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Official Statistics

Background information for malpractice in GCSE, AS and A level: summer 2022 exam series

Published 14 December 2023

Applies to England

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Purpose

This release presents figures on reported cases of malpractice for which a penalty was issued for GCSE, AS and A level qualifications during the summer 2023 exam series in England, and historical data going back to 2018.

A single malpractice case may involve an individual student, member of school or college staff, or school or college, but may also involve multiple individuals from within or across these groups. A single case may also span one or more qualifications and can involve multiple types of malpractice. It is possible for cases of staff or school or college level malpractice to include both GCSE and AS and A level qualifications.

Geographical coverage

This report presents data on malpractice figures for GCSE, AS and A levels in England only.

Description

Four exam boards offer GCSE, AS and A level qualifications in England:

- AQA Education (AQA)
- Oxford Cambridge and RSA Examinations (OCR)
- Pearson Education Ltd. (Pearson)
- WJEC-CBAC Ltd. (WJEC/Eduqas)

The qualifications covered in this release are regulated by Ofqual. Ofqual publishes [Conditions that set out the requirements that the exam boards it regulates have to meet](#). These Conditions state that an awarding organisation must take all reasonable steps to prevent the occurrence of any malpractice in the development, delivery and award of qualifications which it makes available or proposes to make available. This applies to instances of both 'malpractice' and 'maladministration'. 'Maladministration' generally constitutes mistakes or poor process where there has been no intention on the part of the person responsible to do any harm. By contrast, 'malpractice' will generally involve some form of intent. It may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions. Throughout this report, the term 'malpractice' is used to cover both concepts.

The Joint Council for Qualifications (JCQ) (a membership organisation comprising the eight largest providers of qualifications in the UK) publishes [Suspected Malpractice Policies and Procedures guidance](#) annually. This guidance details the policies and procedures agreed by the JCQ exam boards for dealing with breach of security and malpractice investigations relating to candidates, school or college staff and schools or colleges. [Guidance for the 2022 to 2023 academic year](#) is found on the JCQ website.

A breach of the exam boards' regulations that might undermine the integrity of an assessment may constitute malpractice. This can include, for example, acts of plagiarism committed by students while completing non-examination assessment as well as failures by school or college staff to comply with exam board instructions.

The Conditions require each exam board to investigate allegations or suspicions of malpractice and to manage the effect of any malpractice where they establish that malpractice has occurred. They must take steps to prevent reoccurrence and take action against those responsible that is proportionate to the gravity and scope of the malpractice.

In addition, the Conditions require the exam boards to have up-to-date written procedures relating to the investigation of suspected malpractice. The exam boards are also required to keep under review centres' arrangements to prevent and investigate malpractice.

Exam boards investigate any instances of alleged or suspected malpractice in both examined and non-examination assessments, and take action where appropriate with respect to the students, members of staff, and schools or colleges concerned to protect the integrity of the assessments, or to prevent reoccurrences of malpractice. [Schools and colleges are required to report all incidents of malpractice to the relevant exam boards](#) and cooperate with subsequent investigations. Each case of malpractice, whether reported by the school or college or identified by the exam board, is considered and judged by each exam board on an individual basis in light of all the information available, and any sanction should be proportionate with the gravity of the malpractice as determined by the exam board.

This report shows the number of cases of malpractice for which penalties were applied. The

figures refer to the number of distinct cases of malpractice associated with the relevant category. This is a departure from previous reports, where the figures related to the number of penalties applied (more than one of which may have resulted from a single case) rather than the number of distinct malpractice cases. Therefore, historical figures may differ slightly from those in previous publications.

Student malpractice

Exam boards may impose penalties on students found guilty of malpractice. The penalties for student malpractice vary depending on the type of offence. These penalties can include written warnings, loss of marks, and loss of aggregation or certification opportunity (which includes disqualification from units, components, or whole qualifications, as well as being barred from entering further examinations for a set period of time). An individual student can be penalised more than once in an exam series and by more than one exam board.

A single malpractice case can involve multiple students, and similarly a single student may be involved in more than one case of malpractice.

School or college staff malpractice

Exam boards may impose penalties on school or college staff found guilty of malpractice. These penalties can include:

- a written warning about the implications of repeating the offence
- imposing special conditions on an individual's future involvement in exams and assessments
- requiring specific training or mentoring as a condition of future involvement in exams
- suspending an individual from all involvement in delivering that exam board's exams and assessments for a set period.

Exam boards can only impose sanctions related to a member of staff's involvement in the administration of their examinations; they cannot impose sanctions relating to a member of staff's employment. It is for schools and colleges to determine whether any wider sanction is appropriate (but that is not included in the figures reported here). In serious cases, we expect the exam board to consider whether to refer a case to the Teacher Regulation Authority to determine if a teacher should be prohibited from teaching.

A single malpractice case can involve multiple members of school or college staff, and similarly a single member of staff may be involved in more than one case of malpractice.

School or college malpractice

Instances of malpractice by schools or colleges can range from actions intended to give an unfair advantage to students in an exam or assessment to ignorance of, or inappropriate application of, the assessment regulations. Where there is evidence that malpractice is the result of a serious management failure, an exam board may apply sanctions against a whole department or the school or college.

A single malpractice case can involve multiple school or colleges, and similarly a single school or college may be involved in more than one case of malpractice.

External influences

Coronavirus (COVID-19)

The summer 2020 and 2021 exam series were cancelled as part of the government's response to the coronavirus (COVID-19) pandemic.

In 2020, GCSE, AS and A level students received qualification results based on teacher judgement in the form of a centre assessment grade (CAG). Many of the more common instances of malpractice, such as taking unauthorised material into an examination, were not relevant in 2020. Therefore, the overall number of incidences of malpractice was markedly reduced compared to previous years.

In 2021, although the summer exam series was again cancelled, centres devised their own assessments to use as evidence to support awarding. There was greater potential for malpractice in these processes compared to 2020. For example, bias or discrimination by centre staff, non-engagement with quality assurance processes by centres, or attempts by students to gain an unfair advantage during the centre's process could amount to malpractice. Centres were asked to report these occurrences to awarding organisations.

In 2022, exams and other formal [assessments went ahead with some planned adaptations](#) intended to recognise the disruption to education caused by the pandemic.

In 2023, exams and other formal [assessments went ahead with a return to to pre-pandemic standards](#), with protection built into the grading process to recognise the disruption that students had faced.

Data source

Exam boards submit data to Ofqual for GCSE, AS and A levels they award. Any provider that does not return a complete set of data within the collection period is contacted to make sure the data is as complete as possible. The exam boards may revise their figures for an exam series in

subsequent years.

Limitations

There is potential for error in the information provided by exam boards, therefore Ofqual cannot guarantee that the information received is correct. Ofqual compares the data over time and checks for systematic issues. Summary data are sent back to exam boards for checking and confirmation.

Quality assurance

Quality assurance procedures are carried out as explained in the [Quality Assurance Framework for Statistical Publications](#) published by Ofqual to ensure the accuracy of the data and to challenge or question it, where necessary. Publication may be deferred if the statistics are not considered fit for purpose.

Revisions

Once published, data are not usually subject to revision, although subsequent releases may be revised to insert late data or to correct an error.

Confidentiality and rounding

To ensure confidentiality of the accompanying data, all figures have been rounded to the nearest 5. If the value is less than 5 (1 to 4), it is represented as “Fewer than 5” and 0 represents zero values.

Total values of rows or columns are calculated using unrounded figures; the sum of rounded figures may differ from the total reported.

All percentages are rounded to the nearest whole number, except where smaller magnitudes are needed for meaningful interpretation. As a result of rounded figures, the percentages (calculated on actual figures) shown in tables may not necessarily add up to 100.

Status

These statistics are classified as official statistics.

Our statistical practice is regulated by the [Office for Statistics Regulation \(OSR\)](#). OSR sets the standards of trustworthiness, quality and value in the [Code of Practice for Statistics](#) that all producers of official statistics should adhere to.

You are welcome to contact us directly at data.analytics@ofqual.gov.uk with any comments about how we meet these standards. Alternatively, you can contact OSR by emailing regulation@statistics.gov.uk or via the OSR website.

Related publications

A number of other statistical releases relate to this one, including:

- [Statistics: GCSEs \(key stage 4\) collection](#)
- [Statistics: 16 to 19 attainment collection](#)

For any related publications for qualifications offered in Wales, Northern Ireland and Scotland please contact the respective regulators - [Qualifications Wales](#), [CCEA](#) and the [Scottish Qualifications Authority \(SQA\)](#).

Useful links

- [Data tables](#) accompanying this release
- [Definitions of important terms](#) used in this release
- [Policies and procedures](#) that Ofqual follows for production of statistical releases
- [Suspected Malpractice Policies and Procedures](#) document published by the Joint Council for Qualifications.

Feedback

We welcome your feedback on our publications. Should you have any comments on this statistical release and how to improve it to meet your needs please contact us at data.analytics@ofqual.gov.uk.

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