

Ratified at  
Governors  
9<sup>th</sup> February 2023



Reviewed at TLS  
committee  
17<sup>th</sup> October 2022

# WHISTLEBLOWING POLICY

## (Exams)

### 2022-2023

**NOTRE DAME HIGH SCHOOL**

**Part of St John the Baptist Catholic Multi Academy Trust**  
**Company No: 7913261**  
**Registered Office: Surrey Street, Norwich NR1 3PB**

#### THE SCHOOL MISSION STATEMENT

*I have come so that they may have life and have it to the full*  
(John 10:10)

We are a joyous and inclusive Catholic school, inspired by the love of God and the teachings of Jesus, specifically faith, hope, forgiveness and peace.

Our community is committed to a rounded education that develops knowledgeable, morally informed and compassionate young leaders.



If you need this document in large print, audio, Braille, alternative format or in a different language please contact the Company Secretary on 01603 611431 and we will do our best to help.

## Key staff involved in the policy/procedure

Role	Name(s)
Head of centre	Mr Tom Pinnington
Senior leader(s)	Mr Kevin McNally – Assistant Head Exams
Exams Manager	Mrs Lorna Thompson
Exams Administrators	Mrs Charlotte Rolt Mrs Maria Snelson

## Introduction

Whistleblowing at Notre Dame High 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.

The head of centre and governing board at Notre Dame High School will aim to create and maintain an approach to examinations 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.

In compliance with section 5.11 of the JCQ's **General Regulations for Approved Centres**<sup>1</sup>, Notre Dame High 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 publication **Suspected Malpractice: Policies and Procedures**<sup>2</sup> and provide such information and advice as the awarding body may reasonably require

This policy requirement has been added within **General Regulations for Approved Centres** in response to the recommendations within the report of the *Independent Commission on Examination Malpractice*<sup>3</sup>.

This policy sets out the whistleblowing procedures at Notre Dame High School. It has been produced by Kevin McNally Leadership Team responsible for handling any cases of whistleblowing and Lorna Thompson Exams Manager. They are fully aware of the contents of this policy and will escalate any instances of malpractice to the Head of Centre Tom Pinnington and the relevant awarding body/bodies. If the concerns are regarding the staff listed above they will be passed to their line manager or in the case of the head of centre, to the chair of governors.

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.

---

<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/)

<sup>3</sup> Reference [www.jcq.org.uk/examination-system/imc-home/](http://www.jcq.org.uk/examination-system/imc-home/)

## 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 if Notre Dame High 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.

## Reporting

### How to raise a concern

If a member of centre staff involved in the management, administration and/or conducting of examinations (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 Assistant Head teacher who is the member of the senior leadership team with oversight of examination administration, the Exams Manager or the Head of Centre depending on the nature of the concern
- In the first instance this can be verbally but is good practice to record any concerns in writing at an early stage to ensure that all details are correct
- State the reason why you are concerned including names, dates and places and other information that you have
- All concerns will be taken seriously and fully investigated and the school will respond to your concerns

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
- 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/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 (providing a 'level playing field')
- Possible fraud and corruption (e.g. accessing the exam paper prior to the exam to aid teaching and learning)
- 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

A copy of all written records /investigations will be kept for the purpose of the JCQ Inspection service.

## 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>4</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>5</sup> 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<sup>6</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 if that is what they wish, unless the awarding body is legally obliged to release it<sup>7</sup>.

Alternatively, a worker could consider making a disclosure to Ofqual<sup>8</sup> as a prescribed body for whistleblowing to raise a concern about wrongdoing, risk or malpractice.

## 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

<sup>4</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>5</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>6</sup> Reference <https://protect-advice.org.uk/pida/>

<sup>7</sup> Reference [www.ocr.org.uk/administration/general-qualifications/assessment/malpractice/whistleblowing/](http://www.ocr.org.uk/administration/general-qualifications/assessment/malpractice/whistleblowing/)

<sup>8</sup> Reference [www.gov.uk/guidance/ofqual-whistleblowing-policy](http://www.gov.uk/guidance/ofqual-whistleblowing-policy)

malpractice can report the matter direct to Ofqual, who is identified as a 'prescribed body'<sup>9</sup>. 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 his/her 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 Notre Dame High 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. This policy will be made known to students at their exams assemblies

The policy will form part of the training with invigilators and sent to HoDs by email along with other JCQ documents to be shared with their departments.

It will also go on the Exams section of the website as well as the main policy area.

## **Awarding body Contacts for cases of Irregularities and Malpractice**

### **AQA**

[irregularities@aqa.org.uk](mailto:irregularities@aqa.org.uk)

### **Pearson**

[pqsmalpractice@pearson.com](mailto:pqsmalpractice@pearson.com)

### **OCR**

[malpractice@ocr.org.uk](mailto:malpractice@ocr.org.uk)

### **WJEC**

[malpractice@wjec.co.uk](mailto:malpractice@wjec.co.uk)

This policy is to be read in conjunction with:

SJB Mat Whistleblowing Policy  
SJB Mat Code of Conduct  
The Exams Policy

To be reviewed annually

Next review October 2023

---

<sup>9</sup> Reference [www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies-2/whistleblowing-list-of-prescribed-people-and-bodies](https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies-2/whistleblowing-list-of-prescribed-people-and-bodies)