SOUTH ESSEX COLLEGES GROUP

WHISTLEBLOWING POLICY

(Exams)

2026-27



SIGNIFICANT CHANGES FOLLOWING REVIEW 26-27

PAGE NUMBER OR HEADING NAME	DETAILS OF SIGNIFICANT CHANGE	CHANGES MADE BY
Introduction	Additional detail added including exam related concerns	Yasmin Bowker-King
The Whistleblower	Exam staff protection	Yasmin Bowker-King
Examples of Malpractice	Added additional examples	Yasmin Bowker-King

Equality Impact Assessment

The aim of an equality impact assessment (EIA) is to consider the equality implications of any new or amended policy, procedure, practice, project, function on different groups of staff, students and visitors to the college. This EIA tool provides a simple framework that helps evaluate whether the change may inadvertently disadvantage protected characteristics and identify ways to proactively advance and promote equality.

You will need to consider each of the equations and provide information as to consideration and any changes made in relation to Equality, diversity and inclusion.

Date EIA completed.	10-09-2026
Name of person responsible for completing the EIA	Yasmin Bowker-King
Role of person responsible for completing the EIA	Senior Exams Manager
Who is affected by the policy / decision / change	Students and Staff
What's the reason for the new policy / change in policy, practice, process etc.	This is a yearly review and update required by JCQ and awarding organisations

You will need to consider whether its possible that the proposed new policy / change in policy /procedure/practice etc could discriminate or unfairly discriminate or disadvantage people. You should consider:

Who gets to participate	Who does not, or who now does not due to the changes proposed / made.
Who is at an advantage	Who is at a disadvantage, and again has this changed?
Who will benefit	Who will not benefit (or who did and now doesn't due to the changes proposed in policy
Who can access the policy	Who cannot, or now cannot.

Protected Characteristic	What degree of impact does the change have (score 1-5 with 1 the lowest and 5 the highest)	What is a potential positive, neutral or negative impact? Include what you have considered. Are there any barriers?	What action will be taken to address any negative impact or remove any potential barriers identified? Note if we are not able to resolve anything identified.	Date by when and whom will this action be taken.
Age	1	None Identified		
Disability	2	Some students may need support in understanding the policy. This will be provided by the student support teams in the College.	Students with an identified disability can seek support from a Carer/Parent or Guardian and the College in discussing/reporting malpractice issues. Support will also be provided by the College teams.	As and when required
Gender (Sex)	1	None Identified		
Gender Reassignment	1	None Identified		
Marriage or Civil Partnership	1	None Identified		
Pregnancy / Maternity	1	None Identified		
Race	1	None Identified		
Religion or Religious Belief	1	None Identified		
Sexual Orientation	1	None Identified		
Any other element that needs to be considered.	1	None Identified		

Note:

1. The terms stated under protected characteristics are the terminology used in the Equality Act 2010.
2. As part of the policy approval process Executive Board will consider the EIA assessment and any potential barriers which we may not be able to overcome and whether the action proposed will mitigate sufficiently within legislation or whether we decide to not implement the new policy if the risk is significant. If the policy is approved the EIA is also approved.

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Introduction

Whistleblowing at South Essex Colleges Group 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.

This policy and procedure should also be read in conjunction with the Colleges Whistleblowing policy and procedure and that process followed. This is available to staff via the College intranet.

The head of centre and governing board at South Essex Colleges Group 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], South Essex Colleges Group 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 require.

[1] Reference www.jcq.org.uk/exams-office/general-regulations/
[2] Reference www.jcq.org.uk/exams-office/malpractice/

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 South Essex Colleges Group It has been produced (and reviewed) by Ansar Mahmood who is also a member of the senior leadership team 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.

Purpose of the policy

This policy:

- 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 South Essex Colleges Group 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

[3] Reference www.gov.uk/government/news/independent-commission-on-examination-malpractice

- 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 the Group Vice CEO - Chief Information Officer.

However, there may be times when it may be more appropriate to refer the issue direct to the governing board, 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:

- Failure to comply with exam regulations as set out by the Joint Council for Qualifications (JCQ) and its awarding bodies.
- Deliberately altering examination entries which may be defined as maladministration.
- 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)
- Other conduct which may be interpreted as malpractice/maladministration including Sexual harassment within the exam team

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[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

[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

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.

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 worker could consider making a disclosure to Ofqual[8] as a prescribed body for whistleblowing to raise a concern about wrongdoing, risk or malpractice.

Exams Manager Professional Standards

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

By signing this statement, the exams manager, and their senior leadership team/line manager, are identifying a set of common values and attributes. These include support for an exams manager 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 manager 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 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].

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

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 South Essex Colleges Group 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.

End of Policy



Senior Leadership Responsibility	Ansar Mahmood
Policy Author	Ansar Mahmood/Yasmin Bowker-King
Roles Responsible for Reviewing	Group Deputy Chief Executive Officer and Chief Information Officer / Senior Exams Manager
Date to be reviewed	September 2027
Type of Policy	Public / Internal