

Independent Commission on Examination Malpractice

Chair: Sir John Dunford OBE

Final Terms of reference for the Commission

Aim

To consider the nature, extent and drivers of malpractice in the examinations system and to make recommendations to all stakeholders in the examinations system on improvements that can be made to reduce and deter malpractice.

Terms of reference

1. To consider the nature and impact of malpractice across general, technical and vocational qualifications
2. To review malpractice data, identifying trends and emerging issues
3. To identify the main drivers of malpractice and the context in which teachers and lecturers are working
4. To consider the use of social media and its impact on malpractice
5. To understand new technology, how it can be used for malpractice and what actions can be taken to prevent its use
6. To consider how approaches to assessment can mitigate the risk of malpractice
7. To consider the different responsibilities and accountabilities of all stakeholders, including awarding bodies, senior leaders involved in examining and moderation, heads of centre and exams officers
8. To consider what more centres and awarding organisations can do to identify and prevent malpractice, focusing in particular on centre culture, drivers of malpractice, safeguards and whistleblowing procedures
9. To consider what awarding organisations can do to support centres in identifying, preventing and dealing with malpractice
10. To consider the use of sanctions and whether they are proportionate and effective as deterrents, including the connection between malpractice and criminal activity
11. To make recommendations to all stakeholders in the examinations system on improvements that can be made to reduce and deter malpractice

JCQ Definition of Malpractice

Malpractice - which includes maladministration and non-compliance - means any act, default or practice which is a breach of the JCQ 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.

Failure by a centre to notify, investigate and report to an awarding body all allegations of malpractice or suspected malpractice constitutes malpractice in itself. Also, failure to take action as required by an awarding body, or to co-operate with an awarding body's investigation, constitutes malpractice.

The eight awarding bodies which are members of the Joint Council for Qualifications are AQA, CCEA, City & Guilds, NCFE, OCR, Pearson, SQA and WJEC.