

Malpractice Policy (Exams)



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Purpose of this Policy

The purpose of this policy is to outline how candidates are informed and advised to avoid committing malpractice in assessments and examinations and how suspected malpractice issues should be escalated within the centre and reported to the relevant awarding body.

Key Definitions

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 procedures uses the word ‘malpractice’ to cover both ‘malpractice’ and ‘maladministration’ and it means any act, default or practice which is:

- a breach of regulations;
- a breach of awarding body requirements regarding how a qualification should be delivered, and/or
- a failure to follow established procedures in relation to the 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, 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.

Malpractice may be:

- intentional, aiming to give a candidate or candidates an unfair advantage or disadvantage in an examination or assessment;
- due to a lack of awareness of the regulations, carelessness, or forgetfulness in applying the regulations (which may often be called ‘maladministration’), and/or
- as a result of the force of circumstances which are beyond the control of those involved (e.g. a fire alarm sounds and the supervision of candidates is disrupted).

Candidate Malpractice

'Candidate malpractice' means:

- malpractice by a candidate in connection with any examination or assessment, including the preparation and authentication of any 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

'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 the 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.

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.

Suspected Malpractice

For the purposes of this policy, 'suspected malpractice' means:

- all alleged or suspected incidents of malpractice.

General Principles

In accordance with the regulations, Frobeld Education will:

- take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations 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, and
- 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: [Malpractice Sep25 FINAL.pdf](#) and provide such information and advice as the awarding body may reasonably require.

Preventing Malpractice Principles

Frobel Education has in place robust processes to prevent and identify malpractice, as outlined in Section 3 of the JCQ publication Suspected Malpractice – Policies and Procedures. 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 [General Regulations for Approved Centres – Joint Council for Qualifications](#)
- Instructions for Conducting Examinations (ICE) [Instructions for Conducting Exams \(ICE\) – Joint Council for Qualifications](#)
- Instructions for Conducting Coursework [Instructions for conducting coursework – Joint Council for Qualifications](#)
- Instructions for Conducting Non-examination Assessments [Instructions for conducting non-examination assessments \(GCE & GCSE specifications\) – Joint Council for Qualifications](#)
- Access Arrangements and Reasonable Adjustments [Access Arrangements, Reasonable Adjustments and Special Consideration – Joint Council for Qualifications](#)
- A Guide to the Special Consideration Process [A guide to the special consideration process – Joint Council for Qualifications](#)
- Suspected Malpractice: Policies and Procedures [Suspected Malpractice Policies and Procedures – Joint Council for Qualifications](#)
- Plagiarism in Assessments [Plagiarism in Assessments – Joint Council for Qualifications](#)
- AI Use in Assessments: Protecting the Integrity of Qualifications [AI Use in Assessments: Your role in protecting the integrity of qualifications – Joint Council for Qualifications](#)
- A Guide to the Awarding Bodies' Appeals Processes [Appeals Booklet 2025 FINAL-1.pdf](#)

Informing and Advising Candidates and Staff

Candidates are informed about malpractice, how to avoid committing malpractice (including plagiarism and misuse of Artificial Intelligence) and what steps to take if they suspect malpractice through a briefing before the commencement of any coursework, internal assessments and/or non-examination assessment teaching and learning.

All candidates sign a Candidate Declaration/Confirmation Form covering regulations concerning the conduct of examinations and assessments, malpractice, personal data and copyright.

All staff involved in delivering and assessing coursework, internal assessments and/or non-examination assessments are made aware of the centre policies and procedures related to the authentication of learner work and processes in place for identifying and reporting

plagiarism (including misuse of Artificial Intelligence) and other potential candidate malpractice through staff training sessions and the availability of policies, including the Malpractice Policy (Exams) on the Frobel Education website.

Subject Leads and Tutors should understand their responsibility for knowing the specific regulations relating to internal assessment for the qualifications in their subject(s) as well as general regulations about malpractice and plagiarism (including the misuse of Artificial Intelligence).

Identifying and Reporting of Malpractice

Escalating Suspected Malpractice Issues

- Once suspected malpractice is identified, any member of staff can report it using the appropriate channels.

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.
- 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.
- 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 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.
- 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.
- 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, any any supporting documentation, whether there is evidence of malpractice and if any further investigation is required. The Head of Centre will be informed accordingly.

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 any 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

Frobel Education will:

- provide the individual with information on the process and timeframe for submitting an appeal, where relevant, and
- refer to further information and follow the process provided in the JCQ publication A guide to the Awarding Bodies' Appeals Processes.