



MALPRACTICE, MALADMINISTRATION inc USE OF ARTIFICIAL INTELLIGENCE POLICY

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Passmores Academy
Part of the Passmores Co-operative Learning Community

What does this policy affect?

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 use 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 - Suspected Malpractices Policies and Procedures

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.

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

Suspected malpractice

For the purposes of this document, suspected malpractice means all alleged or suspected incidents of malpractice.

Purpose of the policy

To confirm Passmores Academy:

- has in place 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

Procedure for planning and managing conflict of interests

The process

In accordance with the regulations Passmores Academy 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
- 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

Passmores Academy 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 2023-2024; Instructions for conducting examinations (ICE) 2023-2024; Instructions for conducting coursework 2023-2024; Instructions for conducting non-examination assessments 2023-2024; Access Arrangements and Reasonable Adjustments 2023-2024; A guide to the special consideration process 2023-2024; Suspected Malpractice: Policies and Procedures 2023-2024; Plagiarism in Assessments; AI Use in Assessments: Protecting the Integrity of Qualifications; A guide to the awarding bodies' appeals processes 2023-2024 (SMPP 3.3.1)

Informing and advising candidates

The candidates are informed in assemblies of what Malpractice is and how it can affect them in line with current JCQ policy guidance (Suspected Malpractice Policies and Procedures).

For any assessments that could be affected by the use of AI, the teaching staff will inform the candidates of the regulations of if/when AI technology can be used, and also the consequences of its misuse. Staff have been directed towards the AI Use in Assessments: Protecting the Integrity of Qualifications guidance.

Candidates are informed of the 'Warning to Candidates' and 'Unauthorised Items' posters which are also outside all exam rooms. The Suggested wording for invigilators' announcements at the beginning of written examinations also details what can and cannot be done in the exam environment and is read out at the beginning of every exam.

Identification and reporting of malpractice

As soon as suspected malpractice is suspected during the exam process, the Exams Officer is made aware and discusses with the witness of what occurred and logs this on the appropriate JCQ form and gets it signed by the witness. The candidate is then informed of the incident and the potential impact that it may have on their results. They are asked if they agree with the statement and if they would like to add a statement.

Reporting suspected malpractice to the awarding body

- The exams officer or 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, 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

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.

Appeals against decisions made in cases of malpractice

Passmores Academy 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**

Responsibilities

Head of centre

- notify the appropriate awarding body immediately of all alleged, suspected or actual incidents of malpractice
- review and sign any Malpractice cases prior to submission
- 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
- pass on details of any sanctions and action in cases where this is indicated

Senior Leaders

- Ensure that centre staff are aware of the requirement to adhere to the examinations regulations, instances that class as Malpractice and the Malpractice process

Exams Office/officer

- Complete the administrative process for any cases of Suspected Malpractice
- Identify and follow the awarding body's administrative process for malpractice
- Retain the records of any cases of Malpractice.

Malpractice and the use of AI

What is AI use and what are the risks of using it in assessments?

AI use refers to the use of AI tools to obtain information and content which might be used in work produced for assessments which lead towards qualifications. While the range of AI tools, and their capabilities, is likely to expand greatly in the near future, misuse of AI tools in relation to qualification assessments at any time constitutes malpractice. Teachers and students should also be aware that AI tools are evolving quickly but there are still limitations to their use, such as producing inaccurate or inappropriate content. AI chatbots are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided.

AI chatbots respond to prompts based upon patterns in the data sets (large language model) upon which they have been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- Answering questions
- Analysing, improving, and summarising text
- Authoring essays, articles, fiction, and non-fiction
- Writing computer code
- Translating text from one language to another
- Generating new ideas, prompts, or suggestions for a given topic or theme
- Generating text with specific attributes, such as tone, sentiment, or formality

As has always been the case, and in accordance with section 5.3(k) of the JCQ General Regulations for Approved Centres (<https://www.jcq.org.uk/exams-office/general-regulations/>) students must submit work for assessments which is their own. This means both ensuring that the final product is in their own words, and isn't copied or paraphrased from another source such as an AI tool, and that the content reflects their own independent work. Students are expected to demonstrate their own knowledge, skills and understanding as required for the qualification in question and set out in the qualification specification. This includes demonstrating their performance in relation to the assessment objectives for the subject relevant to the question/s or other tasks students have been set. While AI may become an established tool at the workplace in the future, for the purposes of demonstrating knowledge, understanding and skills for qualifications, it's important for students' progression that they do not rely on tools such as AI.

Students should develop the knowledge, skills and understanding of the subjects they are studying. Students must be able to demonstrate that the final submission is the product of their own independent work and independent thinking.

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- AI misuse is where a student has used one or more AI tools but has not appropriately acknowledged this use and has submitted work for assessment when it is not their own. Examples of AI misuse include, but are not limited to, the following:
- Copying or paraphrasing sections of AI-generated content so that the work submitted for assessment 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. AI misuse constitutes malpractice as defined in the JCQ Suspected Malpractice: Policies and Procedures

It remains essential that students are clear about the importance of referencing the sources they have used when producing work for an assessment, and that they know how to do this. Appropriate referencing is a means of demonstrating academic integrity and is key to maintaining the integrity of assessments. If a student uses an AI tool which provides details of the sources it has used in generating content, these sources must be verified by the student and referenced in their work in the normal way. Where an AI tool does not provide such details, students should ensure that they **independently** verify the AI-generated content, and then reference the sources they have used.

Preventing AI misuse in Assessments

To prevent misuse, at Passmores Academy we will:

- a) Restrict access to online AI tools on centre devices and networks;
- b) Ensure that access to online AI tools is restricted on centre devices used for exams;
- c) Set reasonable deadlines for submission of work and providing reminders;
- d) Where appropriate, allocate time for sufficient portions of work to be done in class under direct supervision to allow the teacher to authenticate each student's whole work with confidence;
- e) Examine intermediate stages in the production of work in order to ensure that work is underway in a planned and timely manner and that work submitted represents a natural continuation of earlier stages; Introduce classroom activities that use the level of knowledge/understanding achieved during the course thereby making the teacher confident that the student understands the material;
- f) Staff will consider whether it's appropriate and helpful to engage students in a short verbal discussion about their work to ascertain that they understand it and that it reflects their own independent work;
- g) Staff will not accept, without further investigation, work which staff suspect has been taken from AI tools without proper acknowledgement or is otherwise plagiarised, doing so encourages the spread of this practice and is likely to constitute staff malpractice which can attract sanctions.
- h) Issuing tasks for centre-devised assignments which are, wherever possible, topical, current and specific, and require the creation of content which is less likely to be accessible to AI models trained using historic data.

Identifying misuse

Identifying the misuse of AI by students requires the same skills and observation techniques that teachers are probably already using to assure themselves student work is authentically their own. There are also some tools that can be used. We explore these different methods below.

Reporting AI misuse

If AI misuse is detected or suspected by the centre and the declaration of authentication has been signed, the case must be reported to the relevant awarding organisation. The procedure is detailed in

the JCQ Suspected Malpractice: Policies and Procedures

(<https://www.jcq.org.uk/exams><https://www.jcq.org.uk/exams-office/malpractice/office/malpractice/>
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