

Instructions and Guidance for Suspected Malpractice

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Introduction

Assessment Specialists play a vital part in ensuring that all qualifications are being completed in accordance with qualification regulations. All reports of suspected malpractice you submit are investigated by OCR's Malpractice Team. This will often involve contacting the centres concerned to request further information and statements from those involved.

When school holidays start, that becomes much more difficult. It is therefore important that all suspected malpractice is reported at the earliest opportunity to the Malpractice Team as delays in reporting suspected malpractice are likely to lead to delays in candidates receiving their results.

What is malpractice?

OCR has a requirement, as stated in the Ofqual General Conditions of Recognition, to have procedures in place for dealing with suspected malpractice on the part of candidates, centre staff or others involved in providing a qualification.

In the context of delivering OCR qualifications, malpractice, which includes maladministration, is defined as any act, default or practice which is a breach of the regulations or which:

- gives rise to prejudice to candidates; and/or
- compromises public confidence in qualifications; and/or
- 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.

This definition is taken from the *JCQ Suspected Malpractice in Examinations and Assessments: Policies and Procedures* <http://www.jcq.org.uk/exams-office/malpractice>. This document also provides further information on the process and procedures followed by OCR for investigating suspected malpractice.

Failure by a centre to investigate allegations of suspected malpractice in accordance with the JCQ Suspected Malpractice in Examinations and Assessments: Policies and Procedures also constitutes malpractice.

The guidance that follows identifies the procedure that must be followed by Assessment Specialists if malpractice is suspected.

There are several forms of malpractice that can be associated with a submission of candidate work from a centre.

In all cases you should mark or moderate the work as normal, you must not attempt to account for any suspected malpractice in your marking.

Please note that in all cases you must not contact the centre if issues of suspected malpractice arise.

Common types of teacher/centre malpractice/maladministration

Malpractice/maladministration in a centre can occur for many different reasons, such as:

- When an overworked and busy teacher misses something
- An inexperienced teacher may not be aware of their responsibilities
- Teachers want to give their candidates as much help as possible to succeed
- Teachers are pushed to help their candidates more to achieve better grades

Teachers do need to know what is expected of them when delivering and preparing internally assessed units for submission and need to make sure they follow regulations.

You are likely to empathise with the stresses that many teachers face, but you must be consistent in referring potential malpractice, as it compromises the integrity of the qualification you are assessing. Also, if not raised, centres, teachers and/or candidates will not learn and could make further or more serious breaches in the future.

Maladministration

Teachers have many duties to fulfil in preparing their submissions for moderation. It is important that they understand the requirements of a qualification before they start to deliver it. This includes knowing:

- Time and/or word limits
- Security of candidate work
- Submission requirements
 - Completion of assessment forms
 - Candidate declarations
 - Centre authentication
 - Deadlines
- Providing OCR with filmed evidence of moderation day activities

Maladministration is a form of malpractice which covers mistakes or poor process where there is no intention to breach the regulations. Good planning should always ensure maladministration doesn't occur.

Over guidance: Improper assistance

Improper assistance is malpractice that occurs when a teacher or an assistant gives excessive guidance to an individual candidate or to the whole group.

Depending on the component you moderate, some or all the following might indicate improper assistance:

- Marked drafts are included with the final submitted copy
- Different use of fonts and/or writing styles within a candidate's script.
- Different handwriting within a candidate's script.
- Unusual and/or identical answers and/or errors, particularly when given by all or most candidates.
- Comments and suggestions for improvements are found e.g. 'Your evaluation picks up lots of strengths, but what about the weaknesses?' or 'Look at Page 10 of your presentation you haven't explained your approach'
- Use of guidance and feedback to lead the candidate to the answer
- Giving detailed guidance stating what to do and how to do it, so that candidates do not need to recall or apply their learning
- "Writing frames" or other hand-outs found in a candidate's portfolio
- The candidate's work is formulaic with an accumulation of identical headings and content which may suggest the use of templates.

Teachers can give candidates general guidance and feedback to help them progress, but they need to know and stay within the boundaries of the regulations. Too much guidance can be very tempting when you want your candidates to do well.

The following are acceptable within the boundaries of general guidance:

- Using parts of the specification and set assignments as general guidance
- Reminding candidates of prior lessons to help trigger their thinking
- Stopping delivery of internal assessed unit/component to deliver a generic lesson that covers a topic the candidates seem to have forgotten
- Allowing candidates to use generic tables and charts templates where they are used in common practice within a subject
- Giving non-specific reminders, e.g. 'Where is your response on your evaluation?' or 'Look at your presentation again'.

Over Guidance: Improper use of exemplar materials held securely

OCR provides a range of exemplars for each qualification. Those that are seen publicly on the website offer free access to all, teachers and candidates etc.. The materials delivered through CPD training or held behind a 'log in' (Interchange, train.ocr.org, Teach Cambridge) are offered for use by teachers only.

These exemplars are intended to provide **guidance to teachers** on

- How content might be delivered
- How candidate submissions might be marked

Exemplars held in secure areas are **not** intended to be used as resources for candidates and must not be used as templates, writing frames or prompts and must not be shared on school intranets, or any form of social media.

If a candidate were to copy from them without referencing, this would be plagiarism, but for a teacher this is over guidance.

Common types of candidate malpractice

In our generic online training to support teachers ([OCR Train, accessed through My Cambridge](#)) called 'Building Confidence in Internal Assessment' the following quote is made:

“Every learner must produce their own work independently. You must put in place appropriate mechanisms to make sure that you can be confident that the work you accept as evidence of a learner’s achievement is their own.”

During your marking, you may find you have concerns with the authenticity of candidate work. These concerns could suggest malpractice.

Candidate malpractice is not always deliberate, but it must always be dealt with appropriately. The details that follow will help you to identify where malpractice may have occurred.

Copying

You can usually detect copying between candidates by one of the following

- Identical unusual errors, especially in spelling.
- Correct answers after incorrect working/calculations.
- Identical wording, often with identical unusual grammar or vocabulary.
- Impossibly identical results in scientific experiments or in practical assessments.
- Numerous identical corrections by a group of candidates.
- Identical presentation or formatting of internal assessment.

If you suspect copying then it is helpful if you can indicate who has copied from whom, and which passages are affected. If it seems that both candidates have willingly been copying, then this offence is described as collusion.

Collusion

Collusion is defined as evidence that the candidate has worked collaboratively with other candidates beyond what is permitted by the specification. Collusion can occur between two or more candidates and is apparent when;

- Candidates' work follows an unusually identical plan
- Sections of candidate work are similar or identical

Inappropriate, offensive or obscene material

You are the judge of what is offensive in a candidate's work. As a guide – if it offends you, report it.

If candidates' work is submitted with facetiousness, mild criticism or political statements, these can be ignored. However, obscenities, lewd comments or drawings, offensive comments aimed at others, and sexist or racist remarks will need to be reported.

You should also report any material which gives you cause for concern for the candidate. Please refer to [Safeguarding – The protection of children and vulnerable adults](#). This is available on the assessor communications website under the "Library" tab, included in the documents under "Legal/Policy/Malpractice".

Plagiarism

Plagiarism means unacknowledged copying from published and electronic sources. It also includes incomplete referencing, where a candidate has not acknowledged the source of a piece of writing.

If candidate work has been copied from a published or electronic source, and has been referenced, this can still be classed as plagiarism. Where the copied work cannot be considered to be his/her own independent work and/or does not demonstrate the candidate's own practice, understanding and knowledge of the subject.

Information such as opinions and views of other people, an amalgamation of information, statistics, infographics or charts produced as the outcome of somebody else's work must always be referenced.

Evidence of plagiarism might include;

- Varying quality of content or style of writing
- Passages that do not make sense - this is usually where a candidate has attempted to change words (sometimes using a thesaurus) in work they have copied without understanding the meaning of the work.
- Dated expressions and references to past events as being current
- Use of American expressions and contexts
- Use of specialist language or jargon
- Inconsistent use of font or format (if the document is typed)

Plagiarism (misuse of AI)

Candidates who misuse AI such that the work they submit for assessment is not their own will have committed malpractice. Candidates must make sure that work submitted for assessment is demonstrably their own. If any sections of their work are reproduced directly from AI generated responses, those elements must be identified by the candidate and referenced appropriately.

As well as the above, evidence of AI misuse might include:

- Inclusion of references which cannot be found or verified (some AI tools have provided false references to books or articles by real authors).
- Instances of incorrect/inconsistent use of first-person and third-person perspective where generated text is left unaltered.
- A lack of graphs/data tables/visual aids where these would normally be expected.
- Content being more generic in nature rather than relating to the candidate themselves, or a specialised task or scenario, if this is required or expected.

False or incomplete declaration of authenticity

A false or incomplete declaration of authenticity occurs when a candidate presents work (or sections of work) as their own, when in fact someone else has produced it.

If you suspect that there has been copying, collusion or plagiarism then use these terms when reporting. However, there may be occasions when a candidate has been helped by a family member or a tutor. Clues to this may be sections of the work where a more advanced vocabulary is used, or where there is a greater level of understanding or depth to the work than is generally found elsewhere. It may also be identified by a change in handwriting style.

It is important to be aware of the requirements of the specification you are assessing, as there are instances when obtaining ideas and opinions from others is essential. However, these must be appropriately acknowledged by the candidate and/or centre.

Saving work to areas accessible to other candidates

In a world of online technology, social media and online forums, candidates can find it very useful to look online for research and advice but there are rules on what they can share and discuss online. Much of this will feed into the previous sections, but posting their work online, in part or full, before an assessment whilst the assessment is still live is not accepted, this includes:

- The Internet
- Social networking sites (e.g. Facebook, Twitter)
- The school/centre intranet.

Common types of candidate malpractice and Moderator considerations

The previous sections help to define areas of malpractice more clearly, though some qualifications can be more susceptible to malpractice occurrences than others.

Also, some qualifications have specific requirements where for instance, interacting with other people and obtaining their feedback is positively encouraged whilst working on a project or assignment. In such instances, the Standardisation Meeting will contextualise specific considerations that you should be aware of.

The following table will help you to better understand what to look out for and how handle different types of malpractice.

Type of malpractice	Centre / teacher / candidate requirement	Moderator considerations
Maladministration: Missing deadlines	Centres are required to submit both their marks and their work to a given deadline	OCR will track and handle these instances directly with centres, but to support this you must chase unsubmitted work from 5 days after the release of the sample request. (Refer to <i>'How to handle missing work'</i> guide in the Moderator Toolkit)
Maladministration: Failure to fulfil administrative requirements	Completing authentication, declaration and evidence forms as required (some qualifications have specific requirements that must be met) All centres have a responsibility to ensure that OCR receive filmed evidence of their moderation day visit.	If it is clear through moderation that forms have not been completed that are a requirement for the unit/component, collect evidence and refer it as SusMal.
Maladministration: Adhering to regulations	For most units/components there can be specific time limits	If you notice instances where there appears to be a breach of regulated limits, first refer to the specification, then if needed refer as SusMal.
	For many units/components, work needs to be kept securely, whereby the teacher can lock away and retrieve work between sessions, or at certain times of delivery.	If you notice instances where security of work appears to have been breached, make a note of any instances in the candidate work or forms and refer it as SusMal.

Type of malpractice	Centre / teacher / candidate requirement	Moderator considerations
Over guidance: Improper assistance	Both OCR and JCQ make it clear what is permitted in relation to giving candidates “writing frames” or other hand-outs to complete. Some subjects do have generically recognised tables and charts that are perfectly acceptable.	If candidates are working within an identical framework or responding in their work in a very similar or identical way, this may be improper assistance, copying or just a coincidence, but you must highlight the evidence of this and refer it as potential SusMal.
	Both OCR and JCQ make it clear what is permitted in terms of offering general guidance to candidates and marking drafts before final submission.	Where you have evidence of a centre or teacher giving improper guidance, either to an individual or the whole sample, you should make notes to highlight the occurrences and refer it as potential SusMal. Examples of such occurrences could include; <ul style="list-style-type: none"> • Post-it notes • Teacher annotations • Candidate write-ups.
Over guidance: Improper use of exemplars and assessment materials	Exemplar material from OCR is held on Interchange so that candidates do not have access to it. It is made clear to teachers and centres that exemplar material is for their use and not for their candidates.	You should be familiar with the exemplar material OCR supply centres as resources to support teachers. If you see clear duplication of this in full or in part, you should collate locations of the occurrences and refer it as SusMal.
Candidate malpractice: Copying	As outlined in the section above	If you suspect copying, then it is helpful if you can indicate the sections/responses affected.
Candidate malpractice: Collusion	As outlined in the section above	If it seems that both candidates have willingly been copying then this offence is described as collusion, you should indicate which candidates you believe to be involved and indicate the sections/responses affected.
Candidate malpractice: Plagiarism (including misuse of AI)	As outlined in the section above	When reporting plagiarism, it is helpful if you can indicate the sections/responses affected. You must not attempt to make allowance for plagiarism in marking and should report suspected plagiarism even if the teacher has acknowledged it in their marking or on the cover/mark sheet

Type of malpractice	Centre / teacher / candidate requirement	Moderator considerations
Candidate malpractice: False or incomplete declaration of authenticity	As outlined in the section above, being aware of subject specific variations	If you suspect that a candidate has been helped by a family member, a tutor or someone else, but this is not declared you should collate the location(s) where you believe the occurrences have happened.
Candidate malpractice: Inappropriate, offensive or disturbing material	As outlined in the section above	If you observe inappropriate, offensive or disturbing material, you should indicate where you believe it has occurred and refer it to Safeguarding (srteam@ocr.org.uk).
Candidate malpractice: Saving work available to other candidates	As outlined in the section above, being aware of subject specific variations	If there is evidence that a candidate has published their work at some point that will have put it at risk of being available to other candidates, we need to know. We may need to add it to our plagiarism checks. You should indicate the whole or part material you believe to have been shared, referring it as potential SusMal.

Important information: In all cases you should moderate the work as normal and you must not attempt to account for any suspected malpractice when giving your assessed moderator's mark.

Reporting suspected malpractice

In the first instance, you may find it helpful to discuss your concerns about a centre with your supervisor. When reporting suspected malpractice please keep your comments factual and do not use emotive language. If the incident is referred to OCR's Malpractice Committee or the Appeals Committee your comments may be read by the centre.

You should report instances even if you think the candidate has not benefited from the breach of regulations or has clearly failed. It is the evidence of malpractice that is relevant and that must be dealt with if the integrity of the qualification is to be maintained. Routine checks in other subjects may follow upon a report of suspected malpractice to discover whether the concerns are more widespread.

Important information: Please note that in all cases you must **not** contact the centre if issues of suspected malpractice arise.

Additional guidance for postal moderation

To ensure the investigation can be started as soon as possible, use the following steps:

1. Moderate any suspect work in the usual way without your suspicions impeding your judgements
2. If inconsistencies in marking are identified, handle them in the usual way (this needs to be resolved before the investigation commences). (Refer to the 'Checking for inconsistent marking' guide)
3. Write your ModRep with no mention of your suspicions
4. Prepare a [Suspected Malpractice Report Form](#) to OCR of the reasons for your suspicions, stating
 1. what the suspected malpractice is
 2. which regulation has been broken (if known). If necessary, refer to specification or qualification guidelines to support the investigation.
 3. Specific folder and/or files names that need to be reviewed

If your qualification is on Modman, you need to select the drop down 'malpractice for all candidates' in Modman to complete.

1. Email your report to OCR.Malpractice@ocr.org.uk using the centre number and unit/component number as your messages 'Subject' (e.g. 00000 R082/02)
2. Attach a copy of the report to the centre in ModMan for reference
3. Select the appropriate malpractice status in ModMan:
 1. Select 'Agree Malpractice' because you agree with the centre marking
 2. Select 'Disagree Malpractice' because you disagree with the centre marking
3. Submit the centre in ModMan
4. Send the whole sample of work including (USBs, CDs, moderations notes etc.) directly to the Compliance Team. (Refer to *Movement of moderation materials* guide in Moderator Toolkit.)

Compliance Team
OCR
The Triangle Building
Shaftesbury Road
Cambridge
CB2 8EA

You do not need to escalate the centre to your supervisor to check the suspected malpractice. You should only escalate a centre to your supervisor for the following reasons:

- You have talked to your supervisor and it is agreed that they need to see the work of the centre following your own moderation (your supervisor can revert the centre back to you if necessary)
- Your third Quality Assurance check centre (QA3)

Important information: You must not make any reference to your concerns in your ModRep. You should offer non-controversial feedback, that doesn't make any accusation, feeding back to the centre on the three reporting sections as appropriate.

If you are unsure how to phrase comments in the report so that they are non-controversial yet helpful to the centre you should seek advice from your supervisor prior to submitting the unit.

Additional guidance for visiting moderation (Art and Design)

Where malpractice is suspected during the moderation visit, you need to continue with the moderation visit and not inform the centre. You should contact your supervisor immediately, who will be able to advise you on what action to take. The moderation visit must continue as normal until you have received instructions from your supervisor

If the supervisor confirms that you should report this a suspected malpractice; to ensure the investigation can be started as soon as possible, use the following steps:

1. Moderate any suspect work in the usual way without your suspicions impeding your judgements
2. If inconsistencies in marking are identified, handle them in the usual way (this needs to be resolved before the investigation commences). (Refer to 'Checking for inconsistent marking' guide)
3. Write your ModRep with no mention of your suspicions
4. Prepare a [Suspected Malpractice Report Form](#) to OCR of the reasons for your suspicions, stating
 1. what the suspected malpractice is
 2. which regulation has been broken (if known). If necessary, refer to specification or qualification guidelines to support the investigation.

You need to select the drop down 'malpractice for all candidates' in Modman to complete.

1. Email your report to OCR.Malpractice@ocr.org.uk using the centre number and unit/component number as your messages 'Subject' (e.g. 00000 R082/02)
2. Attach a copy of the report to the centre in ModMan for reference

3. Select the appropriate malpractice status in ModMan
 1. Select 'Agree Malpractice' because you agree with the centre marking
 2. Select 'Disagree Malpractice' because you disagree with the centre marking
 3. Submit the centre in ModMan

Important information: You must not make any reference to your concerns in your ModRep. You should offer non-controversial feedback, that doesn't make any accusation, feeding back to the centre on the three reporting sections as appropriate.

If you are unsure how to phrase comments in the report so that they are non-controversial yet helpful to the centre you should seek advice from your supervisor prior to submitting the unit.

Additional guidance for Visiting Moderation (Practical Performance)

Where malpractice is suspected during the moderation visit, you need to continue with the moderation visit and not inform the centre. You should contact your supervisor immediately, who will be able to advise you on what action to take. The moderation visit must continue as normal until you have received instructions from your supervisor.

Additional guidance for Repository/Submit for Assessment moderation

If you are moderating a sample using the Repository method, follow steps 1-8 above for postal moderation.

Instead of sending the sample confirm when emailing your report to OCR.Malpractice@ocr.org.uk that the candidate work is available in the Repository or in the Submit for Assessment system.

Implications of malpractice

Like all Awarding Organisations, we take any allegation of malpractice very seriously and work closely with centres to resolve issues quickly and fairly.

In many cases, teachers who commit malpractice are not even aware that they have breached rules or regulations. Teachers who commit malpractice might be given warnings, training or be suspended from all assessment and administration of OCR qualifications.

All reports of suspected malpractice are investigated by OCR's Malpractice Team. This will often involve contacting the centres concerned to request further information and statements from those involved.

In the June series this becomes much more difficult once the summer holidays start. Malpractice cases received before 11th July have an 80-90% chance of being resolved by results day. This is reduced to around 50% for malpractice cases received after the start of the school holidays.

All suspected malpractice must be reported immediately to the OCR Malpractice Team. If cases can't be resolved before Results Day candidates' results will be withheld.

Important information: All suspected malpractice must be reported immediately to the OCR Malpractice Team. If cases can't be resolved before Results Day candidates' results will be withheld.

Supporting your team with suspected malpractice centres

Team Leaders

If while undertaking their moderation task a moderator comes across something that causes them concern, they will report this to you, likewise you should refer causes for concern immediately to your Principal Moderator.

If a moderator in your team reports a concern to you, you must acknowledge receipt and then, where appropriate, escalate this to the Principal Moderator.

However, in the case of malpractice OCR needs to handle investigations as quickly as possible, so prioritising these instances and not allowing them to slip down a worklist is critical.

Your moderators may just want your reassurance but if they identify a centre that they feel is potentially suspected malpractice, you should support them in progressing the moderation of this centre in the usual way and for them to forward it straight to the Compliance Team, unless it either needs returning to the centre to resolve an instance of inconsistent marking, or it needs to be escalated to you due to it being more than twice tolerance.

Handling suspected malpractice in escalated centres

As a Team Leader you may still receive escalated incidents of suspected malpractice from members of your team.

We are asking that all suspected malpractice is reported directly to the Compliance Team. If you receive a report of suspected malpractice from a member of your team and there are no other issues, please forward the report and work, by DHL, to the Compliance Team immediately.

If a centre is escalated to you as part of the moderation process and a suspected malpractice report is enclosed, moderate as usual and forward the work along with the report to the Compliance Team.

If the centre needs to be escalated to your APM or PM, forward this work to them by DHL in the usual way.

Hints & tips:

You should make clear to your team at standardisation that if the centre/unit is out of tolerance or inconsistent they must inform you when submitting units which have been identified as SusMal.

Such units will escalate to your Submissions to Review list and you need to prioritise them, especially if the work needs to be moved by post. Because the work doesn't show up as SusMal until it is viewed in ModMan you may be unaware of the need to prioritise the unit.

Clear communication using centre and unit numbers in the 'Subject' line of emails will help flag up the work to you.