



Joint Council for
Qualifications^{CIC}

Public Interest Disclosure Act (Whistleblowing)

Effective from 1 September 2026

For the attention of heads of centre,
senior leaders and examinations officers

Produced on behalf of:



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The Public Interest Disclosure Act (PIDA) (1998) seeks to protect workers from being mistreated by their employer if they report (“blow the whistle”) wrongdoing in the public interest.

The government gives the following examples of those who are protected by the Act: an employee, a trainee, an agency worker, and a member of a Limited Liability Partnership (LLP).*

Centres **must** have a ‘whistleblowing’ policy (though it may be called something else) which sets out its approach to dealing with reports of wrongdoing.

Guidance in relation to suspected malpractice in examinations and assessments

This guidance is principally for centre staff who may witness malpractice in exams and assessments and are unsure about what action to take.

The security and integrity of exams and assessments is essential if public confidence in qualifications is to be maintained. The approach taken by the awarding organisations to malpractice is set out in the JCQ *Suspected Malpractice – Policies and Procedures* document.

What should you do if you see malpractice taking place in exams or assessments?

If you are a student or a member of the public, you should report what you witness to the centre concerned. If you work for a centre or are involved in exams or assessments and you witness activity that you are concerned may be malpractice, you must act upon it.

Centres delivering exams and assessments are required by the JCQ *Suspected Malpractice – Policies and Procedures* document to report malpractice to the appropriate awarding organisation.

You can also report your concerns directly to the awarding organisation (see below).

What if you are concerned about retaliation for reporting suspected malpractice?

If you are a student or a member of the public, you should be able to report your concerns to the centre without fear of retaliation. However, if you are worried about retaliation, you can contact the relevant awarding organisation directly to report your concerns.

If you work for a centre or are involved in exams or assessments it is possible that the Public Interest Disclosure Act (PIDA) offers you legal protection from being dismissed or penalised for raising certain serious concerns, including concerns involving criminal offences and non-compliance with legal obligations (“blowing the whistle”). For a complete list of the type of concerns which fall within the scope of PIDA please see the guidance referenced at the end of this document. If the suspected malpractice does not fall within this list, you will likely have other avenues open to you.

Centre staff must follow their whistleblowing policy when raising concerns. In the absence of such a policy, concerns must be raised with a senior member of staff within the centre.

If you do not feel safe raising the matter within the centre, or you have done so and are concerned that no action has been taken, you could consider making your disclosure to a “prescribed person”, which includes Ofqual and Qualifications Wales (the regulators in England and Wales respectively).

The full list of prescribed persons and bodies are detailed in this guidance:

Whistleblowing: list of prescribed people and bodies

* **Whistleblowing for employees: What is a whistleblower**

Who do you talk to and what happens if you contact the awarding body?

Each awarding organisation has staff who deal with malpractice. You can talk to them in confidence and explain your concerns. However, as awarding organisations are not prescribed bodies as defined by the PIDA, they cannot promise you the legal protections detailed in PIDA. Those reporting malpractice who wish to remain anonymous should be aware that awarding organisations may need to disclose their details to others. This could include:

- in response to subject access requests made under data protection legislation;
- where they are required to share information with regulatory bodies (such as Ofqual, the SIA and the TRA); or
- when they are required to provide information to the police.

Those reporting malpractice should also be aware that those subject to any subsequent investigation may draw their own conclusions regarding who has reported malpractice, based on the information an awarding organisation will need to disclose in order to take an investigation forward. In these circumstances, individuals reporting malpractice should be provided with appropriate privacy notices regarding the processing of their personal data.

The awarding body will:

- understand the difficult position that you are in;
- have experience of similar situations; and
- explain the importance of supporting evidence and the sort of evidence that might help in your particular case.

Individuals reporting concerns should be aware that, if an investigation is progressed, details of the concerns raised and any supporting evidence may be shared with the centre and relevant staff.

Please be aware that, due to the confidential nature of our investigations, it will not be possible for the awarding organisation to provide you with details, updates, a report on the findings or outcome of any investigation that may ensue. Awarding organisations are also not able to provide legal advice.

Which awarding organisation is contacted will depend on the qualification where malpractice is suspected. You can contact a malpractice expert within the specific awarding organisation as shown below:

- AQA, irregularities@aqa.org.uk, 0161 958 3736
- Cambridge OCR, malpractice@ocr.org.uk, 01223 553 998
- CCEA, malpractice@ccea.org.uk, 028 90 261200 ext 2203
- City & Guilds, investigationandcompliance@cityandguilds.com, 020 7294 2775
- NCFE, providerassurance@ncfe.org.uk, 0191 239 8000
- Pearson, pqsmalpractice@pearson.com, 020 7190 4949
- WJEC, malpractice@wjec.co.uk, 029 20265 351

You may find the following websites useful:

- **Public Interest Disclosure Act 1998** – the legislation
- **The Public Interest Disclosure Act** – government advice about the act
- **Whistleblowing for employees: What is a whistleblower** – government advice about whistleblowing
- **JCQ** – more information about malpractice and how awarding organisations investigate it
- **Ofqual** – a prescribed body under PIDA to whom disclosures can be made
- **Protect** – a helpline for those considering whistleblowing.