



Joint Council for
Qualifications^{CIC}

General Regulations for Approved Centres

1 September 2020 to 31 August 2021

For the attention of heads of centre, senior leaders
within schools and colleges and examination officers.

Produced on behalf of:



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An interactive version of this booklet is also available via
the Centre Admin Portal (CAP).

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1 About these regulations

- 1.1** These regulations have been produced to ensure that the integrity and security of the examination/assessment system is always maintained and is not brought into disrepute. The regulations adhere to the requirements of the qualification regulators in England, Wales, Northern Ireland and Scotland.
- 1.2** Centres should note that any reference to 'JCQ' or 'Joint Council for Qualifications' within this booklet should be read as JCQ^{UK} or the Joint Council for Qualifications^{UK}.
- 1.3** Heads of centre, members of senior leadership teams and exam office personnel **must** familiarise themselves with the entire contents of this booklet.
- 1.4** Changes made to the contents of this booklet since the previous version (1 September 2019 to 31 August 2020) are highlighted for easy identification.
- 1.5** The *General regulations* cover:
- a)** the agreement between centres and awarding bodies (Section 3);
 - b)** the responsibilities of awarding bodies in providing administrative, subject-specific assessment and quality assurance support for centres (Section 4);
 - c)** the responsibilities of centres during preparations for examinations/assessments and post-examination/assessment activities (Section 5);
 - d)** obligations arising from current data protection, equality and freedom of information legislation. (Note, however, that centres should not just rely on the *General regulations* to ensure compliance with the legislation.) (Section 6).

A centre will have confirmed its readiness to adhere to these regulations when first approved as a centre (see paragraphs 3.2-3.4).

- 1.6** These regulations apply to the following qualifications and may also apply to other qualifications as specified by an awarding body:
- AEA
 - AQA Applied General qualifications
 - AQA Level 1, Level 2 and Level 3 Technical qualifications
 - BTEC qualifications (BTEC Firsts, BTEC Level 2 Technicals, BTEC Nationals, BTEC Tech Awards)
 - Cambridge Nationals
 - Cambridge Technicals
 - CCEA Level 1 and Level 2 General qualifications
 - CCEA Level 3 Awards
 - Edexcel Awards
 - Edexcel International GCSE
 - ELC
 - FSMQ
 - GCE
 - GCSE
 - OCR Level 3 Certificates
 - Projects (including the Extended Project)
 - WJEC Level 1 and Level 2 General qualifications
 - WJEC Level 1 and Level 2 Vocational Awards and Certificates
 - WJEC Level 3 Applied Certificates, Diplomas and Extended Diplomas

1.7 Centres **must** conduct examinations and assessments in accordance with the *General regulations* and, where relevant, the following JCQ publications:

- a) *A guide to the special consideration process;*
- b) *Access Arrangements and Reasonable Adjustments;*
- c) *Instructions for conducting coursework;*
- d) *Instructions for conducting examinations;*
- e) *Instructions for conducting non-examination assessments;* and
- f) *Suspected Malpractice – Policies and Procedures.*

JCQ documents may be supplemented from time to time by separate subject-specific instructions from the awarding bodies.

1.8 For the purposes of this booklet, an examination or assessment centre (the centre) is approved by one or more of the awarding bodies for the delivery of their qualifications.

Prospective new centres should refer to paragraph 3.2.

1.9 All heads of centres will be required to confirm, on an annual basis, that they are both aware of and adhering to the latest version of these regulations. This confirmation is managed as part of the National Centre Number Register (NCNR) annual update (see paragraph 5.3).

A head of centre **must not** delegate this responsibility to a member of the senior leadership team or the examinations officer.

Failure to respond to the NCNR annual update, and/or the head of centre's declaration, will result in:

- your centre status being suspended;
- your centre not being able to submit examination entries; and
- not receiving or being able to access question papers.

Ultimately, awarding bodies could withdraw their approval of your centre.

2 Who must read these regulations?

- 2.1 These regulations apply to centres that have been approved by at least one of the JCQ awarding bodies **and** are taking any of the qualifications as defined in paragraph 1.6. Prospective centres **must** familiarise themselves with this document.
- 2.2 They **must** be read, and referred to, by:
- a) the head of centre;
 - b) members of the senior leadership team;
 - c) the examinations officer.
- 2.3 **The head of centre** is the individual who is accountable to the awarding bodies for ensuring that the centre is always compliant with the published JCQ regulations and awarding body requirements in order to ensure the security and integrity of the examinations/assessments.
- 2.4 **The examinations officer** is the person appointed by the head of centre to act on behalf of, and be the main point of contact for, the centre in matters relating to the general administration of awarding body examinations and assessments.
- 2.5 **The head of centre may not appoint themselves as the examinations officer.** A head of centre and an examinations officer are two distinct and separate roles.

3 The agreement between centres and awarding bodies

- 3.1** The approval of a centre by an awarding body signals the start of a contractual relationship which is governed by the contract between the awarding body and the centre, these regulations and any other documents published by the JCQ, the awarding bodies or the regulators.

Approval with one awarding body does not imply, and will not necessarily lead to, approval with another.

Approved centres **must** be able to meet the conditions set out in these regulations and any specific qualification criteria.

Where a centre uses a third party to deliver any part of a qualification it must maintain oversight of, and responsibility for, the delivery of the qualification in accordance with these regulations and awarding body requirements. **The centre must obtain written approval from the awarding body before permitting a third party to deliver any part of the qualification including assessments.**

Prospective centres

- 3.2** Prospective centres **must** contact each awarding body whose qualifications they wish to offer in order to gain centre approval. Details of an awarding body's centre approval process will be found on their website.

Approval **must** be in place before delivering a qualification. As a minimum, approval **must** be finalised no later than five months before the closing date for candidate entries. Until approval has been granted, the centre cannot be given access to awarding body's assessment and support material.

- 3.3** A checklist for prospective centres can be found on the JCQ website:

<https://www.jcq.org.uk/exams-office/general-regulations/are-you-ready-checklist>

- 3.4** As part of the centre approval process, an awarding body may, where appropriate, undertake a credit check of the prospective centre.

- 3.5** **Once a centre has been approved it will be subject to a probationary period of two years. The centre will receive a variety of centre inspections**

Centre status

- 3.6** A centre **must** have:

- a) clear signage outside the main building;
- b) its own reception which is permanently staffed between 8.30 am and 3.30 pm during term time;
- c) designated members of centre staff, available Monday to Friday, 8.30 am to 3.30 pm, to receive deliveries of confidential examination/assessment material and/or accompany a JCQ Centre Inspector or awarding body representative. AQA, CCEA, OCR, Pearson and WJEC will reject any application for centre recognition where it is intended to operate a centre from a private residential address;
- d) a secure storage facility in a room solely assigned to examinations as described in section 3 of the JCQ publication *Instructions for conducting examinations*;
- e) appropriate accommodation to support the size of the cohorts being taught, including appropriate accommodation for candidates requiring access arrangements.

3.7 It is **not** permissible for a centre to be approved purely for administrative purposes in order to take question papers to an alternative site.

Centres are only permitted to take question papers to an alternative site where the published criteria for an alternative site arrangement has been met. The JCQ Centre Inspection Service **must** be informed using the JCQ *Alternative Site form*.

3.8 An awarding body reserves the right to withdraw approval either for the delivery of a specific qualification or centre approval for all qualifications at any time, if the centre has not complied with any part of the awarding body's requirements which are in force at the time. An awarding body additionally reserves the right to withdraw centre approval where continued approval would bring the examination/assessment system into disrepute. The awarding body reserves the right to notify the other JCQ awarding bodies of such actions.

3.9 The awarding bodies reserve the right to withdraw approval of those centres which do not meet the awarding body's current approval criteria, fail to address issues raised during an inspection or who fail to respond to the National Centre Number Register annual update.

The awarding bodies will review the approval of centres who have not submitted candidate entries for two consecutive years.

3.10 In the event of a centre ceasing to operate it **must** take all reasonable steps to protect the interests of the candidates. It **must** also notify **each** of the awarding bodies it is approved by at the earliest opportunity. In such an event the awarding body will take all reasonable steps to protect the interests of the candidates.

3.11 Centre approval does not automatically allow a centre to state or imply awarding body approval in published material or on-line. Permission **must** be sought from the relevant awarding body/bodies. This also extends to the use of an awarding body's logo.

Confidentiality

3.12 The centre will:

- a) keep confidential the names and addresses of examiners, moderators, external verifiers and any other awarding body examining/assessment personnel. This also extends to e-mail addresses of awarding body/JCQ personnel;
- b) not forward e-mails and letters from awarding body or JCQ personnel without prior consent to third parties or upload such correspondence onto social media sites and applications (including third party applications) such as Facebook, Twitter, Snapchat, LinkedIn etc;
- c) keep confidential the centre's employment of, in any capacity, any current or former JCQ Centre Inspectors, awarding body examiners, moderators, awarders, external verifiers or other examining personnel, and not mention them in any form of literature issued in connection with the centre's programmes of assessment.

3.13 The centre may share information and data with other centres which are members of the same consortium or Academy Trust provided it complies with these confidentiality obligations. All centres which are part of the consortium or Academy Trust **must** be aware of these obligations.

The centres in the consortium or Academy Trust **must** satisfy themselves that any sharing of personal data is lawful.

Retention of candidates' work

3.14 The awarding bodies will:

- a) unless otherwise stated, return centre-assessed work to centres after the publication of results;
- b) reserve the right to retain samples of centre-assessed work for archive purposes even where work is normally returned to centres and to retain all centre-assessed work, scripts and associated materials which have been the subject of a malpractice investigation;
- c) assume ownership of all written scripts, candidates' work submitted electronically, recordings of speaking tests and recordings of performances carried out under formal examination conditions and will not return externally assessed non-examination assessments (including controlled assessments and coursework) or examination scripts to centres, except where requested under access to scripts arrangements;
- d) retain examples of scripts and associated materials to demonstrate standards and for reference by awarders in future years;
- e) allow centres to return to candidates their portfolios of evidence of achievement following verification;
- f) dispose of all scripts and the verified work of candidates after those required for access to scripts, reviews of marking, appeals, 'live' malpractice cases and research purposes have been extracted. Scripts and verified work of candidates will be disposed of in a confidential manner.

3.15 It is the responsibility of centres to:

- a) keep live non-examination assessments, including controlled assessments, coursework and portfolios, secure and confidential at all times whilst in their possession. It is not acceptable for teaching staff to share the live work of candidates with other candidates. Live non-examination assessment, including controlled assessments and coursework, is defined as any work on a topic which has been set either by an awarding body or the centre for a current or future examination series even if the work was completed in a previous year;
- b) store safely and securely all non-examination assessments, including controlled assessments, coursework or portfolios, retained in, or returned to, the centre until the deadline for a review of moderation has passed or until a review of moderation, an appeal or a malpractice investigation has been completed, whichever is later. This includes materials stored electronically. See paragraph 4.8 of the JCQ publication *Instructions for conducting non-examination assessments*:

<https://www.jcq.org.uk/exams-office/non-examination-assessments>
- c) ensure that when scripts that have been returned under access to scripts arrangements are no longer required, they are disposed of in a confidential manner, but no earlier than the dates specified by the awarding bodies.

Communication

- 3.16** Centres **must not** advise parents/candidates to contact awarding bodies/JCQ directly. If contacted, the awarding body/JCQ will direct the parent/candidate back to the centre.

Correspondence on any aspect of a candidate's examination or assessment will be conducted between the awarding body and the head of the centre, a member of the senior leadership team or the examinations officer.

Private candidates may approach an awarding body regarding post-results services and appeals.

4 The responsibilities of awarding bodies

- 4.1 The awarding bodies will make their processes with centres clear and streamlined as required by the qualification regulators.

Administrative support for centres

4.2 The awarding bodies will:

- a) provide documentation and effective guidance on a centre's responsibilities when managing, administering and assuring the quality of an examination or qualification;
- b) issue moderation procedures that they will undertake (or that will be undertaken on their behalf) which allow for the marking of assessments by centres to be monitored, ensure assessments meet the required standards and allow for any adjustments to marks to be made;
- c) provide dates of examinations, key dates for examination administration, administrative guides, question papers and examination materials;
- d) inform centres how to submit registrations and entries, and process centres' registrations and entries;

(Centres should note that the acceptance of candidate entries and/or registrations by an awarding body, including private candidates, does not mean that a legal relationship has been entered into between the awarding body and those candidates.)
- e) provide general procedures and documentation relating to the administration of controlled assessments, coursework, non-examination assessments and portfolios;
- f) provide, where relevant, subject-specific instructions and mark sheets;
- g) provide, through the JCQ publication *Instructions for conducting examinations*, instructions for the conduct of written examinations and on-screen assessments;
- h) process applications for access arrangements and reasonable adjustments, as referred by centres, in line with the JCQ publication *Access Arrangements and Reasonable Adjustments*. Applications will be processed efficiently and within the relevant timescales;
- i) ensure that nothing in the instructions that they may issue shall in any way affect the responsibility of the centre for health, safety and safe working under current legislation and local government by-laws. Any local requirements must be followed by the centre;
- j) publish customer service statements and monitor their performance;
- k) assist centres to carry out their procedures correctly and ensure that awarding body instructions are followed.

Reporting results

4.3 The awarding bodies will:

- a) issue results to centres via A2C and awarding body secure extranet sites on the published dates;
- b) issue results in a new name following gender re-assignment, or a released prisoner being given a new identity, or a witness protection case, upon receipt of appropriate documentation. The documentation will be treated in the strictest of confidence;
- c) issue certificates which are presented clearly;
- d) investigate and report the outcome of reviews of results and appeals;
- e) hold an archive of candidates' results.

Feedback to centres

4.4 The awarding bodies will provide a mechanism for receiving and responding to comments from centres and others about their examinations and assessments.

Subject-specific support for centres

4.5 The awarding bodies will:

- a)** provide advance notice of the withdrawal of qualifications, subjects or units;
- b)** provide detailed specifications for each qualification offered;
- c)** provide access to specialist advice and guidance;
- d)** provide appropriate support materials;
- e)** offer a programme of training for specifications;
- f)** respond to requests for information or advice about any aspect of specification delivery.

4.6 All specifications and related services are provided in accordance with the requirements of the appropriate regulators.

5 The responsibilities of centres

Centre management

- 5.1 The **head of centre must** ensure compliance with the published JCQ regulations and awarding body requirements in order to deliver the qualification(s).
- 5.2 Centres **must** have Internet access to enable them to make full use of the awarding bodies' extranet sites.
- 5.3 It is the responsibility of the **head of centre** to ensure that his/her centre:

Recruitment, selection and training of staff

- a) retains a workforce of an appropriate size and competence, including sufficient managerial and other resource, to undertake the delivery of the qualification as required by an awarding body. This includes taking reasonable steps to ensure occupational competence where this is required for the assessment of specific qualifications;
- b) provides fully qualified teachers to mark non-examination assessments, and/or fully qualified assessors for the verification of centre-assessed components;
- c) enables the relevant senior leader(s), the examinations officer and the SENCo to receive appropriate training and support in order to facilitate the effective delivery of examinations and assessments within the centre, and ensure compliance with the published JCQ regulations;

Internal governance arrangements

- d) has in place a written escalation process should the head of centre, or a member of the senior leadership team with oversight of examination administration, be absent;
- e) has in place a member of the senior leadership team who will provide support and guidance to the examinations officer and ensure that the integrity and security of examinations and assessments is maintained throughout an examination series;

Delivery of qualifications

- f) delivers qualifications, as required by the awarding body, in accordance with relevant equality legislation. This includes but is not limited to ensuring that qualifications are made available to all candidates capable of undertaking them and seeking reasonable adjustments for disabled candidates;
- g) enables candidates to receive sufficient and up to date laboratory experience, or relevant training where required by the subject concerned;

Public liability

- h) complies with local health and safety rules which are in place and that the centre is adequately covered for public liability claims;

Conflicts of interest

- i) manages conflicts of interest by informing the awarding bodies, before the published deadline for entries, of:
 - any members of centre staff who are taking qualifications at their own centre which include internally assessed components/units;
 - any members of centre staff who are teaching and preparing members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) for qualifications which include internally assessed components/units; **and**
- maintains clear records of **all instances** where:
- exams office staff have members of their family (which includes step-family, foster family and similar close relationships) or close friends and their immediate family (e.g. son/daughter) being entered for examinations and assessments either at the centre itself or other centres;

- centre staff are taking qualifications at their centre which **do not** include internally assessed components/units;
- centre staff are taking qualifications at other centres.

The head of centre **must** ensure that the records include details of the measures taken to mitigate any potential risk to the integrity of the qualifications affected. The records may be inspected by a JCQ Centre Inspector and/or awarding body staff. They might be requested in the event of concerns being reported to an awarding body. The records must be retained until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.

Heads of centre should note that entering members of centre staff for qualifications at their own centre **must** be as a last resort in cases where the member of centre staff is unable to find another centre.

The head of centre is responsible for ensuring that proper protocols are in place to prevent the member of centre staff having access to examination materials prior to the examination and that other centre staff are briefed on maintaining the integrity and confidentiality of the examination materials.

The head of centre **must** ensure that during the examination series the member of centre staff is treated in the same way as any other candidate entered for that examination, does not have access to examination materials and does not receive any preferential treatment.

Controlled assessments, coursework and non-examination assessments

- j) has in place arrangements to co-ordinate and standardise all marking of centre-assessed components and to ensure that candidates' centre-assessed work is produced, authenticated and marked, or assessed and quality assured in accordance with the awarding bodies' instructions. **This applies to both internal and private candidates;**
- k) submits in accordance with awarding bodies' instructions, information they may reasonably require in relation to their examinations and assessments, returning all subject-specific forms by the required date;

Security of assessment materials

- l) takes all reasonable steps to maintain the integrity of the examinations/assessments, including the security of all assessment materials;
- m) makes arrangements to receive, check and store question papers and examination material safely and securely at all times and for as long as required in accordance with the JCQ publication *Instructions for conducting examinations, 1 September 2020 to 31 August 2021*;
- n) makes arrangements to receive and issue material received from the awarding bodies to staff and candidates, and notify them of any advice and instructions relevant to the examinations and assessments;
- o) allows candidates access to relevant pre-release materials on, or as soon as possible after, the date specified by the awarding bodies;

National Centre Number Register

- p) provides contact details and an address to which all correspondence in connection with the administration of examinations and assessments can be directed. This **must** be the registered address of the centre;
(Centres **must** provide awarding bodies with an official school or college e-mail address and landline telephone number. Personal e-mail addresses such as 'yahoo', 'hotmail' and 'gmail', and mobile telephone numbers are **not** acceptable.)
- q) responds to the National Centre Number Register annual update **by the end of October 2020**, confirming they are both aware of and adhering to the latest versions of JCQ regulations;

- r) confirms their details or informs the awarding bodies of any changes to their contact details through the National Centre Number Register (as administered by OCR on behalf of the JCQ awarding bodies AQA, CCEA, OCR, Pearson and WJEC);
- s) informs the National Centre Number Register Team **immediately** (e-mail address – **ncn@ocr.org.uk**) if any changes occur after the National Centre Number Register annual update has taken place. This **must** be on centre headed stationery which can be sent as an e-mail attachment;
- t) informs the National Centre Number Register Team (e-mail address – **ncn@ocr.org.uk**) **no later than 6 weeks prior to moving to a new address or a re-location of the secure storage facility;** (As a result of this notification a centre inspection will take place.)
- u) informs the National Centre Number Register Team **immediately** of any other changes in circumstances that could affect their centre status;

Centre inspections

- v) co-operates with the JCQ Centre Inspection Service, an awarding body or a regulatory authority when subject to an inspection, an investigation or an unannounced visit, and takes all reasonable steps to comply with all requests for information or documentation made by an awarding body or regulatory authority as soon as is practical;
- w) allows all venues used for examinations and assessments, paperwork and secure storage facilities to be open to inspection. The JCQ Centre Inspector will identify him/herself with a photo ID card and **must** be accompanied throughout his/her tour of the premises, including inspection of the centre's secure storage facility;

Policies available for inspection

- x) has in place the following policies available for inspection:
 - a written child protection/safeguarding policy, including Disclosure and Barring Service (DBS) clearance, which satisfies current legislative requirements;
 - a written data protection policy;
 - a written equalities policy;
 - a written examination contingency plan which covers all aspects of examination administration. This will allow members of the senior leadership team to act immediately in the event of an emergency or staff absence. The examination contingency plan should reinforce procedures in the event of the centre being unavailable for examinations, or on results day, owing to an unforeseen emergency;
 - a written internal appeals procedure;
 - a written policy regarding the management of GCE and GCSE non-examination assessments. (For CCEA GCSE centres this would be a written controlled assessments policy.)

Access arrangements and reasonable adjustments

5.4 The head of centre/senior leadership team will:

- a) appoint a SENCo who will determine appropriate arrangements for candidates with learning difficulties and disabilities;
- b) ensure that learners have the correct information and advice on their selected qualification(s) **in an accessible format** and that the qualification(s) meet their needs. The recruitment process **must** include the centre assessing each potential learner and making justifiable and professional judgements about the learner's potential to complete the examinations/assessments successfully and achieve the qualification(s). The centre's assessment **must** identify, where appropriate, the support that will be made available to the learner to facilitate access to examinations/assessments;

- c) recognise its duties towards disabled candidates, including private candidates, as defined under the terms of the Equality Act 2010[†]. This **must** include a duty to explore and provide access to suitable courses, through the access arrangements process submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates;

†or any legislation in a relevant jurisdiction other than England and Wales which has an equivalent purpose and effect
- d) ensure that the SENCo undertakes the necessary and appropriate steps to gather a picture of need and demonstrate normal way of working for a private candidate such as a distance learner or a home educated student. The centre, where required, **must** lead on the assessment process. The candidate **must** be assessed by the centre's appointed assessor. In some instances, depending on his/her needs, the candidate may have to be assessed away from the centre, for example at home. The centre **must** comply with the obligation to identify the need for, request and implement access arrangements;
- e) ensure that where a candidate with a learning difficulty requires an assessment of his/her needs, he/she is assessed by an appropriately qualified assessor **as appointed by the head of centre**. Evidence of the assessor's qualification(s) **must** be obtained **before** he/she assesses candidates;
- f) have a **written** process in place to not only check the qualification(s) of their assessor(s) but that the correct procedures are followed as in Chapter 7 of the JCQ publication *Access Arrangements and Reasonable Adjustments*;
- g) assist the awarding bodies in the discharge of their duty to make reasonable adjustments by requesting access arrangements, where required, and fully support the SENCo in effectively implementing those arrangements once approved;
- h) ensure any applications for access arrangements or reasonable adjustments are submitted **by the published deadline**. The SENCo will hold on file appropriate documentary evidence to substantiate such an arrangement, which is open to inspection. For GCE and GCSE qualifications, a JCQ Centre Inspector will sample a centre's applications;
- i) ensure that for GCE and GCSE qualifications, a file is presented **by the SENCo** which **must** contain for each application the downloaded approval for the respective arrangement(s), supporting evidence of need (where required) and a signed data protection notice/candidate data personal consent form. This information **must** be readily available for inspection at the venue where the candidate is taking the examination(s);
- j) ensure requests for modified papers are submitted **by the published deadline**.

5.5 The arrangements **must** be carried out in accordance with the JCQ publication *Access Arrangements and Reasonable Adjustments, 1 September 2020 to 31 August 2021*.

If a JCQ centre inspection reveals deficient performance by a centre in respect of its role in requesting and/or implementing access arrangements, an awarding body will take decisive action. Ultimately, an awarding body might have to withdraw approval for a centre. This would be where a centre has clearly failed to comply with its obligations in respect of identifying the need for, requesting and implementing access arrangements.

Entries

5.6 The centre will:

- a) observe **each awarding body's terms and conditions** for the entry and withdrawal of candidates for their examinations and assessments;
- b) register or enter candidates for an examination or assessment in accordance with the awarding bodies' published procedures for that qualification;
- c) submit registrations, examination entries and certification claims by the deadline(s);

(With regard to entries for unitised GCSE specifications, centres[†] **must** ensure that a minimum of 40% of the total marks are taken in the final exam series when cashing-in/certification is applied for.

[†]This only applies to centres outside of England entering candidates for unitised GCSE specifications.)

- d) maintain a Unique Candidate Identifier (UCI) or Unique Learner Number (ULN) for each candidate entered for an examination or assessment and to ensure that the same UCI or ULN is used consistently for the candidate over time to enable aggregation of units and qualifications;

(see <https://www.jcq.org.uk/exams-office/entries/unique-candidate-identifiers-uci/>)

- e) enter candidates who are on roll at the centre as internal candidates;
- f) enter a candidate who is not on roll at the centre who is following a qualification as a private candidate. If the candidate is registered at another centre, that centre **must** be informed of the entries made;

(A private candidate is responsible for his or her own entry which **must** be made through an accredited centre in the United Kingdom. A candidate may not be entered as both an internal and a private candidate at the same centre in the same examination series.

Awarding bodies **do not** accept entries directly from private candidates; they will only accept entries made through an accredited centre in the United Kingdom. Further advice should be sought from the relevant awarding body who may maintain a list of centres who have indicated a willingness to accommodate private candidates.)

- g) pay fees as instructed and at the time specified by the awarding bodies;
- h) submit any applications for transferred candidate arrangements in accordance with the JCQ document *Guidance notes concerning transferred candidates*;
- i) verify the identity of all students that they enter for examinations or assessments. The centre **must** be satisfied that all candidate identities have been checked, whether as part of the initial registration process, or in the case of private candidates through a verification process which involves photo-ID;
- j) treat all candidates equally, including private candidates, throughout the examination process. This would also extend to post-results services and appeals.

Whilst it is advisable to enter candidates under names that can be verified against suitable identification such as a birth certificate, driver's licence or passport, the decision is the candidate's/centre's to make. The centre is best placed to understand the candidate's circumstances and make an informed decision.

Centre assessed work

(Controlled assessments, coursework, non-examination assessments and portfolios of evidence)

5.7 The centre will:

- a) notify awarding bodies of a consortium of centres with joint teaching arrangements for GCE and/or GCSE qualifications. This will allow the candidates for each specification to be treated as a single group for the moderation of centre-assessed work. This is only required if two or more member centres will be entering candidates for work that is centre assessed;
- b) use only current assessment materials/tasks to assess candidates' knowledge and skills (in cases where the awarding body provides such material);
- c) before submitting marks to the awarding body inform candidates of their centre assessed marks and allow a candidate to request a review of the centre's marking;

(see <https://www.jcq.org.uk/exams-office/non-examination-assessments/>)

- d) take reasonable steps to ensure that all associated administrative tasks are completed in an accurate and timely manner, e.g. marks are correctly calculated, recorded and submitted by the published date. It is the responsibility of the centre to carefully check the marks it is submitting to an awarding body;
- e) submit centre-assessed marks and to despatch moderation samples, if required by the awarding body, by the published date. It is the responsibility of the centre to ensure that moderators receive the correct samples of work to review;
- f) have in place and be available for inspection purposes, a **written** internal appeals procedure relating to internal assessment decisions and to ensure that details of this procedure are communicated, made widely available and accessible to all candidates;
- g) have in place and be available for inspection purposes, a **written** policy regarding the management of GCE and GCSE non-examination assessments. (For CCEA GCSE centres this would be a **written** controlled assessments policy.)

Candidate information

5.8 The centre will:

- a) notify candidates, including any private candidates entered through the centre, of their examination entries and the dates and times of their examinations/assessments;
- b) ensure that in relation to examinations, the JCQ *Unauthorised items* and *Warning to candidates* posters are displayed in a prominent place for all candidates to see prior to entering the examination room;
- c) ensure that the JCQ *Information for candidates* (coursework, non-examination assessments, on-screen tests, social media and written examinations) is distributed to all candidates whether electronically or in hard copy format **prior** to assessments and/or examinations taking place.

These documents may be found at:

<http://www.jcq.org.uk/exams-office/information-for-candidates-documents>

Candidates **must** also be made aware of the content of the JCQ *Unauthorised items* and *Warning to candidates* posters.

It is permissible for each of the JCQ *Information for candidates* documents to be placed on the centre's website and for the respective link to be e-mailed to candidates, with an appropriately worded message. The centre should follow this up with a briefing session or a special assembly led by the relevant Head of Year or an Assistant Headteacher. The briefing session would reinforce what candidates must and must not do when sitting written examinations and/or on-screen tests, and when producing coursework and/or non-examination assessments.

A centre may provide candidates with a copy of the JCQ *Information for candidates* documents in a language other than English, Irish or Welsh.

- d) ensure that all candidate data where required by the awarding body has been supplied to the awarding bodies within the terms of the General Data Protection Regulation, the Data Protection Act 2018 and the Freedom of Information Act 2000, and that candidates have been properly informed that this data has been transferred to the awarding bodies (see section 6, for more information);
- e) draw to the attention of candidates and their parents/carers their **written** complaints and appeals procedure which will cover general complaints regarding the centre's delivery or administration of a qualification.

Conducting examinations and assessments

5.9 The centre will:

- a) provide suitable accommodation and facilities for all examinations and assessments, including centre-assessed work, computer based and on-screen assessments, ensuring that the work submitted is that of the candidate alone using only the items/materials specified;

- b) provide fully trained invigilators for examinations, including computer based and on-screen assessments;

(When contracting supply staff to act as invigilators, the head of centre **must** ensure that such persons are competent and fully trained, understanding what is and what is not permissible.)
- c) provide fully trained Communication Professionals, Language Modifiers, practical assistants, readers and scribes for examinations where permitted in accordance with the JCQ publication *Access Arrangements and Reasonable Adjustments*;
- d) have in place **written** procedures to verify the identity of **all** candidates at the time of the examination or assessment;
- e) conduct all examinations/assessments governed by these regulations in accordance with the following JCQ publications for the academic year 2020/21: *Access Arrangements and Reasonable Adjustments, Instructions for conducting coursework, Instructions for conducting examinations, Instructions for conducting non-examination assessments*;
- f) inform the JCQ Centre Inspection Service using the JCQ *Alternative Site form* of any alternative sites that will be used to conduct **timetabled** examination components/units in the qualifications listed in paragraph 1.6;
- g) keep records for inspection purposes of all cases where overnight supervision is required in accordance with the JCQ publication *Instructions for conducting examinations, 1 September 2020 to 31 August 2021*;
- h) submit declarations for very late arrival of candidates for examinations, in accordance with the JCQ publication *Instructions for conducting examinations, 1 September 2020 to 31 August 2021*;
- i) submit any applications for special consideration where candidates meet the published criteria.

5.10 In relation to timetabled examinations and the handling of scripts, the centre **must** refer to the JCQ publication *Instructions for conducting examinations*:

<https://www.jcq.org.uk/exams-office/ice---instructions-for-conducting-examinations>

Malpractice

5.11 The centre will:

- a) take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after examinations have taken place;
- b) 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;
- c) **as required by an awarding body**, investigate any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ publication *Suspected malpractice - Policies and procedures, 1 September 2020 to 31 August 2021* and provide such information and advice as the awarding body may reasonably require.

Results

5.12 The centre will:

- a) keep results entirely confidential and restricted to key members of centre/consortium/Academy Trust staff, at the discretion of the head of centre, until the official dates and times of release of results to candidates;
- b) distribute provisional statements of results to **all** candidates without delay and regardless of any disputes (such as non-payment of fees).

Centres are not permitted to withhold provisional results from candidates under any circumstances.

Post-results services and appeals

5.13 The centre will:

- a) have in place **written** procedures for how it will deal with candidates' requests for access to scripts, clerical re-checks, reviews of marking, reviews of moderation and appeals to the awarding bodies. Details of these procedures **must** be made widely available and accessible to **all** candidates. Candidates **must** be made aware of the arrangements for post-results services **before** they sit any examinations;
- b) **ensure that senior members of centre staff are available immediately after the publication of results;**
- c) ensure that all internal candidates are made aware that all post-results service requests must be made through the centre;
- d) ensure that candidates have provided their **written consent** for clerical re-checks, reviews of marking and access to scripts services offered by the awarding bodies **after** the publication of examination results;
- e) submit requests electronically for clerical re-checks, reviews of marking, reviews of moderation and access to scripts **by the published deadline(s)** in accordance with the JCQ publication *Post-results services*;
- f) submit requests for appeals in accordance with the JCQ publication *A guide to the awarding bodies' appeals processes*;
- g) ensure outcomes of clerical re-checks, reviews of marking, reviews of moderation and appeals are made known to candidates;
- h) **have available for inspection purposes** and draw to the attention of candidates and their parents/carers, a **written** internal appeals procedure to manage disputes when a candidate disagrees with a centre decision not to support a clerical re-check, a review of marking, a review of moderation or an appeal;

(A centre may place its internal appeals procedure on the school/college website or alternatively the document may be made available to candidates upon request.)
- i) submit late subject awards for unitised GCE AS and A-level qualifications **by the published deadline.**

Certificates

5.14 The centre will:

- a) distribute certificates to **all** candidates without delay and regardless of any disputes (such as non-payment of fees). **Certificates must not be withheld without prior permission from an awarding body which will only be given in very exceptional circumstances.** A record should be kept of the certificates that are issued;
- b) retain all unclaimed certificates under secure conditions for a minimum of 12 months from the date of issue;
- c) destroy any unclaimed certificates after retaining them for a minimum of 12 months. They must be destroyed in a confidential manner. Centres that do not have a means of destroying certificates confidentially may return them to the respective awarding body. A record of certificates that have been destroyed should be retained for four years from their date of destruction. However, candidates should be informed that some awarding bodies do not offer a replacement certificate service. In such circumstances the awarding body will issue a Certifying Statement of Results;

(Where an awarding body issues a replacement certificate, or a Certifying Statement of Results, this will provide an accurate and complete record of results for all qualifications covered by the original certificate.)
- d) return any certificates requested by the awarding bodies. Certificates always remain the property of the awarding bodies.

6 Personal data, freedom of information and copyright

Personal data

- 6.1 The delivery of examinations and assessments involve centres and awarding bodies processing a significant amount of personal data (i.e. information from which a living individual might be identified). It is important that both centres and awarding bodies comply with the requirements of the General Data Protection Regulation and the Data Protection Act 2018.
- As at the date of reviewing these regulations, although the UK has now left the European Union the General Data Protection Regulation still has direct effect within the UK.
- Elsewhere in these *General Regulations* reference is made to 'data protection legislation'. This is intended to refer to the law currently set out in the General Data Protection Regulation and domestic legislation.
- 6.2 Centres **must** bring to candidates' attention the JCQ publication *Information for candidates – Privacy notice, general and vocational qualifications*. This publication should be distributed to all candidates at the start of a course leading to a vocational qualification, or, where candidates are following GCE and GCSE qualifications, when the entries are submitted to awarding bodies for processing.
- 6.3 The head of centre, or a member of the senior leadership team, **must** advise any person involved in administering, teaching or completing examinations/assessments that where malpractice is suspected, or alleged, personal data about them will be provided to the awarding body (or bodies) whose examinations/assessments are involved. Personal data about them may also be shared with other awarding bodies, the qualifications regulator or professional bodies in accordance with the JCQ publication *Suspected malpractice – Policies and procedures*.
- 6.4 Awarding bodies may be required to provide a candidate's personal data to educational agencies such as DfE, WG, DE, ESFA, regulators, HESA, UCAS, Local Authorities and the Learning Records Service (LRS). Additionally, candidates' personal data may be provided to a central record of qualifications approved by the awarding bodies for statistical and policy development purposes. Awarding bodies maintain a comprehensive archive record of candidates' examination results. The purpose is to provide an audit trail of the results certificated and to maintain an accurate record of an individual's achievements. It is the responsibility of centres to ensure that candidates are made aware of this.
- 6.5 The Learning Records Service (LRS) will provide learners aged 14 and over with a Unique Learner Number (ULN). An internet facility will provide and hold a ULN for every person in education and training aged 14 and over.
- The ULN will remain with the learner for life, supporting the learner in building a record of their participation and achievements. Learners will be able to manage access to their own learning and achievement data, whilst awarding bodies will be able to publish and maintain a learner's achievement data.
- 6.6 Awarding bodies **must** make the personal data they hold on an individual available to him or her when requested, subject to the application of any relevant exemptions. Candidates and other individuals may obtain access to their personal data such as examination results (see paragraph 5.12) by applying to the appropriate awarding body's data protection officer (see Section 7).
- 6.7 It is the responsibility of centres to inform candidates of the processing that the centre undertakes. For example, that the centre will provide relevant personal data including name, date of birth, gender to the awarding bodies for the purpose of examining and awarding qualifications.
- 6.8 Data protection laws acknowledge that an examination certificate is a contemporaneous record of achievement. The fact that an individual's name might have changed since the date of issue of the certificate does not render it inaccurate for the purposes of the data protection legislation.

Freedom of information

- 6.9 Under the Freedom of Information Act 2000, the general public is allowed access to any recorded information held by public authorities, unless such information is exempted in accordance with the provisions of the Act.
- 6.10 This means centres or awarding bodies who are public authorities within the meaning of the Act **must** consider requests for information in accordance with the provisions of the Act. Centres who are public authorities **must** consult with the relevant awarding bodies before disclosing, pursuant to the Freedom of Information Act, any information received from an awarding body.
- 6.11 Centres and awarding bodies that are not public authorities (as defined by the Freedom of information Act) are not subject to its requirements. However, information held on behalf of other public authorities such as DfE or Ofqual will also fall within the scope of the Act. Centres and awarding bodies

Copyright

- 6.12 The copyright in all question papers, on-screen assessments and computer-based assessments created by an awarding body belongs to that awarding body. Unless otherwise expressly stated in any question papers which are subject-specific, the awarding bodies grant the centres a non-exclusive, non-transferable licence to use the question papers for the purpose only of preparing future groups of candidates for mock examinations and other internal centre tests.
- 6.13 For confidentiality purposes question papers **must not** be released to centre personnel for use in accordance with the above licence 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. This does not restrict access to question papers by authorised centre personnel for the purpose of conducting examinations.
- 6.14 Materials that are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programmes and data ("Assessment Materials"). The copyright in any assessment materials created by a candidate belongs to him/her.
- 6.15 Each centre will ask each of its candidates to grant the awarding body a non-exclusive, royalty-free licence to use their assessment materials (the "Assessment Licence") on the following terms:
- i. the assessment licence becomes effective on submission, in any medium or form, by the candidate of the applicable assessment materials;
 - ii. the awarding body is entitled to use such assessment materials for the purpose of:
 - a. assessing such candidates and their assessment materials ("Candidate Assessment"); **and**
 - b. providing education and training services to others;
 - c. research.
 - iii. the awarding body is entitled to grant any sub-licences of its rights under section 6.15(ii):
 - a. to third party examiners for the purpose of candidate assessment; **and**
 - b. to third party IT service providers for the purpose of detecting potential and suspected malpractice.
 - iv. the awarding body and its sub-licensees are entitled, for purposes of exercising their rights under the assessment licence, to reproduce the assessment materials in any form or medium and in whole or in part;
 - v. the awarding body is entitled, for the purpose of providing education and training services to others, to modify, translate or otherwise change the assessment materials to meet needs;

- vi.** a candidate shall be entitled to notify the awarding body, by means of a notice to the centre, that he or she wishes to terminate the awarding body's rights referred to in section 6.15(ii)(b), (c) and it shall be in discretion of the awarding body whether or not to terminate such rights; **and**
- vii.**a candidate is not entitled to terminate the awarding body's rights referred to in section 6.15(ii) (a).

- 6.16** The assessment materials will either be assessed internally by teachers in the centres (whose marks will be moderated) or externally by examiners. Any such assessment materials will be anonymised to ensure that the candidates cannot be identified. Where a centre or third party is in possession of any assessment materials for the purposes of candidate assessment, such assessment materials will be held on behalf of the awarding body. The centre or third party shall not acquire any rights therein other than granted pursuant to the assessment licence.
- 6.17** The awarding body before publishing or otherwise disclosing assessment materials to any third party in any medium or form, and using any assessment materials for the purpose of providing education and training services to others, pursuant to the assessment licence, will anonymise such assessment materials to ensure that the candidates cannot be identified.
- 6.18** Each centre must submit promptly to the relevant awarding body any notice given by a candidate referred to in section 6.15(vi).
- 6.19** Subject to section 6.15, the physical medium on which any assessment material is recorded will be the property of the awarding body to whom it is submitted (the "Property"). The property will not be returned to centres other than through the access to scripts arrangements set out in paragraph 5.13.

7 Contacts

AQA

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OCR

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Website: ocr.org.uk

Pearson

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Website: qualifications.pearson.com

WJEC

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