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Oxford Test of English Malpractice Policy

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1 Introduction

The purpose of this document is to set out the policy and process for identifying, reporting, and dealing with malpractice on the Oxford Test of English.

2 Responsibilities

OUP takes test security very seriously and requires everyone involved in managing, delivering, and taking the test to demonstrate honesty and integrity. It is the Test Centre's responsibility to ensure that all Test Centre staff are aware of the contents of this document, and the requirement to uphold the policies and carry out the processes in this document.

3 Standards

The policy aligns with the Association of Language Testing (ALTE) *Minimum Standards and Code of Practice* (2007), and the International Test Commission (ITC) *International Guidelines on the Security of Tests, Examinations, and Other Assessments* (2014). It also draws on the Joint Qualification Council (JCQ) *General and vocational qualifications: Suspected malpractice in examinations and assessments: Policies and Procedures* (2018).

4 Malpractice

For the purposes of this policy, the definition of 'Malpractice' is taken from Joint Council for Qualifications (2018). Malpractice includes maladministration and non-compliance, and refers to any act, default or practice which is a breach of the Test Regulations, Test Centre Handbook, Test Centre terms and conditions, Test Taker terms and conditions, or this document, which:

- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

To ensure fairness, any alleged or suspected incidence of malpractice should always be referred to as 'suspected' unless it has been unequivocally proven to be actual malpractice.

Malpractice may arise for a number of reasons: it may be intentional to gain an unfair advantage or it may be due to ignorance or carelessness. Irrespective of the cause, suspected malpractice will be investigated, and sanctions and/or penalties will be imposed where malpractices have been found to have taken place.

4.1 Examples of malpractice

The following are examples of malpractice. The list is not exhaustive.

4.1.1 Test Centre staff malpractice

- Invigilators starting a test when they have not checked the IDs (identity documents) of all the Test Takers
- Invigilators providing unsanctioned assistance to Test Takers
- Invigilators leaving Test Takers unattended
- Invigilators failing to monitor Test Takers throughout the test
- Invigilators not completing the end-of-test-session report
- An invigilator not reporting suspected or actual malpractice

4.1.2 Test Taker malpractice

- Registering with false or incomplete information, such as registering with only their first name
- Copying from other Test Takers
- Communicating with other Test Takers during the test

- Causing disruption during a test session
- Accessing unsanctioned items such as phones or dictionaries
- Having any other programs or websites running on the computer while taking the test
- Using Special Requirements inappropriately to gain an unfair advantage
- Stealing test questions, such as through photography
- Disclosing the content of the test to others in any way, such as posting memorized questions on a website
- Using a proxy (i.e. a different person than the registered Test Taker) to take the test
- Violating the retake policy by entering for the test multiple times

5 Policy review

This policy is reviewed on an annual basis, but OUP reserves the right to amend the policy at any time.

6 Scope

This document is intended for use by those involved in the management, delivery, and consumption of the Oxford Test of English. It sets out the responsibilities of Test Takers, Test Centre staff, assessors, and OUP staff with any involvement in the test. It includes examples of malpractice by Test Takers and Test Centre staff to illustrate how the policy can be implemented.

7 OUP ELT approach to test security

The OUP ELT approach to test security aims to reduce the opportunities for malpractice, and to identify, mitigate and rectify any cases of malpractice through the following five steps.

7.1 Deterrence

Deterrence consists of psychological barriers to malpractice, such as publicizing sanctions and penalties which can be applied against those who have cheated, or posters in test rooms showing what materials are not allowed during the test.

7.2 Prevention

Prevention involves physical barriers to malpractice, such as the mandatory space between workstations to prevent copying, or the use of a secure browser to prevent access to the Internet during a test.

7.3 Detection

Detection is the identification of suspected malpractice, for example by an invigilator raising a concern, or by OUP running statistical analysis of response data to identify suspicious behaviour.

7.4 Investigation

Investigation involves the gathering of facts to determine whether there is sufficient evidence to respond to suspected malpractice.

7.5 Response

Where there is sufficient substantive evidence of malpractice to justify a response, OUP may impose sanctions on individuals or on Test Centres. Sanctions include withdrawal of Test Taker results, suspension of Test Centre staff, and withdrawal of Test Centre status. See section 17 for an illustrative list of sanctions and penalties.

8 Reporting suspected malpractice

The Suspected Malpractice Notification Form (Appendix 2), available from oxfordtestofenglish.com, can be used by anyone to report suspected malpractice.

8.1 Test Centre staff

If a centre representative (i.e. a Test Centre manager, invigilator, or IT representative) witnesses or suspects malpractice, they must report this to OUP immediately (i.e. on the same day as the malpractice is witnessed or learned about). Failure to report malpractice is itself considered to be malpractice (see Section 17.5).

When reporting suspected malpractice, photographs should never be taken of test content.

Where malpractice is suspected during a test session, the invigilator must report this in the end-of-test-session report.

Information on suspected malpractice should include:

- the names of any individuals suspected of malpractice
- details of the suspected malpractice
- what the invigilator did in response to the suspected malpractice

In other circumstances, the Suspected Malpractice Notification Form should be used.

8.2 Test Takers

Test Takers suspecting malpractice should tell the invigilator if this happens during a test session. If the malpractice involves the invigilator or Test Centre staff, the Test Taker should complete the Suspected Malpractice Notification Form.

8.3 Assessors

Assessors suspecting malpractice while marking the test should use the escalation process in the marking application. In other circumstances, the Suspected Malpractice Notification Form should be used.

8.4 Test Centre inspectors

Test Centre inspectors should include any suspected malpractice in the Test Centre Inspections form, or use the Suspected Malpractice Notification Form if greater sensitivity is required.

8.5 OUP staff

OUP staff should use the Suspected Malpractice Notification Form.

8.6 Members of the public

Members of the public should use the Suspected Malpractice Notification Form.

9 Investigating malpractice

Malpractice investigations are carried out by OUP. Test Centre staff are expected to co-operate fully with OUP malpractice investigations, and to provide any information required.

9.1 The investigation process

The investigation process follows these six steps. Details are given below.

- 1 The allegation
- 2 Decision to investigate
- 3 Communication with stakeholders
- 4 The investigation
- 5 The report
- 6 The decision

10 The allegation

There are a number of triggers which may initiate a malpractice investigation. OUP will review these triggers and determine whether there is sufficient evidence to investigate further. Triggers include, but are not restricted to:

10.1 Suspected Malpractice Notification Form

A Suspected Malpractice Notification Form can be completed by any concerned individual, including Test Centre staff, Test Takers, teachers, and members of the public. The form (See Appendix 2) can be downloaded from oxfordtestofenglish.com

10.2 A complaint

If, while dealing with a complaint, malpractice is suspected, the OUP Suspected Malpractice Investigation Team will be notified. The Oxford Test of English complaints policy is available at oxfordtestofenglish.com.

10.3 End-of-test-session report

Invigilators are required to complete the end-of-test-session report for each test session. Any suspected malpractice should be detailed in the report. The reports are monitored by OUP.

10.4 OUP statistical analysis

OUP runs statistical analysis on data generated by test sessions, the results of which may trigger a malpractice investigation.

10.5 OUP Web monitoring

OUP monitors the web for potential breaches of test security, which may result in a malpractice investigation.

11 Decision to investigate

When there is a case of suspected malpractice, the Suspected Malpractice Investigation Team will review the available evidence and determine whether to investigate the allegation. This may involve preliminary review of any data available, including but not limited to statistical analysis, Test Taker response files, and assessor escalation comments.

Where allegations of malpractice are sufficiently serious, preliminary sanctions and penalties (see Section 15) may be imposed at this stage and reviewed upon completion of the investigation.

12 Communication with stakeholders

If OUP decide to investigate the allegation, OUP will inform the relevant stakeholders (for example, Test Takers, or Test Centre staff), where appropriate, in writing. They will be informed of:

- the allegation
- evidence which supports the allegation
- possible consequences of the allegation

OUP shall maintain the anonymity of those reporting suspected malpractice.

13 The investigation

Evidence is gathered by the Suspected Malpractice Investigation Team. To avoid conflict of interest, the team members are drawn from OUP staff working on the Oxford Test of English. Those conducting the investigation must have no personal interest in the outcome of the investigation.

OUP will endeavour to complete the investigation with minimal inconvenience and in the shortest possible time, with a target of a maximum of five working days. However, for serious cases of suspected malpractice which may affect future test sessions, OUP reserves the right to take action such as suspending Test Centres without notice.

The full facts and circumstances of any alleged malpractice will be established as far as possible. It should not be assumed that because an allegation has been made, it is true.

Where the investigation uncovers prior knowledge of the content of the test, the investigation team must endeavour to identify whether this prior knowledge may have potentially advantaged other Test Takers, whether at the same Test Centre or elsewhere.

14 The report

14.1 Draft report

The Suspected Malpractice Investigation Team produces a draft Suspected Malpractice Report using the proforma in Appendix 3. The report provides details of the suspected malpractice and the intended sanctions or penalties. Where appropriate, the report may also include:

- 1 details of any interim sanctions or penalties taken
- 2 any mitigating circumstances
- 3 records of Test Centre staff training
- 4 test session seating plan(s)

The individual or Test Centre must be provided a copy of the report, and given an opportunity to consider the evidence and provide a response.

14.2 Final report

The final report will incorporate any statements by those subject to the investigation. The report will recommend appropriate sanctions and penalties.

15 The decision

The report will be presented to the Suspected Malpractice Review Board (SMRB) to determine whether there is sufficient information to make a decision or whether further investigation is required.

If the SMRB determine that there is sufficient evidence, it must then establish that the procedures outlined in the document have been followed by the Suspected Malpractice Investigation Team.

The SMRB then determine whether malpractice as defined in Section 4 of this policy has occurred, and who is responsible. If it is determined that malpractice has not taken place, any preliminary sanctions and penalties should be lifted immediately.

If it is determined that malpractice has taken place, or that there is very strong evidence but not proof that malpractice has taken place, the SMRB then decides on appropriate sanctions and penalties. Sanctions and penalties should be proportionate, in line with historic applications of sanctions and penalties, and in line with the examples provided in this document. Where there is an established, clearly evidenced, repeated pattern of behaviour this may be taken into consideration when determining whether a sanction should be applied.

16 Sanctions and penalties

The sanctions and penalties outlined below may be imposed individually or in combination. For example, a Test Centre staff member may be issued with a written warning, and suspended from invigilating until they have retrained. Sanctions and penalties will be imposed proportionately to the scope and impact of the malpractice. This list is not exhaustive. See Appendix 1 for illustrative case studies.

16.1 Test Centre malpractice

16.1.1 A written warning to the individual Test Centre staff member

The member of staff is issued with a warning that any further malpractice will result in permanent suspension from any activity in relation to the administration of the Oxford Test of English. The Test Centre is informed.

16.1.2 A written warning to the Test Centre

The Test Centre Manager or an appropriate member of staff is issued with a warning that any further malpractice will result in withdrawal of Approved Test Centre status.

16.1.3 Training

The member of Test Centre staff (such as an invigilator) is required to undergo retraining for the role in which malpractice occurred.

16.1.4 Suspension of an individual Test Centre Manager, Invigilator, or IT representative

The member of staff is suspended from any involvement in the administration of the Oxford Test of English. This suspension may be for a specified period, or until any further training is completed satisfactorily.

16.1.5 Suspension of Approved Test Centre status

The Test Centre's approved status is suspended for a specified period of time or until a Test Centre inspection is completed satisfactorily. This means that the Test Centre will not be able to advertise, sell or administer the Oxford Test of English until the suspension has ended.

16.1.6 Test Centre inspection

OUP may carry out an inspection of the Test Centre.

16.1.7 Debarment of a Test Centre Manager, Invigilator, or IT representative

The Test Centre member of staff may be permanently removed from involvement in the administration of the Oxford Test of English.

16.1.8 Permanent withdrawal of Approved Test Centre status

The Approved Test Centre status is permanently withdrawn. This means that the Test Centre can no longer advertise, sell or administer the Oxford Test of English and future applications to do so will not be accepted.

16.1.9 Replacement tests

Where a Test Taker's results are affected or withdrawn due to malpractice by Test Centre staff, the Test Centre may be required to provide replacement test sessions or refunds for the Test Taker.

16.2 Test Taker malpractice

16.2.1 Withdrawal of results and a free retake

Where malpractice is strongly suspected but cannot be proved, the Test Taker's results will be withdrawn, and a retake of the test will be offered free of charge. Where appropriate, the retake will be offered at the same Test Centre that the test was originally taken at.

16.2.2 Withdrawal of results

Where malpractice is proved, results for the relevant modules will be withdrawn.

16.2.3 Informing test score users of results annulment

Where malpractice is proved, test score users (such as university admissions and employers who the Test Taker has shared their results with) may be informed that the results have been withdrawn due to malpractice.

16.2.4 Suspension

The Test Taker may be suspended from taking further tests for a limited period, for example while malpractice is being investigated.

16.2.5 Debarral

Where malpractice is proved, the Test Taker may be permanently barred from taking the test, and any variations of the test.

16.3 Communicating outcomes

OUP will communicate outcomes of investigations in writing.

17 Appendix 1 – examples of malpractice

The following case studies of malpractice are for illustrative purposes only. They describe examples of malpractice, and the potential outcomes in response to the malpractice. Please note that the Oxford Test of English is delivered on a different platform in Spain, so examples with the Spain only symbol apply only to Spain.

17.1 Test Taker registration malpractice

A Test Taker registers for the test with only their first name. The invigilator fails to check the full name on the Test Taker's ID matches the name on the computer screen, and starts the test. The Test Taker completes the test. OUP identifies the issue through its data analysis.

This is clearly in breach of the policy set out in the Test Centre Handbook which states that once Test Takers have signed in, the invigilator must check that 1) each Test Taker's appearance matches the photograph on their ID; 2) the name and ID number on each Test Taker's ID matches the name and ID number that appear on the top right of the Test Taker's computer screen.

Outcomes:

- The invigilator is issued with a written warning. The invigilator is also suspended until they have successfully repeated invigilator training.
- The Test Taker's results are withdrawn.
- The Test Centre is required to provide a replacement test session for the Test Takers affected, at the Test Centre's expense.

17.2 Invigilator creates new account Spain only

A Test Taker forgot their log in details. The invigilator created a new account for the Test Taker. This means that the Test Taker has their results on two different accounts.

This is clearly in breach of the policy set out in the Test Centre Handbook which states that for Test Takers who forget their log in details, invigilators must create a temporary account. Such temporary accounts can later be merged by OUP. Merging temporary accounts is a service provided free of charge to Test Centres.

Outcomes:

- The invigilator is issued with a written warning. The invigilator is also suspended until they have successfully repeated invigilator training.

17.3 Invigilator provides unsanctioned assistance to a Test Taker

While doing the Speaking module, a Test Taker could not remember a word in English and asked the invigilator for help. The invigilator told the word to the Test Taker. The discussion between the invigilator and Test Taker was captured on the audio recording and the assessor marking the response escalated the behaviour as suspicious. An investigation showed that the invigilator had assisted the Test Taker.

This is clearly in breach of the policy set out in the Test Centre Handbook which states that invigilators must not assist Test Takers in any way to gain or provide them with an unfair advantage. It is determined that the assistance gave the Test Taker an unfair advantage.

Outcomes:

- The invigilator is issued with a written warning. The invigilator is also suspended until they have successfully repeated invigilator training.
- The Test Taker's results are withdrawn.
- The Test Centre provides the Test Taker with a resit at the Test Centre's expense.

17.4 Test Centre Manager takes a photograph during a test session

During a test session, a Test Centre manager took photographs of Test Takers taking a test during a test session. The photographs were used to promote the test on the Test Centre's website. The malpractice was discovered by OUP's web monitoring.

This is clearly in breach of the policy set out in the Test Centre Handbook which states that invigilators must ensure that no photographs are taken by any person in the test room before, during or after a test session.

Outcomes:

- The Test Centre is issued with a written warning.
- The Test Centre is suspended from running test sessions until it has been re-inspected.

17.5 Invigilator fails to report malpractice

During a test session, a Test Taker was found to have access to a mobile phone. The invigilator confiscated the phone, and returned it to the Test Taker at the end of the test session. The invigilator failed to report the disruption in the end-of-test-session report. A number of Test Takers made complaints to OUP.

This is a breach of the policy set out in the Test Centre Handbook which states that invigilators must ensure that any suspected malpractice is reported in the end-of-test-session report.

Outcomes:

- The invigilator is issued with a written warning. The invigilator is also suspended until they have successfully repeated invigilator training.
- The Test Centre is issued with a written warning.
- The Test Centre is suspended from running test sessions until it has been re-inspected.

18 Appendix 2 – Suspected Malpractice Notification Form

A fillable copy of this form can be found at www.oxfordtestofenglish.com.

Suspected Malpractice Notification Form

This form should be used to report suspected malpractice on the Oxford Test of English. Malpractice refers to any act, default or practice which is a breach of the Test Regulations, Test Centre Handbook, terms and conditions, or this document, or which:

- compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or
- damages the authority, reputation or credibility of any awarding body or centre or any officer, employee or agent of any awarding body or centre.

Oxford University Press reviews all allegations of suspected malpractice. Oxford University Press will keep your details confidential. The completed form should be emailed to: AssessmentProficiency@oup.com

ABOUT YOU

Your full name:

Your email:

Your phone number:

Your contact address:

ABOUT THE SUSPECTED MALPRACTICE

1 What kind of malpractice are you reporting? Choose one or more of the following.

Test Taker (tick all relevant boxes)

- Test Taker causing disruption during a test session
- Test Taker copying other Test Takers
- Test Taker used unauthorized material (such as notes, a phone, etc.)
- Test Taker communicating with other Test Takers during the test
- Disclosing the content of the test to others in any way, such as posting memorized questions on a website
- Test Taker registering with false or incomplete information, such as registering with only the first name
- Other (please give details)

Invigilator (tick all relevant boxes)

- Invigilator allowed Test Takers to take the test without checking the name they registered matched their ID
- Invigilator leaving the test room unattended
- Invigilators providing unsanctioned assistance to Test Takers
- Invigilator failing to monitor Test Takers throughout the test
- Invigilator not completing the end-of-test-session report
- An invigilator not reporting suspected or actual malpractice
- Other (please give details)

Other (give details)

- 2 How did you find out about the malpractice?
- 3 When did you find out about the malpractice?
- 4 When did the suspected malpractice happen?
- 5 Where did the malpractice take place?

At a Test Centre?

Test Centre name:

Test Centre website address:

Test Centre number (if known):

Country:

Not at a Test Centre?

Please give details

6 Please give any other details of the malpractice to help OUP to investigate.

19 Appendix 3 – Suspected Malpractice Investigation Report

The suspected malpractice investigation report must include the following details:

- 1 Date of report
- 2 Author of report
- 3 Suspected Malpractice Investigation Team members
- 4 Details of the suspected malpractice
- 5 Statement by the person(s) under investigation
- 6 Recommended sanctions and penalties, including a rationale

20 Glossary

Debarral: permanent exclusion of an individual from taking the Oxford Test of English

End-of-test-session report: A report in the test administration system which is completed by the invigilator at the end of the test.

Escalation: the process where an assessor notifies OUP of suspected malpractice via the marking system.

Inspection: Test Centres are routinely inspected by OUP to ensure that test sessions are managed in accordance with the standards set out in policies and processes. Where appropriate, a Test Centre may be re-inspected.

SMRB: Suspected Malpractice Review Board. This is a team drawn from OUP staff who are independent of the Test Centre and the Suspected Malpractice Investigation Team.

Test score users: entities such as universities and employers who use the test scores as evidence of English proficiency as part of their admissions/recruitment process.

21 References

ALTE (2007) *Minimum Standards for establishing quality profiles in ALTE examinations*. (https://alte.wildapricot.org/resources/Documents/minimum_standards_en.pdf)

International Test Commission (2014) *International Guidelines on the Security of Tests, Examinations, and Other Assessments*. (www.intestcom.org)

Joint Council for Qualifications (2017) *General and vocational qualifications: Suspected malpractice in examinations and assessments: Policies and Procedures. 1 September 2017 to 31 August 2018* (<https://www.jcq.org.uk/exams-office/malpractice>)