



Statutory guidance

# National curriculum assessments: maladministration investigation procedures

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## Introduction

The Standards and Testing Agency (STA) has a statutory duty, on behalf of the Secretary of State for Education, to investigate matters which relate to the accuracy of pupils' results and outcomes in the national curriculum assessments.

The legal basis for this is set out in:

- [The Early Years Foundation Stage \(Miscellaneous Amendments\) and Childcare Fees \(Amendment\) Regulations 2021](#)
- [The Education \(National Curriculum\) \(Key Stage 1 Assessment Arrangements\) \(England\) Order 2004 \(as amended\)](#)
- [The Education \(National Curriculum\) \(Key Stage 2 Assessment Arrangements\) \(England\) Order 2003 \(as amended\)](#)

This publication is for local authorities, school leaders, school staff and accountable bodies in all maintained schools, academies, free schools and participating independent schools. It outlines STA's procedures for investigating allegations of maladministration of national curriculum assessments. Investigations are designed to safeguard the integrity of the assessments.

This document covers the:

- reception baseline assessment (RBA)
- phonics screening check
- multiplication tables check (MTC)
- key stage 2 (KS2) tests and teacher assessment

Matters reported to STA about the accuracy of pupils' results in the national curriculum assessments are referred to as 'allegations of maladministration' within these procedures.

Maladministration refers to any act that:

- affects the integrity, security or confidentiality of the national curriculum assessments
- could lead to results that do not reflect pupils' unaided work
- compromises the validity and integrity of the data used by secondary schools (for pupil planning and subsequent pupil learning), the Department for Education (DfE) and parents

All references to 'schools' apply to the different types of schools as set out in the [KS2 assessment and reporting arrangements \(ARA\)](#).

If you are involved in administering a check or test in the academic year 2025 to 2026, or the RBA in the academic year 2026 to 2027, you should prepare by reading the relevant guidance from the:

- [RBA ARA](#)
- [RBA administration guidance](#)
- [phonics screening check ARA](#)
- [phonics screening check administration guidance](#)
- [KS2 ARA](#)
- [MTC administration guidance](#)
- [KS2 test administration guidance](#)
- [KS2 teacher assessment guidance](#)

## Examples of maladministration

Maladministration of the RBA, phonics screening check, MTC or KS2 tests can be unintentional or intentional. It can include:

- test or check administrators over-aiding pupils
- making changes to pupils' test scripts

- schools reporting pupils' phonics screening check scores incorrectly
- schools allowing pupils to restart the MTC for a reason other than those permitted
- schools applying MTC access arrangements which are not part of normal classroom practice
- an MTC input assistant submitting answers without a pupil indicating their intended response
- a practitioner selecting answers in the RBA for a pupil who has not independently indicated their intended response
- unauthorised additional time or timetable variation in the KS2 tests
- failure to notify STA of the use of a scribe, transcribe, word processors, or other technical or electronic aid in the KS2 tests
- not appropriately removing or covering room displays
- early opening of assessment materials without STA's permission
- disclosing test content to a third party or publicly, including online or on social media, before and within the test window – including during timetable variation week

Maladministration of teacher assessment can include:

- changes to teacher assessment judgements
- submitting different data to that agreed during local authority moderation
- submitting pupils' work as independent even though it has been heavily supported
- incorrect or invalid writing evidence

## **Sources of maladministration allegations**

Allegations of maladministration come from various sources, including:

- members of the public, including parents
- primary school staff and governors
- secondary schools
- academy sponsor staff
- local authority staff
- local authorities who conducted KS2 or phonics screening check monitoring visits

- markers of the KS2 tests
- external organisations, such as Ofsted or Ofqual
- individuals who wish to remain anonymous

## Roles and responsibilities

### Standards and Testing Agency

STA's role is to safeguard the integrity of the assessments and results data. STA does not apportion blame for any maladministration. Any subsequent disciplinary proceedings are the decision and responsibility of the school's accountable body, which may make a referral to the [Teaching Regulation Agency \(TRA\)](#).

STA will allocate a case manager to each case of alleged maladministration.

Where applicable, the case manager is responsible for:

- conducting the investigation
- completing script reviews of the relevant KS2 test papers
- reviewing access arrangement applications, aid notifications and their outcomes
- reviewing RBA, phonics screening check or MTC data
- reviewing local authority monitoring visit forms
- communicating with the school to gain further information during the investigation
- communicating the outcome of the investigation to the school and its local authority

### Ofsted

STA shares high-level information on maladministration investigations with Ofsted. This includes the:

- DfE number
- school name
- key stage
- assessment

- allegation type
- outcome of the investigation, once available

STA shares this information to avoid school inspections being scheduled during an investigation. STA does not share details of the investigation itself – for example, documents, reports or conversations. Shared information may be included in discussions between Ofsted and the school.

## Local authorities

STA may ask local authorities to visit schools to gather information as part of an investigation. Local authority staff conducting these visits will be familiar with the [maladministration investigation visits guidance](#) and details of the particular allegation of maladministration, provided by STA before any school visits. STA is responsible for deciding the outcome of all investigations.

## Logging and initial processing of allegations

Allegations of maladministration should be reported by emailing [STA.maladministration@education.gov.uk](mailto:STA.maladministration@education.gov.uk) or by calling the national curriculum assessments helpline on 0300 303 3013.

Schools and local authorities can also self-report any concerns relating to the KS2 tests, KS2 teacher assessment and phonics screening check within their own schools on the [National Curriculum Assessments Portal \(NCA Portal\)](#).

The 'Report maladministration allegations' form is available in the 'Incidents' section of the NCA Portal.

To report a case of a pupil cheating in an end of KS2 test, schools should use the 'Notifications of pupil cheating' form in the 'Incidents' section of the NCA Portal.

STA logs all allegations of maladministration. Anyone reporting an allegation should provide as much detail as possible to help STA decide which next steps are most appropriate.

When reporting allegations of maladministration, where possible, include:

- the DfE number or name of the school and any available address information
- details of the affected assessment and relevant test questions
- initials of affected pupils, where applicable
- details about the allegation and relevant circumstances
- the year of the assessment, if not current
- details of other schools that are affected, if relevant

The person making an allegation has the option to remain anonymous. All information collected will be processed and retained in accordance with the:

- [Data Protection Act 2018](#)
- [UK General Data Protection Regulation \(GDPR\)](#)
- [Freedom of Information Act 2000](#)

STA will not keep the person making the allegation informed of the progress or outcome of the investigation, unless a school reported itself.

After receiving an allegation, STA considers the details and takes one of the following 3 decisions and subsequent actions:

## **1. Maladministration has not occurred**

STA will close the case. If the school is unaware of the allegation, and nothing has been found or the allegation is incorrect, the school will not be informed. This may happen, for example, if an individual reports an additional time allegation to STA and the school has an approved additional time application.

## **2. Maladministration has occurred but there is no impact on the accuracy of pupils' assessments**

STA may decide that minor maladministration has occurred, but it has not affected the accuracy of pupils' results. Minor maladministration does not impact test results but indicates a divergence from the test administration procedures that could have impacted test results. If this is the case, STA will not amend or annul the school's assessment outcomes.

Minor maladministration may happen if, for example, room displays were not covered but they did not give an advantage to pupils sitting the assessment. It may also happen if the wrong test pack was opened but immediately resealed.

STA will write to the school informing them of this decision and suggest actions to ensure similar minor maladministration does not occur again and to protect future assessment outcomes.

### **3. Maladministration has occurred and there is potential impact on the accuracy of pupils' assessments**

STA may decide that maladministration occurred and has affected the accuracy of pupils' results. If this is the case, STA will annul the relevant affected outcomes.

A school's KS2 results may be temporarily withheld where the outcome of an investigation is still pending. Once the outcome of the investigation is confirmed, affected pupils' results may be released, partially annulled or fully annulled after return of results.

## **Investigating allegations**

To inform investigations involving KS2 tests, STA will usually review scanned test scripts and, in some cases, hard copy test scripts. If relevant to the allegation, STA will review access arrangement applications and aid notifications.

For investigations involving KS2 teacher assessment, STA will use the findings from moderation visits conducted by local authorities – for example, where a change on submitted judgements is not reflected in the data. Where a school under investigation has not already had a moderation visit, STA may ask its local authority to carry one out.

For investigations involving the phonics screening check, STA will work with schools and local authorities to confirm if results for individual pupils or full cohorts are valid.

For investigations involving the MTC, STA will review MTC service data – for example, the time when checks were taken or the number of pauses.

For investigations involving the RBA, STA will review data from the RBA assessment services.

## **Discussion with a school**

STA is often able to resolve an allegation through discussion with the school. STA will contact the headteacher of the school and keep records of all

discussions. These discussions allow the headteacher to answer queries that will help STA case managers understand what may, or may not, have happened. In all cases, STA will contact the headteacher and ask for their contribution before considering an annulment of results.

[STA's ARAs](#) state that the headteacher is responsible for ensuring all administration requirements are correctly implemented in their school. STA will therefore liaise directly with the headteacher during an investigation and not, for example, with a school's accountable body.

## School visits

Local authority staff may visit a school as part of an investigation. The headteacher should inform the school's accountable body, where applicable, if they are notified of a school visit. STA uses these visits to gather information about:

- the procedures in place to keep materials secure
- how the checks or assessments were administered
- the measures the school put in place to ensure its teacher assessment data is accurate

If the school does not already know the nature of the allegation, the lead interviewer will confirm this at the start of the visit.

After the visit, the lead interviewer will use the agreed, signed notes to write and provide a redacted report to STA. STA will then provide the school with a copy of the report, alongside its investigation findings. The school can then respond to STA in writing.

STA is responsible for deciding whether pupils' results were compromised due to maladministration.

## Investigation timing

STA aims to complete investigations in a timely manner. The start time and length of an investigation varies and depends on the:

- check or test type
- nature and timing of the allegation
- complexity of the case
- availability of information

STA completes maladministration investigations for all assessments throughout

the year.

## Representations provided by schools under investigation

During an investigation, if STA's case manager considers there may have been maladministration and there is doubt over the accuracy of pupils' outcomes, results or teacher assessment, they will notify the headteacher when they provide their findings.

The headteacher will then have an opportunity to respond with any further information for STA to consider as part of the investigation, known as 'representations'.

The case manager will consider the representations in a peer review with another case manager. During this peer review, they take into consideration all information the school has provided.

If the case managers cannot reach a decision, they present the case to STA's senior decision maker, who will be independent of the investigation. A decision meeting will determine what actions are required. At the meeting, the case manager will provide all information gathered during the investigation, including:

- the original allegation
- what information they reviewed – for example, script review findings, evidence from monitoring visits, or data from the RBA or MTC services
- the case manager's findings
- the headteacher's response to these findings (their representations)

The case manager will then provide a recommendation, and the senior decision maker will make the final decision.

## Investigation outcomes

Where there is doubt about the accuracy of pupils' results, STA can make the following decisions for individual pupils, a partial cohort or the whole cohort:

### Assessment Maladministration

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RBA	Remove the affected data. It will not be used to contribute to the final progress measure at KS2.
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Phonics	Annul the outcome. Pupils in year 1 will have the opportunity to
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screening check	take the check again the following year. Pupils in year 2 will not be able to retake the check.
MTC	Annul the results if it is after the check window and the check cannot be retaken.
KS2 tests	Annul the relevant results.
KS2 teacher assessment	Amend or annul judgements.

### **Assessment Minor maladministration**

RBA	Email to close, citing near miss and actions to take, no impact or change to pupil data.
Phonics screening check	Email to close, citing near miss and actions to take, no impact or change to pupil data.
MTC	Email to close, citing near miss and actions to take, no impact or change to pupil data. Affected pupils can retake the check if it is still within the check window.
KS2 tests	Email to close, citing near miss and actions to take, no impact or change to pupil data.
KS2 teacher assessment	Email to close, citing near miss and actions to take, no impact or change to pupil data.

## **Treatment of single test annulments in key stage 2**

Where a pupil's result for a single test paper in either English grammar, punctuation and spelling or mathematics is annulled following a maladministration investigation, STA will record the pupil's overall outcome in the relevant subject as 'At standard' (AS) if the pupil achieves enough raw marks on the non-annulled test papers to meet the expected standard. The outcome for the individual test paper that was annulled will remain as 'Q'.

This information will be reflected in the performance data published by DfE.

If a pupil does not receive an overall test result for a KS2 subject, the school's report for parents should focus on the pupil's KS2 teacher assessment outcomes. This will also support the pupil's transition into secondary school.

## Further actions and investigations

All maladministration decisions are final and there is no right of appeal. Once STA has made a decision, it will notify the school and confirm this by letter, explaining the decision and what actions the school needs to take. STA will also copy the school's relevant local authority.

It is the school's responsibility to report any amendments or annulments of pupils' outcomes or results to parents for all checks and assessments.

The term 'parent' is used in this document, as defined in [section 576 of the Education Act 1996](#), as any person who:

- is a parent of a child
- is not a parent of a child but has parental responsibility for the child
- has care of the child

It is also the school's responsibility to report any amendments or annulments of pupils' outcomes or results to the school's accountable body. The school's accountable body is responsible for carrying out any further investigation and should consider referrals to [TRA](#) where appropriate.

## Further information

If you have any further questions, want advice or need to report allegations of maladministration, you can either:

- email [STA.maladministration@education.gov.uk](mailto:STA.maladministration@education.gov.uk)
- call the national curriculum assessments helpline on 0300 303 3013

Schools and local authorities can also self-report concerns relating to the KS2 tests, KS2 teacher assessment and phonics screening check within their own schools by completing the 'Report maladministration allegations' form within the 'Incidents' section of the [NCA Portal](#).

For details of the numbers, sources and types of maladministration allegations that STA received in previous academic years, you can refer to [STA's maladministration reports](#).

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