WHISTLEBLOWING POLICY (Exams)

Effective from 1 September 2026

This policy is reviewed annually to ensure compliance with current regulations and reflects centre practice.

Approved/reviewed by	
Katie James – Deputy Head, Acting Head on behalf of Tanya Kelvie	
Date of next review	02/11/2027

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Key staff involved in the policy/procedure

Role	Name(s)
Head of centre	Katie James – Deputy Head, Acting Head on behalf of Tanya Kelvie
Senior leader(s)	Hannah Davies-Lane
Exams officer	Sara Henderson-Smith

Introduction

Whistleblowing at Aylesford School is encouraged, not penalised, and staff are made aware that they have a duty to report any concerns they have about the conduct of examinations and assessments.

The head of centre and governing body at Aylesford School aim to create and maintain an approach to examinations and assessments that reflects an ethical culture, and encourages staff and students to be aware of and report practices that could compromise the integrity and security of examinations and assessments.

All staff involved in the administration and conduct of examinations and assessments are made aware that concerns relating to malpractice, maladministration, examination security, safeguarding, fraud, or other regulatory breaches may constitute a protected disclosure under the Employment Rights Act 1996. Staff raising concerns in the public interest will be protected from detriment or unfair treatment in accordance with the centre's whistleblowing procedures and applicable employment legislation. The centre will ensure that all concerns are investigated promptly, fairly, and confidentially.

This whistleblowing policy also includes **exam-related concerns**, including:

- Candidate malpractice
- Staff malpractice
- Maladministration
- Confidential material breaches
- Access arrangements
- Results and post-results services
- Safeguarding during examinations
- Cybersecurity incidents affecting examinations

In compliance with section 5.11 of the JCQ's **General Regulations for Approved Centres**[1], Aylesford 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, by completing the appropriate documentation
- as required by an awarding body, gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ document **Suspected Malpractice Policies and Procedures**[2] and provide such information and advice as the awarding body may reasonably require

This policy requirement was added within **General Regulations for Approved Centres** in response to the recommendations within the report of the *Independent Commission on Examination Malpractice*[3].

This policy sets out the whistleblowing procedures at Aylesford School. It has been produced (and reviewed) by Sara Henderson-Smith and reviewed by Katie James who is also a member of the senior leadership team and responsible for handling any cases of whistleblowing. Katie James is fully aware of the contents of this policy and will escalate any instances of malpractice through the head of centre to the relevant awarding body/bodies.

This policy also sets out the principles which allow members of centre staff and students to feel confident in reporting instances of actual, alleged or suspected malpractice to relevant members of senior leadership, and the steps which should be taken if suspected malpractice is not reported in line with JCQ requirements.

Purpose of the policy

This policy:

[1] Reference www.jcq.org.uk/exams-office/general-regulations/
[2] Reference www.jcq.org.uk/exams-office/malpractice/
[3] Reference www.gov.uk/government/news/independent-commission-on-examination-malpractice

- encourages individuals to raise concerns, which will be fully investigated by appropriately trained and experienced individuals
- 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, if requested
- sets out how those raising concerns will be supported

This policy also details the steps that could be taken by an individual involved in the management, administration and/or conducting of examinations and assessments if Aylesford School fails to comply with its obligation to report any alleged, suspected or actual incidents of malpractice or maladministration.

The Whistleblower

A whistleblower is defined as a person who reports an actual or potential wrongdoing and is protected by the Public Interest Disclosure Act 1998, providing they are acting in the public interest.

If the person raising the issue is a worker, this will be considered as whistleblowing. This includes agency staff and contractors.

Exams office staff can make a protected disclosure if they reasonably believe that one or more of the following has occurred, is occurring, or is likely to occur:

- A criminal offence
- A failure to comply with a legal obligation
- A miscarriage of justice
- A danger to health and safety
- Damage to the environment
- The deliberate concealment of information relating to any of the above

Reporting

If a member of centre staff involved in the management, administration and/or conducting of examinations and assessments (such as exams officer, exams assistant or invigilator), 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 Sara Henderson-Smith, Exams Officer.

However, there may be times when it may be more appropriate to refer the issue direct to the governing body, most often when the allegation is against the head of centre.

Examples of malpractice

In addition to the centre wide Whistleblowing Policy, this exams-specific policy includes reference to exams-related breaches including, but not limited to, the following:

- Deliberately failing to follow/comply with JCQ regulations as set out by the Joint Council for Qualifications and its awarding bodies
- Deliberately altering examination entries which may be defined as maladminsitration
- Failing to report a security breach of the examination paper
- Conduct of centre staff which undermines the integrity of the examination/assessment
- Unfair treatment of candidates by either giving an advantage to a candidate/group of candidates (e.g. by permitting a candidate an access arrangement which is not supported by appropriate evidence), or disadvantaging candidates by not providing access to the appropriate conditions/access arrangements (providing a 'level playing field')
- Allowing unauthorised access to confidential examination materials
- Falsifying candidate records
- Manipulating examination results

- Possible fraud and corruption (e.g. accessing the exam paper prior to the exam to aid teaching and learning)
- Concealing/failing to report candidate malpractice
- Abuse of authority (e.g. the head of centre/members of the senior leadership team overriding JCQ and awarding body regulations)
- Sexual harassment within the exam team

Whistleblowing procedure

If an 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[4] 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)[5] offers you legal protection from being dismissed or penalised for raising certain serious concerns ('blowing the whistle'). Whistleblowing rights under PIDA are day one rights[6]. 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 if that is what they wish, unless the awarding body is legally obliged to release it[7].

Alternatively, a disclosure may be made to Ofqual[8] as a prescribed body for whistleblowing to raise a concern about wrongdoing, risk or malpractice.

Exams Officer Professional Standards

If an exams officer is completing the *Exams Officer Professional Standards* (see the National Association of Examinations Officers website for more information), as part of their annual professional development, they - and their line manager - will be required to sign a *Values and Attributes statement*.

By signing this statement the exams officer, and their senior leadership team/line manager, are identifying a set of common values and attributes. These include support for an exams officer when they are faced with a situation where they may be compromised by, or put under pressure to accept, a centre decision which may not align with JCQ and awarding organisation regulations (for example, being asked not to report an instance of suspected/actual malpractice). In such circumstances, the exams officer must act in line with the procedures set out in this policy.

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

[4] Reference www.jcq.org.uk/knowledge-hub/public-interest-disclosure-act-whistleblowing/
[5] Reference **Public Interest Disclosure Act 1998** www.legislation.gov.uk/ukpga/1998/23/contents
[6] Reference www.acas.org.uk/whistleblowing-at-work
[7] Reference www.ocr.org.uk/administration/general-qualifications/assessment/malpractice/whistleblowing/
[8] Reference www.gov.uk/guidance/ofquals-whistleblowing-policy

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'[9]. Awarding organisations are not prescribed bodies under whistleblowing legislation; however, awarding organisation investigation teams do give those reporting concerns the opportunity for anonymity.

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

Students

Students at Aylesford School are made to feel comfortable discussing/reporting malpractice issues of which they are aware. The regulations surrounding their assessments, and wider academic integrity, will be reiterated to students who are undertaking, or who are about to undertake, their courses of study.

[9] Reference www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2