources (e.g. exemplar materials);
- Being in possession of confidential material in advance of the examination;
- 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 inappropriate, offensive or obscene material in scripts or assessment work;
- Sitting an examination or offering assessment work in the name of another candidate;
- Allowing another person to sit an examination or offer assessment work in your name;
- Plagiarism – unacknowledged copying from 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, personal organisers, own blank paper, calculators, dictionaries (when prohibited), instruments which can capture a digital image, electronic dictionaries, reading pens, translators, wordlists, glossaries, iPods, mobile phones, MP3 players, pagers or other similar electronic devices;
- The unauthorised use of a memory stick where a candidate uses a word processor;
- Behaving in a manner so as to undermine the integrity of the examination.

4. Suspected Malpractice Identified Externally:

4.1. Suspected malpractice Identified by Examiners, Moderators and Verifiers:

The Allegation:

Examiners, moderators and external verifiers who suspect malpractice in an examination or assessment must report this suspicion immediately to the relevant awarding body using the procedures and forms provided by the awarding body.

A full account of the incident should be submitted together with supporting evidence and an indication of which regulation or specification requirement has been broken. It is not necessary to inform the head of centre of this report as details of the allegation will be communicated from the awarding body.

The Awarding Bodies Response:

In the case of reports of suspected malpractice received from examiners, moderators, external verifiers or members of the public, the awarding body will consider the report and decide to:

- Take no further action; or
- Where necessary, ask the head of centre to conduct a full investigation into the alleged malpractice and to submit a written report; or
- In the case of alleged fraud or a serious breach of security, investigate the matter directly.

The awarding body will notify the regulators as soon as it receives an allegation of fraud or a serious breach of security. The other awarding bodies which have approved that centre, and the police, may also be informed.

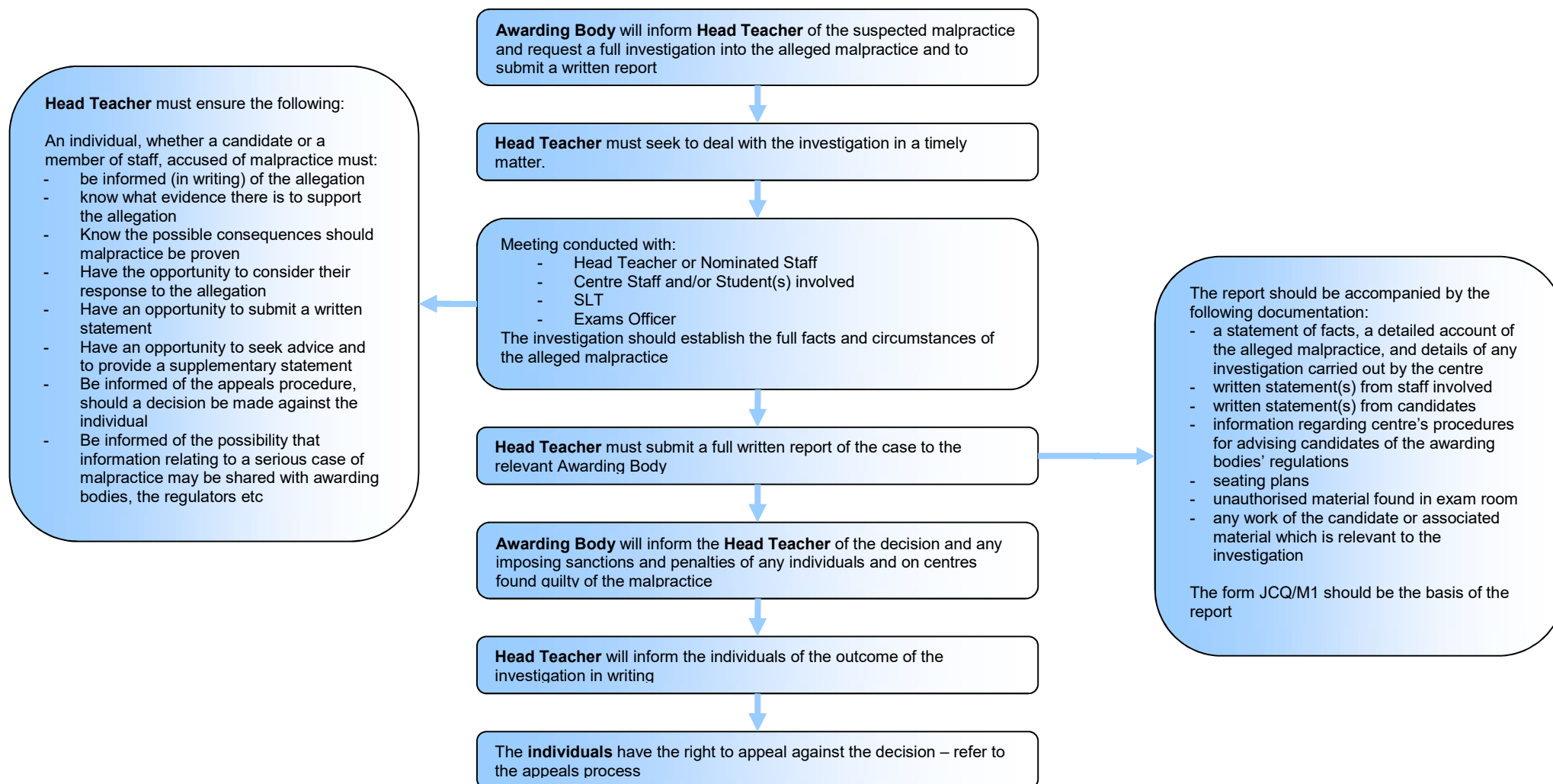
4.2 Malpractice Reported by Others:

The Allegation:

Allegations of malpractice are sometimes reported to awarding bodies by employers, centre staff, candidates and members of the public. Sometimes these reports are anonymous. Where so requested, awarding bodies will not disclose the identity of individuals reporting cases of suspected malpractice, unless legally obliged to do so.

When an awarding body receives an allegation from someone other than the head of a centre (including anonymous reports), the awarding body will evaluate the allegation in the light of any other available information, to see if there is cause to investigate.

4.3. Suspected External Malpractice Flow Diagram:



4.4. The Decision:

4.4.1. The Malpractice Committee:

In order to determine the outcomes in cases of alleged malpractice awarding bodies may appoint a panel or committee composed of external members experienced in examination and assessment procedures, or this function may be allocated to a named member or members of staff. In this document the committee (or awarding body personnel responsible for dealing with malpractice) is referred to as the "Malpractice Committee".

4.4.2. Making the Decision – Overview:

In making a decision on any report, the Malpractice Committee will establish that correct procedures have been followed in the investigation of the case, and that all individuals involved have been given the opportunity to make a written statement.

The Malpractice Committee will also seek to determine:

- whether the examination and assessment regulations have been broken;
- where the culpability lies for the breach of regulations.

The Malpractice Committee will then determine:

- appropriate measures to be taken to protect the integrity of the examination or assessment and to prevent future breaches;
- the nature of any sanction or penalty to be applied.

4.4.3. Making the Decision:

Each case of suspected malpractice will be considered and judged on an individual basis in the light of all information available. The Malpractice Committee will consider, as separate issues, whether or not there has been malpractice, and, if malpractice is established, whether a sanction should be applied.

When making a decision in a case the Malpractice Committee will:

- identify the regulation or specification requirement which it is alleged has been broken;
- establish the facts of the case. Where there are conflicting statements the decision as to whether or not there has been malpractice is made by reference to the facts as disclosed by the papers, independent of any decision on sanctions;
- decide whether the facts as so established actually breach the regulations or specification requirements;
- if a breach of regulations has occurred, establish who is responsible for this;
- determine an appropriate level of sanction or penalty.

The Malpractice Committee must be satisfied on the balance of probabilities that the allegation is substantiated. It is possible that the evidence in some cases may be inconclusive, but the awarding body may decline to accept the work of the candidates in order to protect the integrity of the qualification for the majority.

5. Suspected Malpractice Identified Internally:

5.1. Suspected malpractice Identified by a Centre:

The Allegation:

Where suspected malpractice is identified by a centre, the head of centre must submit the fullest details of the case at the earliest opportunity to the relevant awarding body.

The form JCQ/M1 should be used. Reports in letter format will be accepted providing the information given covers the same points as the form.

Malpractice in a coursework component or a controlled assessment component of a specification discovered prior to the candidate signing the declaration of authentication need not be reported to awarding bodies, but must be dealt with in accordance with the centre's internal procedures.

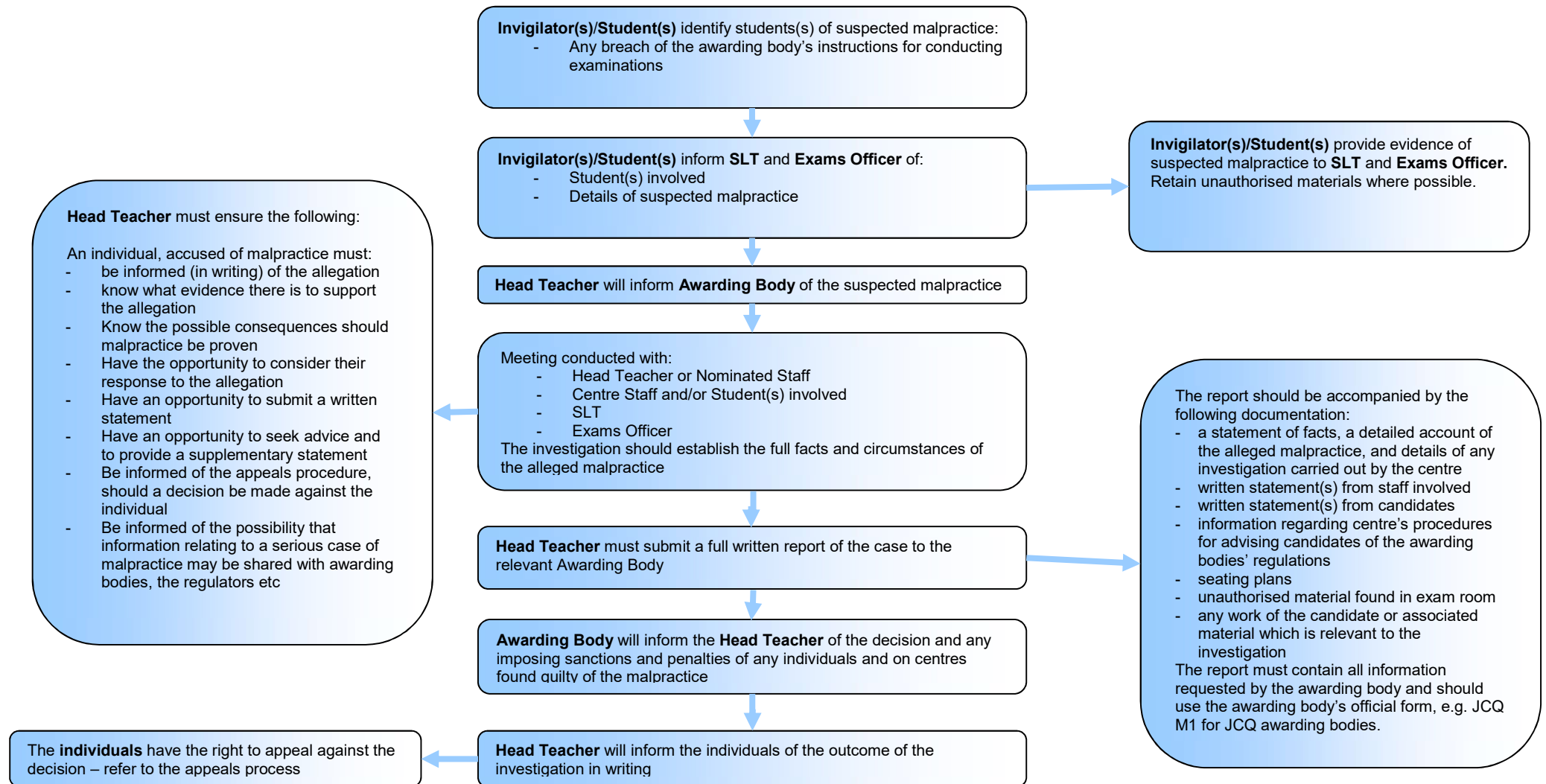
Centres should not normally give credit for any work submitted which is not the candidate's own work, but if any assistance has been given, a note must be made of this on the cover sheet of the candidate's work or other appropriate place. (Note: Centres are advised that if course or portfolio work or a controlled assessment which is submitted for internal assessment is rejected by the centre on grounds of malpractice, candidates have the right to appeal against this decision.)

The Awarding Bodies Response:

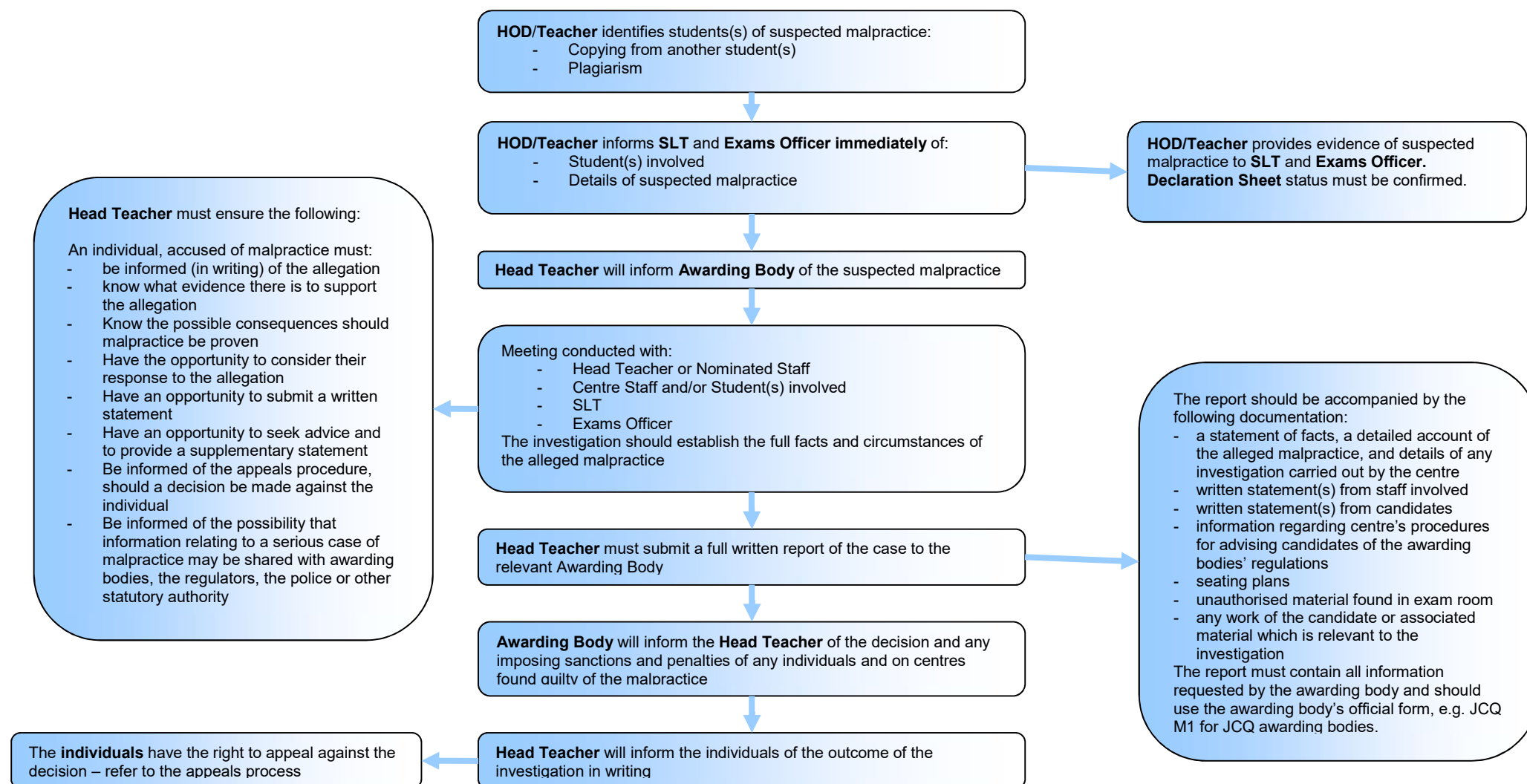
On receipt of a report of suspected malpractice submitted by a head of centre the awarding body will consider the report and decide either:

- to take no further action; or
- to make a decision on the case in accordance with the procedures; or
- to ask the head of centre to carry out a further investigation and provide further evidence; or
- to investigate the matter further itself.

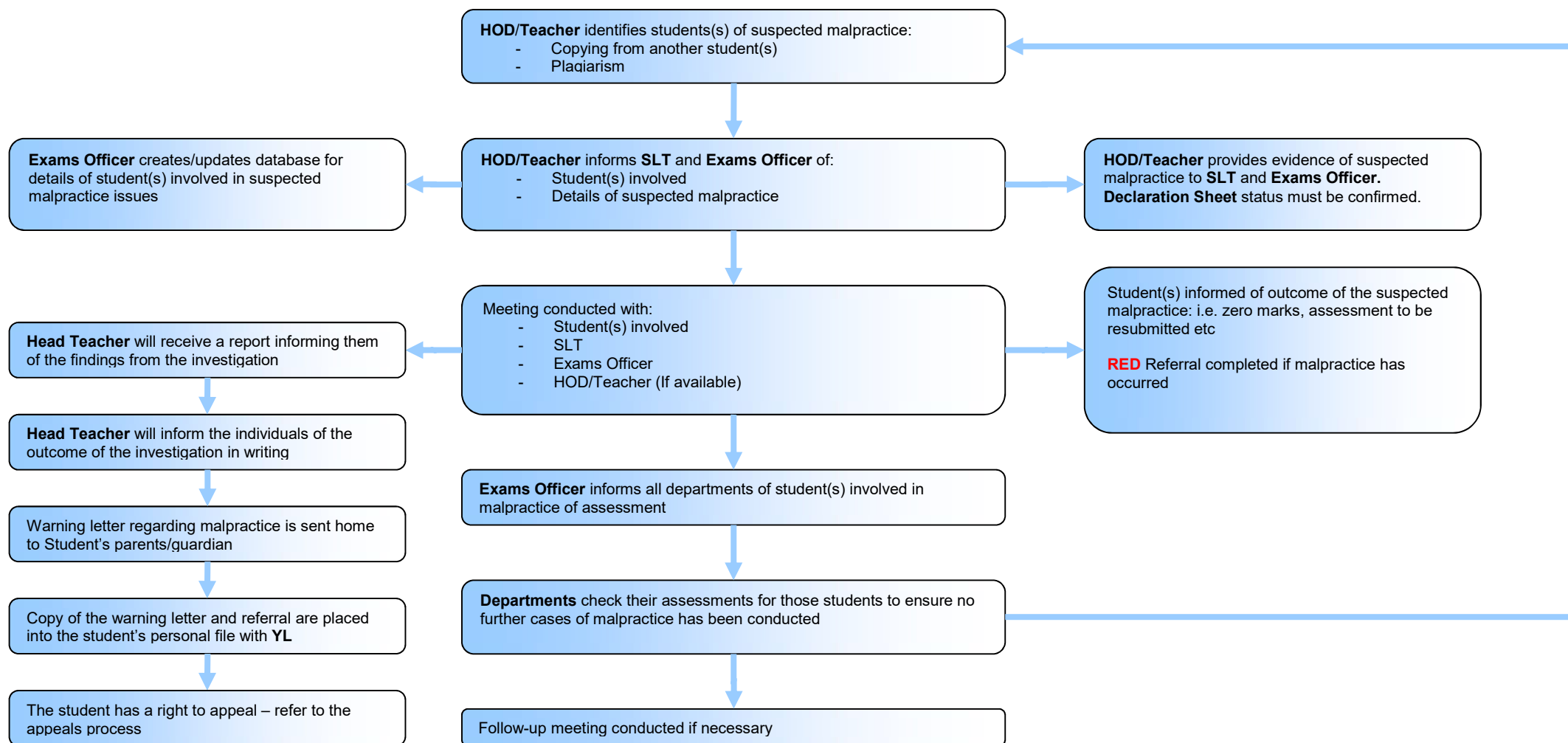
5.2. Suspected Internal Malpractice by a Candidate in an Examination – Flow Diagram:



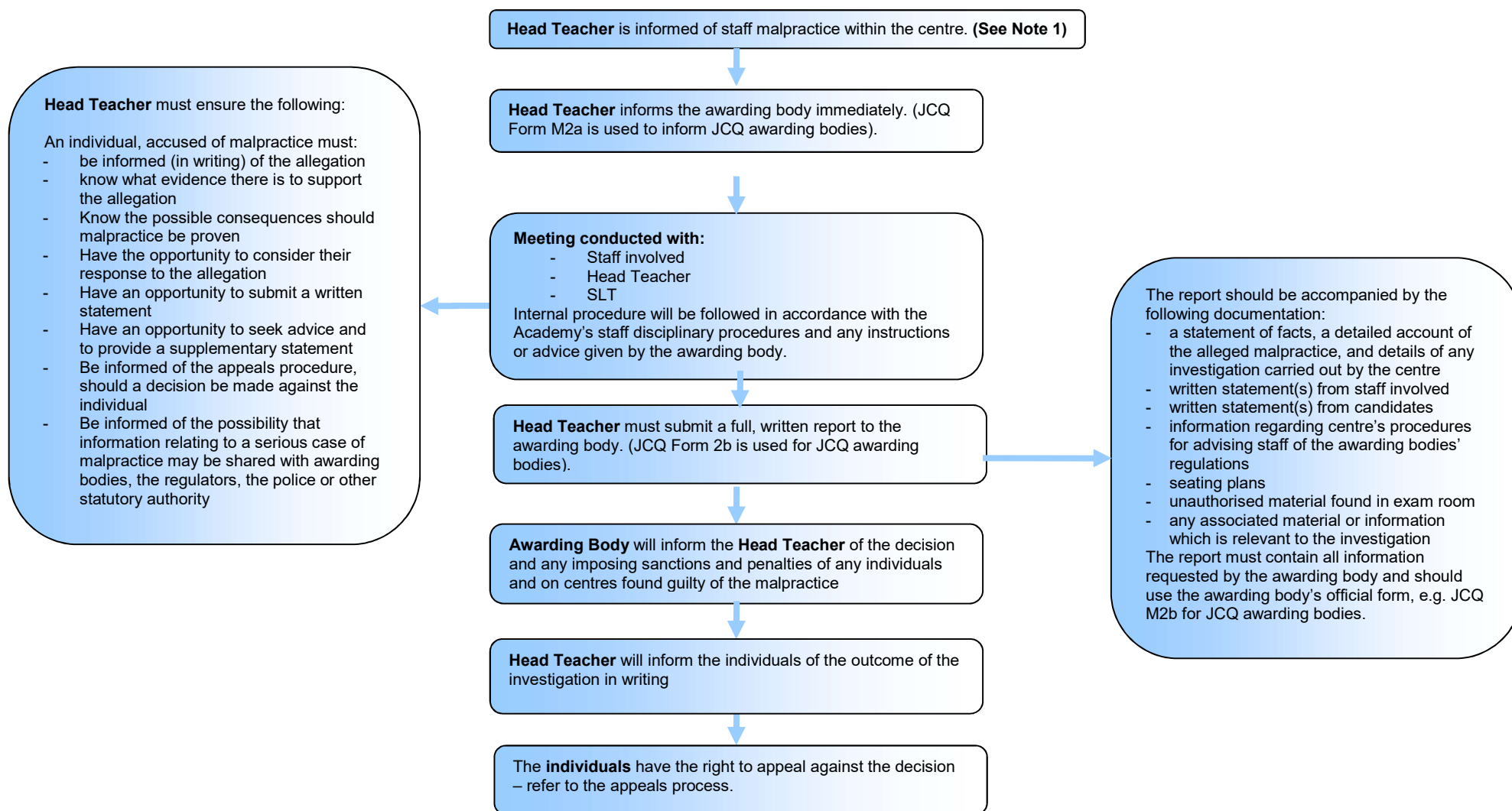
5.3. Suspected Internal Malpractice – Declaration of Authentication Sheet Signed By Candidate Flow Diagram:



5.4. Suspected Internal Malpractice – Declaration of Authentication Sheet NOT Signed by Candidate Process Flow:



5.5. Suspected Internal Malpractice – Staff:



Note 1: If an allegation of malpractice is made against the Head Teacher then this must be reported immediately to the Chair of Governors who must inform the awarding body immediately (JCQ Form M2a should be used for JCQ awarding bodies). The flowchart above applies but the role of the Head Teacher will be assumed by the Chair of Governors.

5.6. The Decision:

5.5.1. Making the Decision – Overview:

In making a decision on any report, the Head Teacher will establish that correct procedures have been followed in the investigation of the case, and that all individuals involved have been given the opportunity to make a written statement.

The Head Teacher will also seek to determine:

- whether the examination and assessment regulations have been broken;
- where the culpability lies for the breach of regulations.

5.5.2. Making the Decision:

Each case of suspected malpractice will be considered and judged on an individual basis in the light of all information available. The Head teacher will consider, as separate issues, whether or not there has been malpractice, and, if malpractice is established, whether a sanction should be applied.

When making a decision in a case the Head Teacher will:

- identify the regulation or specification requirement which it is alleged has been broken;
- establish the facts of the case. Where there are conflicting statements the decision as to whether or not there has been malpractice is made by reference to the facts as disclosed by the papers, independent of any decision on sanctions;
- decide whether the facts as so established actually breach the regulations or specification requirements;
- if a breach of regulations has occurred, establish who is responsible for this;
- determine an appropriate level of sanction or penalty.

The Head Teacher must be satisfied on the balance of probabilities that the allegation is substantiated. It is possible that the evidence in some cases may be inconclusive, but the awarding body may decline to accept the work of the candidates in order to protect the integrity of the qualification for the majority.

6. Sanctions and Penalties:

Awarding bodies impose sanctions and penalties on individuals and on centres found guilty of malpractice in order to:

- minimise the risk to the integrity of examinations and assessments, both in the present and in the future;
- maintain the confidence of the public in the delivery and awarding of qualifications;
- ensure as a minimum that there is nothing to gain from breaking the regulations;
- deter others from doing likewise.

Awarding bodies will normally impose sanctions and penalties to individuals found guilty of malpractice. These will usually be the candidate(s) or the responsible members of staff. However, when malpractice is judged to be the result of a serious management failure within a department or the whole centre, the awarding body may apply sanctions against the whole department or centre. In these cases the awarding body may make special arrangements to safeguard the interests of candidates who might otherwise be adversely affected.

The awarding bodies have agreed that sanctions and penalties are not to be applied to offences according to a fixed scale, but are to be chosen from a defined range, in order to reflect the particular circumstances of each case and any mitigating factors.

6.5.1. Sanctions and Penalties for Centre Staff Malpractice – Individuals:

Where a member of staff or contractor has been found guilty of malpractice, an awarding body may impose the following sanctions or penalties:

Written Warning

Issue the member of staff with a written warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

Training

Require the member of staff, as a condition of future involvement in its examinations, to undertake specific training or mentoring, within a particular period of time, and a review process at the end of the training.

Special Conditions

Impose special conditions on the future involvement in its examinations and/or assessments by the member of staff, whether this involves the internal assessment, the conduct, supervision or administration of its examinations and assessments.

Suspension

Bar the member of staff from all involvement in the delivery or administration of its examinations and assessments for a set period of time. Other awarding bodies and the regulators will be informed when a suspension is imposed.

6.5.2. Sanctions for Centre Staff Malpractice – Centres:

Awarding bodies may, at their discretion, impose the following sanctions against centres:

Written Warning

A letter to the head of centre advising of the breach (including the report) and advising of the further action that may be taken (including the application of penalties and special conditions) should there be a recurrence of this breach, or subsequent breaches at the centre.

Review and Report (Action Plans)

The head of centre will be required to review the centre's procedures for the conduct or administration of a particular examination/assessment, or all examinations/assessments in general, and to report back to the awarding body on improvements implemented by a set date. Alternatively, an action plan will be agreed between the awarding body and the centre, and will need to be implemented as a condition of continuing to accept entries or registrations from the centre.

Approval of Specific Assessment Tasks

The approval by the awarding body of specific assessment tasks in situations where these are normally left to the discretion of the centre.

Additional Monitoring or Inspection

The awarding body may increase, at the centre's expense, the normal level of monitoring that takes place in relation to the qualification(s). Alternatively, the JCQ Centre Inspection Service may be notified of the breach of regulations and may randomly, without prior warning, inspect the centre over and above the normal schedule for inspections. (The JCQ Centre Inspection Service operates in relation to general qualifications and examined vocational qualifications.)

Removal of Direct Claims Status

Direct claims status may be removed from the centre in which case all claims for certification must be authorised by the centre's external verifier. (This sanction applies only to NVQs and similarly assessed and verified qualifications.)

Restrictions on Examination and Assessment Materials

For a specified period of time a centre will be provided with examination papers and assessment materials shortly before such papers and materials are scheduled to be used. These papers will be opened and distributed under the supervision of the awarding body officer (or appointed agent) responsible for the delivery. The centre might also be required to hand over to an awarding body officer (or appointed agent) the completed scripts and any relevant accompanying documentation as opposed to using the normal script collection or posting procedures. These measures may be applied for selected subjects or all subjects.

Independent Invigilators

The appointment for a specified period of time, at the centre's expense, of independent invigilators to ensure the conduct of examinations and/or assessments is in accordance with the regulations.

Suspension of Candidate Registrations or Entries

An awarding body may, for a period of time, or until a specific matter has been rectified, refuse to accept candidate entries or registrations from a centre. This may be applied for selected subjects/occupational areas or all subjects/occupational areas.

Suspension of Certification

An awarding body may, for a period of time, or until a specific matter has been rectified, refuse to issue certificates to candidates from a centre. (This applies to NVQs and similar types of qualifications only.)

Withdrawal of Approval for a Specific Qualification(s)

An awarding body may withdraw the approval of a centre to offer one or more qualifications issued by that awarding body.

Withdrawal of Centre Recognition

The awarding body may withdraw recognition or approval for the centre. This means as a result that the centre will not be able to deliver or offer the students the respective awarding body's qualifications. Other awarding bodies will be informed of this action. At the time of withdrawal of centre recognition a centre will be informed of the earliest date at which it can reapply for registration and any measures it will need to take prior to this application. Centres which have had centre recognition withdrawn should not assume that re-approval will be treated as a formality.

6.5.3. Sanctions and Penalties applied against Candidates:

Awarding bodies may, at their discretion, impose the following sanctions against candidates.

Warning

The candidate is issued with a warning that if the offence is repeated within a set period of time, further specified sanctions will be applied.

Loss of Marks for a Section

The candidate loses all the marks gained for a discrete section of the work. A section may be part of a component, or a single piece of coursework if this consists of several items.

Loss of Marks for a Component

The candidate loses all the marks gained for a component. A component is more often a feature of linear qualifications than a unitised qualification, and so this penalty can be regarded as an alternative to penalty 4. Some units also have components, in which case a level of penalty between numbers 2 and 4 is possible.

Loss of all Marks for a Unit

The candidate loses all the marks gained for a unit. This penalty can only be applied to qualifications which are unitised. For linear qualifications, the option is penalty 3. This penalty usually allows the candidate to aggregate or request certification in that series, albeit with a reduced mark or grade.

Disqualification from a Unit

The candidate is disqualified from the unit. This penalty is only available if the qualification is unitised. For linear qualifications the option is penalty 7. The effect of this penalty is to prevent the candidate aggregating or requesting certification in that series, if the candidate has applied for it.

Disqualification from all units in one or more qualifications

If circumstances suggest, penalty 5 may be applied to other units taken during the same examination or assessment series. (Units which have been banked in previous exam series are retained.) This penalty is only available if the qualification is unitised. For linear qualifications the option is penalty 8.

Disqualification from a whole qualification

The candidate is disqualified from the whole qualification taken in that series or academic year. This penalty can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation the option is penalty 6. It may also be used with linear qualifications.

Disqualification from all qualifications taken in that series

If circumstances suggest, penalty 7 may be applied to other qualifications. This penalty can be applied to unitised qualifications only if the candidate has requested aggregation. Any units banked in a previous series are retained, but the units taken in the present series and the aggregation opportunity are lost. If a candidate has not requested aggregation the option is penalty 6. It may also be used with linear qualifications.

Candidate debarral

The candidate is barred from entering for one or more examinations for a set period of time. This penalty is applied in conjunction with any of the other penalties above, if the circumstances warrant it.

7. Communicating Decisions:

Heads of centre will be informed of decisions in writing as soon as possible after decisions are made. It is the responsibility of the head of centre to communicate the decision to the individuals concerned, and to pass on warnings in cases where this is indicated.

8. Appeals:

The awarding bodies have established procedures for considering appeals against penalties arising from malpractice decisions. The following individuals have a right to appeal against decisions of the Malpractice Committee or officers acting on its behalf.

- Heads of centre, who may appeal against sanctions imposed on the centre or on centre staff, as well as on behalf of candidates entered or registered through the centre.
- Members of centre staff, or examining personnel contracted to a centre, who may appeal against sanctions imposed on them personally.
- Private candidates.
- Third parties who have been barred from examinations of the awarding body.

If an Academy student wishes to appeal against a malpractice sanction imposed on them by an awarding body then they must notify the Head Teacher in writing and state the reasons. If the Head Teacher believes there are grounds for appeal then the Head Teacher will appeal to the awarding body on the student's behalf.

Please refer to the Appeals Internal procedure.

9. Suspected Malpractice during the Summer 2021 Grade Awarding Process

In accordance with JCQ Guidance on the determination of grades for A Levels and GCSEs for Summer 2021 each candidate will be made aware of the evidence that is going to be used and understand that the range of evidence used to determine a grade is not negotiable

Where a candidate might attempt to gain an unfair advantage during the centre's process on the determination of grades by, for example, submitting fabricated evidence or plagiarised work, or any other act deemed as malpractice in the JCQ Suspected Malpractice: Policies and Procedures 2020-2021, King Edward VI Handsworth Wood Girls' Academy will submit a report of suspected candidate malpractice to the relevant awarding body.

Where a candidate, or an individual acting on their behalf, such as a parent/carer, might try to influence grade decisions by applying pressure to the centre or any of its staff, King Edward VI Handsworth Wood Girls' Academy will keep and retain clear and reliable records of the circumstances and the steps taken, and make the candidate aware of the outcome. This will include a record that confirms the candidate had been made aware of the evidence that was going to be used and understand that the range of evidence used to determine a grade was not negotiable.

However, if a candidate or an individual acting on their behalf continues to attempt to pressure centre staff inappropriately, a report of suspected candidate malpractice will be submitted to the relevant awarding body. A report will be submitted by completing the appropriate documentation as guided by the individual awarding body concerned, including the form JCQ M1 Report of suspected candidate malpractice.

- This form must be used by the head of the centre to notify the appropriate awarding body of an instance of suspected candidate malpractice in the conduct of examinations or assessments
- It can also be used to provide a report on investigations into instances of suspected malpractice

- In order to prevent the issue of erroneous results and certificates, it is essential that the awarding body concerned is notified immediately of instances of suspected candidate malpractice

Centre staff

King Edward VI Handsworth Wood Girls' Academy will report any instances of potential malpractice (which includes maladministration) where any centre staff fail to follow the published requirements for determining grades.

Examples of potential malpractice taken from the JCQ Guidance on the determination of grades for A Levels and GCSEs for Summer 2021 includes but is not limited to:

- Exam entries are created for students who had not studied the course of entry or had not intended to enter for June 2021
- Grades created for students who have not been taught sufficient content to provide the basis for that grade
- A teacher sharing final results ahead of results day
- A teacher deliberately and inappropriately disregarding the centre's published policy when determining grades including discrimination that leads to a lowered and inaccurate grade
- A teacher fabricating evidence of candidate performance to support an inflated grade
- A teacher deliberately providing inappropriate levels of support before or during an assessment, including deliberate disclosure of mark schemes and assessment materials, to support an inflated grade
- A teacher knowingly submitting an incorrect grade to the exams officer