



Malden Oaks
School & Tuition service

Making the **MOST** of every day

Exams - Malpractice Policy

Responsible: Exams Manager

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Centre name	Malden Oaks School and Tuition Service
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Key staff involved in the process

Role	Name
Headteacher	Samantha Axbey
Senior leader(s)	Ayse Meliz, Nick Smith
Exams Manager	Stephen Shorey
Other staff (if applicable)	NA

This policy is reviewed and updated annually to ensure that any malpractice at Malden Oaks School and Tuition Service is managed in accordance with current requirements and regulations.

Reference in the policy to **GR** and **SMPP** relate to relevant sections of the current documents:

- [JCQ documents General Regulations for Approved Centres](#)
- [Suspected Malpractice: Policies and Procedures.](#)

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Introduction

What is malpractice and maladministration?

'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 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 (SMPP 1)

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. (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)

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, as described in SMPP, section 19). (SMPP 2)

Purpose of the policy

We confirm Malden Oaks School and Tuition Service has in place for inspection 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 or assessments. It also outlines how suspected malpractice issues are escalated within the centre and reported to the relevant awarding body. It also acknowledges the use of AI, 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. This policy will be reviewed and updated annually.

General principles

In accordance with the regulations Malden Oaks School and Tuition Service 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 current JCQ document Suspected Malpractice - Policies and Procedures and provide such information and advice as the awarding body may reasonably require (GR 5.11)

Preventing malpractice

Malden Oaks School and Tuition Service has in place:

- Robust processes to prevent and identify malpractice, as outlined in the JCQ document Suspected Malpractice: Policies and Procedures. (SMPP 4.3)
- 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](#) (GR)
 - [Instructions for conducting examinations](#) (ICE)
 - [Instructions for conducting coursework](#)
 - [Instructions for conducting non-examination assessments](#)
 - [Access Arrangements and Reasonable Adjustments](#)
 - [A guide to the special consideration process](#)
 - [Suspected Malpractice: Policies and Procedures](#) (SMPP)
 - [Plagiarism in Assessments](#)
 - [AI Use in Assessments: Protecting the Integrity of Qualifications](#)
 - [Post Results Services](#) (*check for June 2026 update*)
 - [A guide to the awarding bodies' appeals processes](#)

Additional information:

- [Informing and advising candidates how to avoid committing malpractice in examinations/assessments](#)
- [AI use in assessments](#)

We refer to the [JCQ guidance for Teachers & Assessors - AI Use in Assessments: Protecting the Integrity of Qualifications](#): Students complete the majority of their exams and a large number of other assessments under close staff supervision with limited access to authorised materials and no permitted access to the internet. The delivery of these assessments should be unaffected by developments in AI tools as students must not be able to use such tools when completing these assessments.

There are some assessments in which access to the internet is permitted in the preparatory, research or production stages. The majority of these assessments will be Non-Examined Assessments (NEAs), coursework and internal assessments for General Qualifications (GQs) and Vocational & Technical Qualifications (VTQs). JCQ's guidance, which is designed to help students and teachers to complete NEAs, coursework and other internal assessments, is followed in relation to these assessments.

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 - Notifying the head of centre and/or exams officer. (SMPP 4.3). All cases of suspected malpractice will be investigated by the head of centre and the examinations officer and will be reported to the awarding body.

The awarding body will oversee all investigations into suspected or alleged malpractice and will withhold the issuing of results until the conclusion of the investigation, or permanently, where the outcome of the investigation warrants it.

The awarding body will apply sanctions and penalties, see Appendix 9, in cases of proven malpractice and will report the matter to the regulators and other awarding bodies in accordance with the regulators' General Conditions of Recognition.

The awarding body will consider reporting the matter to the police if suspected or proven malpractice involves the committing of a criminal act.

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 (SMPP 4.1.3)

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 (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 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 (SMPP 4.5)

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 (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:

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

Malden Oaks School and Tuition Service 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