

SEPTEMBER 2022

### KEY JCQ REGULATION CHANGES 2022/2023

In this article, Jugjit Chima, highlights some of the key regulation changes in JCQ's [General Regulations for Approved Centres](#) and [Instructions for conducting examinations](#) publications.

For an in-depth analysis of these changes – and those in other JCQ publications – an opportunity to network with colleagues and consider the impact on your centre, we recommend that you attend one of our [Exam Changes](#) training events.

#### General Regulations for Approved Centres

##### **1. Centres are required to respond promptly to actions raised by the JCQ Centre Inspection Service (section 1.10)**

Heads of centre must ensure that relevant members of staff respond promptly to actions raised by the JCQ Centre Inspection Service. Failure to do so could result in the centre not receiving or being able to access question papers and other confidential assessment materials. Ultimately, awarding bodies could withdraw approval of the centre.

##### **2. Centres are required to report incidents to awarding bodies promptly (section 1.11)**

Centres must promptly report any incidents to the relevant awarding body/bodies which might compromise any aspect of assessment delivery such as a cyber-attack.

##### **3. Head of centre and/or examinations officer operating across more than one site (section 2.6)**

The head of centre and/or examinations officer may operate across more than one centre, however, in such cases the head of centre must ensure that suitable support is in place, so the relevant individual can meet their obligations across all centres for which they are responsible.

The head of centre must also ensure that these arrangements are covered by the centre's examination contingency plan.

##### **4. Additional details have been made available about third party arrangements for delivering parts of assessments (section 3.1)**

Where a centre uses a third party to deliver any part of a qualification (including its assessments), it must:

Maintain oversight of, and responsibility for, the delivery of the qualification in accordance with JCQ General Regulations and awarding body requirements.

Have in place a written agreement with the third party to ensure there is a shared understanding of the arrangement and to manage the risk of a failure by the third party to deliver the expected service

Ensure that a copy of the agreement is available for inspection if requested by the awarding body.

The regulations now include a table identifying examples of the key third party arrangements that must be covered, along with acceptable exclusions. Third party arrangements do not include:

- Arrangements that are not for the purposes of delivering, assessing or supporting examinations/assessments as detailed in the table
- Arrangements between candidates and third parties, e.g. tutors
- Where an approved centre has multiple sites, such as college campuses

**5. The head of centre must ensure adequate time for the SENCo to manage the access arrangements process and that the examinations officer is actively supported (section 5.3c)**

This further confirms the role and responsibilities of the SENCo in the management of access arrangements within their centre, acknowledging that the SENCo must have sufficient time to manage the process and familiarise him/ herself with the JCQ publication *Access Arrangements and Reasonable Adjustments*. Subsequently, this provides greater clarity of the involvement of the exams officer within the administration of access arrangements.

**6. The examinations officer must be line managed and actively supported by a member of the senior leadership team who has a good working knowledge of the examination system (section 5.3c)**

An exams officer must be directly line managed by a senior leader such as an assistant headteacher/principal or deputy headteacher/principal. This responsibility cannot be devolved to non-SLT who are members of a wider management team or a member of the administration team who is subsequently managed by a senior leader.

If an exams-related issue arises within a centre, the exams officers should consult their senior leader line manager, in the first instance, who should advise and direct them accordingly. If the line manager is unable to resolve the issue, or requires further information and guidance, then this should be raised with the relevant awarding body or JCQ.

**7. Exams policies, procedures and plans (section 5.3x)**

[Internal appeals procedure](#)

The centre's internal appeals procedure which must cover at least appeals regarding internal assessment decisions, post-result services and appeals, now also extends to centre decisions relating to access arrangements and special consideration. This will support the management of disputes when a candidate disagrees with a centre decision regarding access arrangements and/or special consideration.

#### Examination contingency plan

The written examination contingency plan should consider the potential impact of a cyber-attack.

#### Whistleblowing policy

Centres are also required to have a written whistleblowing policy in place. This is a requirement to address the recommendations of the Report of the Independent Commission on Examination Malpractice which was published in September 2019 and is available on the JCQ website – [www.jcq.org.uk/examination-system/imc-home/](http://www.jcq.org.uk/examination-system/imc-home/). This policy will help to build an ethical culture in centres where the integrity in examinations and assessment is emphasised.

A centre's whistleblowing policy should identify how to report concerns and should include a commitment to do everything reasonable to protect the reporter's identity, if requested.

### **8. A reminder that candidates should not have multiple entries for a qualification at the same level and in the same subject in the same series (section 5.6g)**

A centre must not enter candidates for a qualification at the same level and in the same subject multiple times in the same series (e.g. by entering a candidate for the same subject qualification with different awarding bodies). This is to manage the increased risk of security breaches due to inappropriate timetable variations and is also generally in the interests of candidates to avoid detrimental effects.

## **Instructions for conducting examinations**

### **1. Handling secure electronic materials (section 4)**

A new section has been added to the Instructions for conducting examinations which includes guidance on:

- Centre authorisation
- Secure account management
- Accessing and printing secure files
- Reporting to an awarding body

### **2. What to do if a wrong question paper packet has been opened (section 5.1)**

If it is subsequently identified following the second pair of eyes check that the wrong question paper packet has been opened, it must be resealed. The incident must be reported to the relevant awarding body's Malpractice Investigation Team immediately.

### **3. When – and how - question papers may be removed from the secure storage facility (section 5.3b)**

A reminder that in the circumstances where question paper packets may be permitted to be opened within 90 minutes of the published starting time for the examination, these must be opened in the secure room and not in the examination room(s). The question paper packet(s) must be re-sealed and placed back into the centre's secure storage facility.

The regulations now state that unless the question papers being removed are required for an alternative site, they must not leave the secure room any earlier than 60 minutes prior to the awarding body's published starting time for the examination.

The question papers extracted from the packet must be taken to the examination room(s)/site(s) in a sealed non-transparent envelope.

### **4. Invigilation arrangements (sections 12.3)**

Invigilators must be trained on the current regulations and centres must ensure that invigilators are competent.

This includes the requirement for a training session on the current regulations to be held for any new invigilators and those facilitating an access arrangement for a candidate under examination conditions.

An annual update meeting must be held for the existing invigilation team so that they are aware of any changes. Centres must also ensure that the testing of invigilators' competence and their understanding of the regulations in JCQ ICE is rigorous. This must also extend to those facilitating an access arrangement.

### **5. Invigilation arrangements for candidates with access arrangements (section 13.6)**

The person appointed to facilitate an access arrangement must not normally be the candidate's own subject teacher or teaching assistant. Where the candidate's own subject teacher or teaching assistant is used, a separate invigilator must always be present.

### **6. Retaining electronic copies of word-processed scripts (section 14.27)**

Centres may retain electronic copies of word-processed scripts. The electronic copy of a word-processed script may be accepted by an awarding body where the printed copy has been lost. However, the centre would need to demonstrate to the awarding body that the file has been kept securely. The head of centre would be required to confirm this in writing to the awarding body.

### **7. Food and drink in the examination room (section 18.2g)**

To enable invigilators to check items of food and drink quickly and efficiently, food brought into the examination room by the candidate must be free of packaging and in a transparent container. Drink bottles must be transparent with all labels removed which would include transparent, reusable plastic bottles.

### **8. Candidates opening question papers (section 19.1)**

Candidates must not open the question paper until the examination begins. This has an impact on the invigilator announcement at the beginning of the examination, and the instructions issued to candidates prior to the examination.

### **9. Secure handling of scripts (sections 27.1, 27.4, 29.1 and 29.2)**

Exam office staff, including invigilators, must ensure scripts are handled securely at all times.

Centres must ensure that scripts are always kept in the secure room until as close to the collection time as possible. Script packages must not be left unattended at the collection area.

Centres must retain scripts in the centre's secure room if kept within the centre overnight/or between 26-30 May 2023.

### **10. Release of question papers (section 31)**

A new section has been added on releasing question papers. Question papers must not be released to centre personnel until after the awarding body's published finishing time for the examination or, in the case of a timetable variation, until all candidates within the centre have completed the examination.

For CCEA examinations question papers must not be released until 24 hours after the published finishing time for the examination

*The contents of this article were correct at the time of writing (August 2022)*