Tuition Extra Malpractice and AI Policy

Tuition Extra adheres to and, manages any malpractice in accordance with all JCQ regulations and with particular reference to the JCQ documents below;

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

Suspected Malpractice: Polices and Procedures - https://www.jcq.org.uk/wpcontent/uploads/2024/08/Malpractice_Sep24_FINAL.pdf

AI Use in Assessments: Protecting the Integrity of Qualifications - https://www.jcq.org.uk/examsoffice/malpractice/artificial-intelligence/

The Information for Candidates documents - https://www.jcq.org.uk/exams-office/information-forcandidates-documents/

Reference in the policy to GR and SMPP relate to relevant sections of the current JCQ publications General Regulations for Approved Centres (https://www.jcq.org.uk/examsoffice/general-regulations/) and Suspected Malpractice: Policies and Procedures.

Purpose of the policy

To confirm Tuition Extra:

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. It must also acknowledge the use of AI (e.g. what AI is, 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. (GR 5.3).

Introduction

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 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
- 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 (SMPP 1)

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. (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. (SMPP 2)

It is referred to as suspected malpractice as although Tuition Extra must report any incident or irregularity which may constitute malpractice, it is the awarding body (exam board) who will review the evidence provided and determine if actual malpractice has occurred. The awarding body also make all decisions in relation to any applied sanctions.

Suspected Candidate Malpractice may occur under the following (this is not an exhaustive list):

- a breach of any of the JCQ regulations as outlined in the JCQ 'Information for Candidates' documents a mobile phone in an exam room regardless of whether it is on or off, or, whether or not the candidate intended to use the phone
- any kind of watch (or other electronic/smart item or headphone/ear buds) in an exam room
- other unauthorised items in the exam room, such as (but not limited to) the following; notes, scrap paper, letters, timetables, make up and lip balms or other toiletries, packets of tissues,
- writing on hands or other body parts, calculators in an exam where these are prohibited.
- in any exam where calculators are permitted, the following remain prohibited; calculator cases, lids, operating instructions, pre-prepared programmes or formulae, items or other data stored in memory functions
- non-transparent pencil cases/maths tins or those containing writing or images/symbols
- non-regulation water bottles that do not meet JCQ requirements
- not following the instructions of an invigilator
- communicating with, attempting to communicate with, or distracting other candidates
- disrupting the examination room
- engaging in any activity that intentionally gives an unfair advantage over other candidates such as (but not limited to); the passing on or receipt of confidential assessment materials, any form of cheating or attempting to cheat
- making a false declaration, such as signing a document to state that work is your own which you know to be untrue, including plagiarism
- misuse of AI in non-examination assessments/coursework
- falsifying documents, including certificates
- copying from another candidate or allowing work to be copied by another candidate
- inclusion of offensive comments, obscenities or drawings in exam papers/scripts, non-examined assessment/coursework

General principles

In accordance with the regulations Tuition Extra will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations 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 JCQ publication Suspected Malpractice - Policies and Procedures and provide such information and advice as the awarding body may reasonably require (GR 5.11)

Preventing malpractice

Tuition Extra has in place:

Robust processes to prevent and identify malpractice, as outlined in section 3 of the JCQ publication Suspected Malpractice: Policies and Procedures. (SMPP 3 and 4.3)

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 (SMPP 3.3.1)

- General Regulations for Approved Centres 2024-2025
- Instructions for conducting examinations (ICE) 2024-2025
- Instructions for conducting coursework 2024-2025
- Instructions for conducting non-examination assessments 2024-2025
- Access Arrangements and Reasonable Adjustments 2024-2025
- A guide to the special consideration process 2024-2025
- Suspected Malpractice: Policies and Procedures 2024-2025
- Plagiarism in Assessments
- AI Use in Assessments: Protecting the Integrity of Qualifications
- Post Results Services June 2024 and November 2024
- A guide to the awarding bodies' appeals processes 2024-2025

Informing and advising candidates on the prevention of malpractice

Candidates are informed of and advised to avoid committing malpractice in examinations and nonexamination assessments/coursework.

Candidates are issued with JCQ Information for Candidates documents

Subject Leaders/teachers brief candidates on NEA rules and avoiding malpractice, plagiarism, the use of and misuse of AI in assessments and refer to the JCQ AI document for teachers in order to communicate the rules to students

Identification and reporting of malpractice

Incidents of suspected candidate malpractice in examination rooms

If an incident has occurred during an exam, the candidate will be permitted to continue with and complete their exam, except in exceptional circumstances such as (but not limited to); disruption to other candidates.

In the event of suspected malpractice:

1. After the examination has finished, the candidate will be asked to wait at their desk and will be escorted to another area to discuss what has happened. The candidate will be given an opportunity to write a candidate statement, which should be signed and dated. This is the candidate's opportunity to explain in their own words:

a) What has happened

b) Outline any extenuating circumstances

c) Confirm if the incident was intentional or they had any intention to commit suspected malpractice

2. The Exams Officer will:

a) Ask the Centre staff involved to complete an Incident Log and accompanying statement

b) Advise the candidate about the process, their rights, next steps and timescales

c) Inform the Head of Centre about the incident, who may also request to speak with the candidate and centre staff involved

d) Inform the Head of Tuition Service, who will notify the parent/carer of the incident

e) Act on behalf of the Head of Centre to notify the awarding body by completing the required JCQ paperwork

f) Will confirm actions to the candidate in writing, and their parents/carers (with accompanying documentation pack to include any evidence/statements) and inform the candidate that they may make an additional statement

3. When the awarding body's decision has been received by the Centre the Exams Officer (or the Head of Centre/Head of Tuition Service) will advise the candidate and their parents/carers in writing of the outcome.

4. The candidate has a right to request an appeal if they are not happy with the decision, and the Head of Centre will decide whether this is appropriate. The final decision is made by the Head of Centre. Tuition Extra will follow the process provided in the JCQ publication 'A guide to the awarding bodies' appeals processes.

There are several penalties that could be applied if an awarding body decide that malpractice has been committed:

- Formal warning from the awarding body (delivered by the Centre to the candidate)
- Loss of marks:
    o on a section/sections of an exam paper/component
    o for a whole component/paper/unit
- Disqualification from:
    o a unit/paper
    o whole qualification
    o from the exam series and all qualification within that series
- Candidate barred from entering one or more qualification for a set period of time

Information relating to a cases of malpractice may be shared with other awarding bodies, the regulators and/or other appropriate authorities.

For further information:

www.jcq.org.uk/exams-office/malpractice/

Escalating suspected malpractice issues

Once suspected malpractice is identified, any member of staff at the centre can report it using the appropriate channels (SMPP 4.3)

- All suspected malpractice should be reported immediately to the Exams Officer, Head of Centre or SLT responsible for exams immediately.
- Staff may also follow the Whistleblowing in exams procedures where necessary.

Reporting suspected malpractice to the awarding body

- The Exams Officer and 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 (SMPP 4.1.3)

- 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 (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 nonexamination 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 (SMPP 4.5)
- 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 (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)

The Use of AI in Assessments

AI use refers to the use of AI tools such as large language models to obtain information and content which might be used in work produced for assessments which lead towards qualifications.

While a 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. Candidates should also be aware that AI tools are still being developed and there are often 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 data sets 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.

Examples of AI chatbots currently available include (but are not limited to):

- ChatGPT
- Jenni AI
- Jasper AI
- Writesonic
- Bloomai
- Gemini
- Claude
- Co-Pilot

There are also AI tools which can be used to generate images such as:

- Midjourney
- Stable Diffusion
- Dalle-E 2

There are also AI tools which can be used to generate music such as:

- Soundraw
- wavtool
- Musicfy

The use of AI chatbots may pose significant risks if used by students completing qualification assessments. They have been developed to produce responses based upon the statistical likelihood of the language selected being an appropriate response and so the responses cannot be relied upon. AI chatbots often produce answers which may seem convincing but contain incorrect or biased information. Some AI chatbots

have been identified as providing dangerous and harmful answers to questions and some can also produce fake references to books/ articles by real or fake people.

What is AI misuse?

As has always been the case, and in accordance with JCQ regulations, candidates 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.

Where candidates use material that is not their own work this should be clearly identified and referenced in all instances. Candidates 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 relating to the assessment objectives for the subject relevant to the question/s or other tasks candidates have been set. Any use of AI which means candidates have not independently demonstrated their own attainment is likely to be considered malpractice.

AI tools must only be used when the conditions of the assessment permit the use of the internet and where the candidate 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 candidate'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 candidate'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.

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.

In addition to the above, where students use AI, they must acknowledge its use and show clearly how they have used it. This allows teachers and assessors to review how AI has been used and whether that use was appropriate in the context of the particular assessment.

Where AI tools have been used as a source of information;

- a student's acknowledgement must show the name of the AI source used and should show the date the content was generated. For example: ChatGPT 3.5 (https://openai.com/blog/chatgpt/), 25/01/2024.
- the student must, retain a copy of the question(s) and computer-generated content for reference and authentication purposes, in a noneditable format (such as a screenshot) and provide a brief explanation of how it has been used.
- this must be submitted with the work so the teacher/assessor is able to review the work, the AI-generated content and how it has been used. Where this is not submitted, and the teacher/assessor suspects that the student has used AI tools, the teacher/assessor will need to consult the centre's malpractice policy for appropriate next steps

The JCQ guidance on referencing can be found in the following:

Plagiarism in Assessments (https://www.jcq.org.uk/exams-office/malpractice/plagiarism-in-assessments---guidance-for-teachersassessors/)

Instructions for conducting coursework (https://www.jcq.org.uk/exams-office/coursework/)

The Information for Candidates documents (https://www.jcq.org.uk/examsoffice/information-forcandidates-documents)

For further information:

https://www.jcq.org.uk/exams-office/malpractice/artificial-intelligence/