



# Malpractice and non-compliance in OCR qualifications

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Annual report for  
the academic year

**2010/11**

## Introduction

Incidents of suspected malpractice are reported by assessors, by Heads of Centres, by the Centre Inspection Service and by whistleblowers.

The majority of malpractice cases are straightforward or uncontested; these are decided by officers from the Standards area. Where cases are complex or involve members of staff, they are dealt with by the Malpractice Committee, a committee drawn from OCR officers in the Standards and the Curriculum and Qualifications areas.

Appeals against decisions are heard by the Regulations Committee which is comprised of external and independent members.

OCR officers have the support of, and contribute to, the JCQ Malpractice Working Group which aims to standardise processes and decision making in malpractice cases across member awarding bodies.

## Section A – General qualifications

Table 1, gives an overview of the cases handled during the year 2010/2011.

**Table 1: Malpractice incidents investigated and resolved in 2010/2011**

(The figures in brackets represent the totals for 2009/2010)

	General qualifications	Vocationally related qualifications, Key Skills and Asset Languages	Total
<b>All incidents</b>			
Total number of incidents investigated	1312 (1500)	546 (573)	1858 (2073)
Number of individuals involved	6832 (4266)	3104 (4664)	9936 (8930)
Number of penalties applied to individuals (including warnings)	2881 (2608)	1132 (1068)	4013 (3676)
<b>Incidents resolved by Officers</b>			
Number of incidents	1272 (1478)	531(546)	1803 (2024)
Number of individuals involved	6025 (3931)	2898 (4494)	8923 (8425)
Number of penalties applied to individuals (including warnings)	2357 (2364)	961(938)	3318 (3302)
<b>Incidents resolved by Malpractice Committee</b>			
Number of cases	40 (22)	15 (27)	55 (49)
Number of individuals involved	807 (335)	206 (170)	1013 (505)
Number of penalties applied to individuals (including warnings)	524 (244)	171 (102)	695 (346)

	Committee Decision (GQ)	Committee Decision (VQ)	Delegated Authority (GQ)	TOTAL
<b>Appeals processed by the Regulations Committee</b>				
Number of appeals	36 (24)	1 (2)	19 (23)	56 (49)
Number of individuals involved	110 (132) candidates 4 teachers	1 (2)	25 (29)	140 (135)
Number of appeals upheld	19 (11)	1 (0)	14 (23)	34 (34)
Number of appeals rejected	17 (13)	0 (1)	5 (0)	22 (14)

It can be seen that although the number of incidents which have been investigated has decreased, in both general and vocational qualifications, there has been a significant rise in the number of individuals involved, and penalties awarded in general qualifications. This indicates a rise in the number of cases involving groups and sometimes whole cohorts of candidates.

Table 2, below, shows in detail the offences committed and penalties awarded for malpractice in general qualifications (not including Key or Functional Skills).

**Table 2: Penalties awarded for candidate malpractice in general qualifications**

	Warning	Mark Revision	Loss of component marks	Loss of all unit marks	Disqualification from unit	Disqualification from the whole qualification	Disqualification from all qualifications	Candidate barred	Script disallowed	Total
<b>Alteration of results documentation</b>	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	1	0	0	0	0	1
<b>Breach of Instructions</b>	24	19	0	5	2	0	0	0	11	61
	31	47	1	3	7	2	0	0	2	93
<b>Breach of supervision</b>	7	0	0	2	7	8	0	1	1	26
	8	1	0	2	6	2	0	0	0	19
<b>Collusion</b>	48	106	1	11	20	4	0	0	5	195
	20	173	0	28	30	2	0	0	10	263
<b>Copying</b>	9	25	0	11	9	21	0	0	0	75
	26	7	2	3	48	7	0	0	28	121
<b>Deliberate destruction of work</b>	0	0	0	1	0	0	0	0	0	1
	0	0	0	2	0	0	0	0	0	2
<b>Disruptive Behaviour</b>	22	0	15	73	10	5	0	0	0	125
	36	0	12	51	28	18	0	0	49	194
<b>Exchanging information - talking</b>	5	0	2	35	5	0	0	0	0	47
	16	0	11	33	6	1	0	0	0	67
<b>Exchanging information - written</b>	3	0	0	0	3	0	0	0	0	6
	12	0	0	1	0	3	0	0	0	16
<b>False declaration of authenticity</b>	0	0	0	0	1	0	0	0	1	2
	0	0	0	0	1	0	0	0	0	1
<b>Misuse of examination material</b>	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0

	Warning	Mark Revision	Loss of component marks	Loss of all unit marks	Disqualification from unit	Disqualification from the whole qualification	Disqualification from all qualifications	Candidate barred	Script disallowed	Total
<b>Notes in wrong format</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
	40	152	0	0	0	0	0	0	0	192
<b>Offensive or obscene material</b>	<b>100</b>	<b>0</b>	<b>6</b>	<b>61</b>	<b>38</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>213</b>
	123	1	17	64	17	13	0	0	0	235
<b>Personation</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
	0	0	0	0	1	0	0	0	0	1
<b>Plagiarism</b>	<b>12</b>	<b>16</b>	<b>0</b>	<b>8</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>91</b>
	5	14	12	12	20	7	0	0	4	74
<b>Theft</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	0	0	0	0	0	1	0	0	0	1
<b>Unauthorised Material: Calculators, dictionaries</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>8</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16</b>
	5	2	4	5	0	0	0	0	19	35
<b>Unauthorised Material: Mobile phone</b>	<b>80</b>	<b>0</b>	<b>9</b>	<b>189</b>	<b>36</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>321</b>
	117	0	44	167	44	9	0	0	0	381
<b>Unauthorised Material: Notes</b>	<b>13</b>	<b>15</b>	<b>0</b>	<b>36</b>	<b>38</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>105</b>
	18	60	8	33	27	5	5	2	0	158
<b>Unauthorised Material: Own blank paper</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	0	0	0	0	0	0	0	0	0	0
<b>Unauthorised Material: Personal stereo</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>19</b>
	16	0	0	9	0	0	0	0	0	25
<b>Undermining integrity of exam</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>
	0	0	0	0	1	0	3	0	0	4
<b>Total</b>	<b>346</b>	<b>183</b>	<b>34</b>	<b>445</b>	<b>224</b>	<b>61</b>	<b>1</b>	<b>1</b>	<b>20</b>	<b>1315</b>
	473	457	111	413	237	70	8	2	11	1883

The above figures show that the major areas of concern remain, namely, the presence and use of mobile phones in the examination room, offensive content in examination scripts, disruptive behaviour in the exam room and collusion in coursework or controlled assessment components. Despite the introduction of controlled assessment the figures show an increase in the amount of plagiarism (unattributed copying from published sources) and this remains an area of concern.

The sharp reduction in the number of cases of "Notes in the wrong format" is largely a consequence of the withdrawal of old specifications with assessment schemes which gave rise to this problem.

A comparison of the totals in Tables 1 and 2 indicates, very unusually, that the number of candidates whose marks had to be adjusted as a result of teacher maladministration and malpractice (1566) exceeded the number of candidates who lost marks through their own malpractice (1315). This was a year of large cases. In one instance all the coursework from a school's entire GCSE Science entry had to be set aside and candidates received results based on their other components.

## Section B – Examined vocational qualifications, Asset Languages and Key Skills

The frequency of offences in these types of qualifications can be seen in table 3.

**Table 3: Incidence of malpractice by type (vocational qualifications and Key Skills)**

(The figures in brackets represent the totals for 2009/10)

	VQ and Asset Languages 2010/11	Key and Functional Skills 2010/11
<b>TOTAL</b>		
Alteration of results documents	0 (0)	0 (0)
Breach of instructions	68 (91)	32 (18)
Breach of security	23 (42)	8 (3)
Copying/collusion	90 (85)	40 (26)
Deliberate destruction of work	0 (0)	0 (0)
Disruption	3 (6)	6 (7)
Exchanging information (Communication)	0 (1)	1 (2)
False declaration of authenticity	0 (5)	0 (0)
Misuse of examination material and resources	1 (2)	0 (0)
Notes in the wrong format/prohibited annotations	0 (0)	1 (0)
Offensive script	6 (5)	1 (2)
Personation	0 (0)	0 (0)
Plagiarism	45 (4)	0 (0)
Theft	0 (0)	0 (0)
Unauthorised material (including mobile phones)	4 (7)	33 (32)
Undermining integrity of the exam	9 (1)	2 (0)
Fraud	2 (4)	3 (1)
Maladministration	91 (105)	54 (92)
Tutor assistance	14 (20)	5 (7)
Miscellaneous	2 (2)	2 (3)

Again, the pattern of offences occurring most frequently remains the same. The only significant change is a sharp increase in plagiarism (found in the OCR Nationals).

## Section C – Verified qualifications

### Introduction

This part of the report summarises the malpractice and non-compliance issues which have been dealt with during the period 1 October 2010 to 30 September 2011. The first section reports on compliance investigations for verified qualifications, while the second section focuses on the process of the application of the sanctions to OCR centres.

### Compliance Investigations

Compliance investigations result from allegations and other issues brought to the attention of the Compliance Team by external verifiers, whistleblowers, regulators and other agencies. Table 4, below shows the number of investigations in the previous four years

**Table 4: Number of compliance investigations**

	2007/08	2008/09	2009/10	2010/11
Total number of compliance investigations	22	25	19	31

The number of compliance investigations for verified qualifications has increased this year but still remained fairly constant over the last four years. The figures for this year are broken down into the following categories in Table 5:

**Table 5: Malpractice and non-compliance issues investigated 2010/2011 for verified qualifications**

Outline of Non-Compliance Issue	Number of Issues
Malpractice allegations involving centre management	11
Direct certification claims not reported or portfolios unavailable	4
Centre ownership issue/centre closed	4
Centre reported malpractice	5
Unauthorised use of OCR logo	2
Inappropriate candidate job roles	2
Centre not reported previous sanctions	2
Insufficient evidence	1
<b>Total</b>	<b>31</b>

Significant features of the compliance issues which have been raised throughout 2010/11 are:

- Allegations of centre management acting fraudulently
- Allegations of assessor/internal quality assurance personnel malpractice
- Investigations by Police/Serious Fraud Squad into inappropriate attainment of funds
- Centres making certification claims via Direct Claims Status (DCS) when evidence has not been produced
- Non-notification of DCS certification claims by centres
- Reports of a number of fraudulent certificates being used by candidates to procure jobs or university places
- Centres have closed or have had financial issues
- Centres transferring to OCR from other awarding bodies with previous sanction
- Inconsistent/questionable EV performance.

As a consequence of these investigations, some centres received warnings or were given sanctions, as per the OCR Criteria for verified qualifications and the JCQ Suspected Malpractice in Examinations and Assessments Policies and Procedures. There has also been a significant number of certificates withdrawn due to compliance investigation during this reporting period as the findings from the investigation has identified invalid certification claims.

There have also been a small number of requests for information (10) received from various external bodies including regulators, Border Agency and the Skills Funding Agency.

### Sanctions for non-compliance with the OCR criteria for verified qualifications

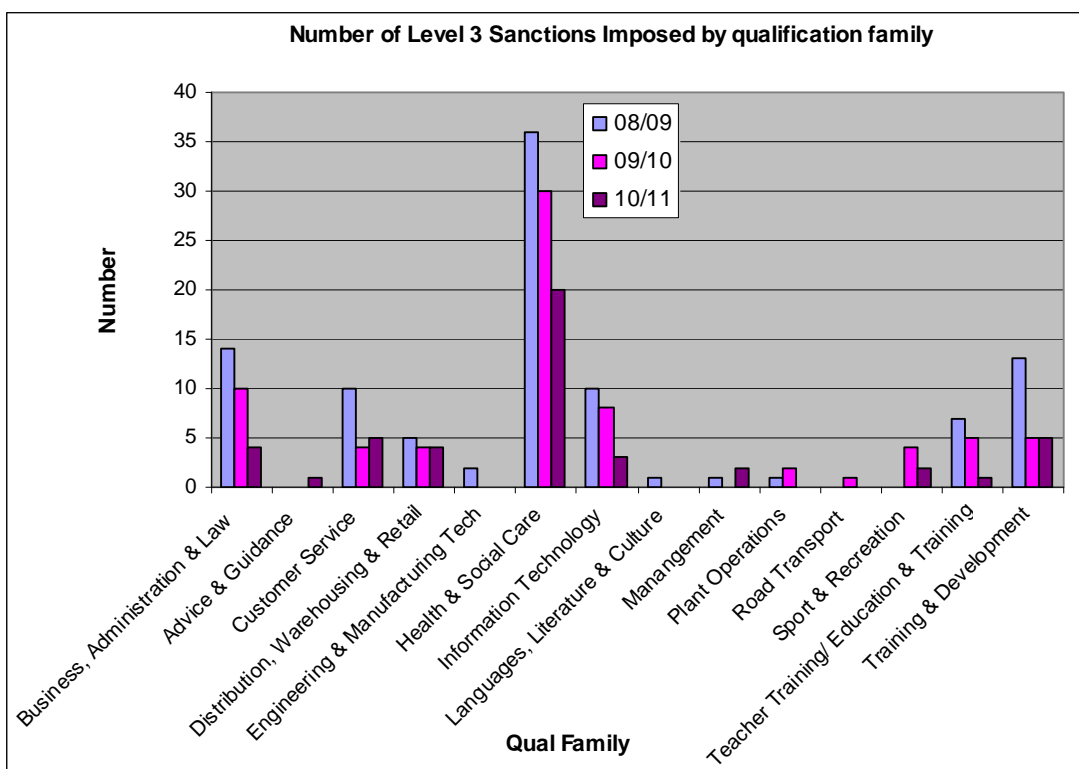
Previously the Tariff of Sanctions for non-compliance was included in the NVQ Code of Practice and used five sanction levels of transgression against the NVQ centre approval criteria. Due to the development of the Qualifications Credit Framework (QCF) and the demise of the NVQ this has now been replaced by the OCR Criteria for verified qualifications which identifies the appropriate sanction levels. This has removed the requirement for the NVQ Code of Practice and has resulted in a reduction in the number of reported sanction levels, as only Levels 1 to 3 apply within the OCR Criteria for verified qualifications. In cases where the traditional Levels 4 and 5 would have been considered (i.e. the removal of qualification or centre approval) these have been processed through the Malpractice Committee and its recommendations have been taken forward through that process. These have not been formally recorded as Levels 4 or 5.

The degree of centre compliance with the OCR Criteria for verified qualifications is judged by External Verifiers at the time of a centre visit, and a recommendation for the application of a sanction is made, if appropriate. Centres can have the sanction removed by completing the action plan which will be devised at the time of the visit.

Where more serious issues of non-compliance are found, the matter is reported to the Compliance Team for follow-up.

The sanction levels reported here are those from Levels 3 to 5 which have resulted from the more serious non-compliance issues.

**Graph 1: Breakdown of Level 3 sanctions imposed for 2008/09, 2009/10 & 2010/11 by qualification family**



## Number of Level 3 Sanctions applied by qualification type

A Level 3 sanction consists of the suspension of the centre's ability to register and/or certificate candidates for a qualification until the reason for the sanction has been addressed. The overall number of Level 3 Sanctions imposed has greatly reduced since last year from 73 in 2009/10 to 46 in 2010/11. The possible reason for this is that the number of centres offering verified qualifications has reduced due to the introduction of the QCF. Overall, the number of sanctions applied and removed by qualification type has remained fairly constant (see Graph 1). There has been a decrease from 30 in 2009/10 to 20 in 2010/11 in the Level 3 Sanctions applied to the Health, Public Service and Social Care qualification family. However, this qualification area has remained the highest scoring sanction area at all sanction levels for last five successive years. There has been one new area added, i.e. Advice and Guidance, having fairly low numbers. Some areas have had no Level 3 Sanctions applied during this reporting period compared to the previous period.

## Number of Qualification or Centre Approval Removals (Previously Level 4 Sanctions and above)

There has been a small increase in the number of centres which have received qualification approval removal (1 in 2008/09, 6 in 2009/10, 7 in 2010/11). Six of the seven centres also had their centre approval removed (Previously a Level 5 sanction). The reason for this increase is mainly due to irretrievable breakdowns in relationships with the centre management and ineffective quality assurance processes within centres. This demonstrates either a lack of understanding of what is required from centres or the centre's disregard for OCR's requirements.

## Appeals

The number of appeals against applied sanctions or centre approval removal is very small and has slightly increased in 2010/11. The following are the number of appeals received in 2008/09, 2009/10 and 2010/11, broken down by sanctions applied:

	2008/09	2009/10	2010/11
Appeal against Level 2 sanction	0	0	2
Appeal against Level 3 sanction	4	2	3
Appeal against centre approval removal (Level 4 sanction)	1	1	2

Appeals against sanctions are processed according to the two stage process, initially by a senior officer in the Compliance Team, with the possibility of referral to the Appeals/Regulations Committee if needed. There was one referral to the Regulations Committee in the period under review.

## Sanctions against centre staff and centres (all qualifications)

Table 6 sets out the figures for penalties awarded to teachers and centres for malpractice, including maladministration. Figures in brackets are those for the previous year.

**Table 6: Penalties and sanctions imposed on staff and centres as a result of maladministration and malpractice**

	GQ 2010/11 (2009/10)	VQ 2010/11 (2009/10)
<b>Number of incidents</b>	<b>47 (49)</b>	<b>15 (11)</b>
<b>Staff sanctions*</b>		
1. Written warning	25 (21)	1 (4)
2. Special conditions	4 (2)	0 (1)
3. Training/mentoring	9 (3)	0 (0)
4. Bar from involvement	9 (6)	10 (4)
<b>Centre sanctions</b>		
5. Warning	3 (13)	0 (0)
6. Head to review procedures and report	1 (3)	5 (1)
7. Increased level of inspection	0 (0)	0 (0)
8. Supervised delivery and collection of examination materials	0 (0)	0 (0)
9. Independent observer	0 (0)	0 (0)
10. Refusal to accept entries	0 (0)	1 (0)
11. De-registration**	1 (0)	2 (2)

\*where the penalty is a bar + supervision/training it has been recorded as only the higher penalty (a bar)

\*\* centre approval withdrawn

## Regulations Committee

No report on the Malpractice and Compliance in OCR qualifications would be complete without a word of thanks to the members of the Regulations Committee, under the chairmanship of Mr Alan Wheeler. The support and advice they give to the officers, and the meticulous attention they pay to appeals is much appreciated.

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