



## Ribston Hall High School

### Examinations Whistleblowing Policy

<b>Date of Policy:</b>	October 2023
<b>Person(s) Responsible:</b>	Headteacher with Examinations Officer
<b>Date of Next Review:</b>	October 2024

#### Introduction

Staff at Ribston Hall High School are made aware that they have a duty to report any concerns they have about the conduct of examinations. The head of centre and governing board aim to create and maintain an approach to examinations that maintains the integrity and security of examinations.

In compliance with section 5.11 of the JCQ's **General Regulations for Approved Centres**<sup>1</sup>, the school will:

- take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments have taken place
- inform the awarding body **immediately** of any alleged, suspected or actual incidents of malpractice or maladministration, involving a candidate or a member of staff.
- 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**<sup>2</sup> and provide such information and advice as the awarding body may reasonably require

#### Purpose of the policy

This policy:

- identifies how to report concerns
- explains how such concerns will be investigated and sets expectations regarding the reporting of outcomes
- provides details of relevant bodies to whom concerns about wrongdoing can be reported, including awarding organisations and regulators
- includes a commitment to do everything reasonable to protect the reporter's identity
- sets out how those raising concerns will be supported.

#### Reporting

If a member of centre staff, a student or a member of the public (such as a parent/carer) has a concern or reason to believe that malpractice has or will occur in an examination or assessment, concerns should normally be raised initially with the Head of Centre. However, there may be times when it may be more appropriate to refer the issue direct to the Board of Trustees, most often when the allegation is against the head of centre.

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<sup>1</sup> Reference [www.jcq.org.uk/exams-office/general-regulations/](http://www.jcq.org.uk/exams-office/general-regulations/)

<sup>2</sup> Reference [www.jcq.org.uk/exams-office/malpractice/](http://www.jcq.org.uk/exams-office/malpractice/)

## Examples of malpractice

- Failure to comply with exam regulations as set out by JCQ
- A security breach of the examination paper
- Conduct of centre staff which undermines the integrity of the examination
- Unfair treatment of candidates by either giving an advantage to a candidate or disadvantaging candidates by not providing access to the appropriate conditions
- Possible fraud and corruption
- Abuse of authority
- Other conduct which may be interpreted as malpractice/maladministration

## Whistleblowing procedure

If the individual does not feel safe raising the issue/reporting malpractice within the centre, or they have done so and are concerned that no action has been taken, that individual could consider making their disclosure<sup>3</sup> to a malpractice expert at the awarding body for the qualification where malpractice is suspected.

For members of centre staff, it is likely that the Public Interest Disclosure Act (PIDA)<sup>4</sup> offers you legal protection from being dismissed or penalised for raising certain serious concerns. Whistleblowing rights under PIDA are day one rights<sup>5</sup>. This means that the worker does not need the same two years' service that is needed for other employment rights.

In order to investigate concerns effectively, the awarding body should be provided with as much information as possible/is relevant, which may include:

- The qualifications and subjects involved
- The centre involved
- The names of staff/candidates involved
- The regulations breached/specific nature of suspected malpractice
- When and where the suspected malpractice occurred
- Whether multiple examination series are affected
- If the issue has been reported to the centre and what the outcome was
- How the issue became apparent

Members of the public are not protected by PIDA, but the awarding body will make every effort to protect their identity, unless the awarding body is legally obliged to release it<sup>6</sup>.

## Anonymity

In some circumstances, the whistleblower might find it difficult to raise concerns with the nominated member of the senior leadership team. If a concern is raised anonymously, the issue may not be able to be taken further if insufficient information has been provided. In such instances, and if appropriate, the allegation may be disclosed to a union representative, who could then be required to report the concern without disclosing its source. Alternatively, whistleblowers or others with concerns about potential malpractice can report the matter direct to Ofqual, who is identified as a 'prescribed body'<sup>7</sup>.

A whistleblower can give his/her name but may also request confidentiality; the person receiving the information should make every effort to protect the identity of the whistleblower.

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<sup>3</sup> Reference [www.jcq.org.uk/exams-office/malpractice/public-interest-disclosure-act/](http://www.jcq.org.uk/exams-office/malpractice/public-interest-disclosure-act/)

<sup>4</sup> Reference **Public Interest Disclosure Act 1998** [www.legislation.gov.uk/ukpga/1998/23/contents](http://www.legislation.gov.uk/ukpga/1998/23/contents)

<sup>5</sup> Reference <https://protect-advice.org.uk/pida/>

<sup>6</sup> Reference [www.ocr.org.uk/administration/general-qualifications/assessment/malpractice/whistleblowing/](http://www.ocr.org.uk/administration/general-qualifications/assessment/malpractice/whistleblowing/)

<sup>7</sup> Reference [www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies](http://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies)