

# **THE WEST AFRICAN EXAMINATIONS COUNCIL**



## **RULES AND REGULATIONS FOR DEALING WITH CASES OF IRREGULARITY IN THE COUNCIL'S EXAMINATIONS**

**(EFFECTIVE JANUARY 2023)**

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### **DEFINITIONS**

**INSCRIPTION** This includes written or engraved, cut or carved letters, words, paragraphs, messages, etc. whether questions or answers to questions made and found on the skin, clothes or any surface.

**MASS CHEATING** Where more than half of the candidates for a subject(s) at a centre are involved in collusion, this shall be regarded as mass cheating.

**DE-RECOGNITION** This applies where the appropriate Committee of the Council is satisfied that a school involved in mass cheating cannot ensure the satisfactory conduct of the Council's examinations. This implies that the school authority can no longer organise or manage the school as a school centre, although the Council or its agent may use the physical facilities of the school for the purpose of the examinations. The school may be allowed to present its candidates as school candidates after fulfilling specified requirements, or move them to another centre for the conduct of the examination. However, the conduct of the whole examination (Objective, Practical and Essay) shall be the responsibility of the Council.

**WITHDRAWAL OF** Withdrawal of recognition implies that the school authority can no

**RECOGNITION** longer organise or manage the school as a centre, hence, the school will not be allowed to present its candidates as school candidates and the centre number will be withdrawn.

**LEAKAGE** This occurs where candidates as well as the general public have access to examination question(s) before release from the Council's proper custody. It is the illegal filtration of the question(s) from the Council.

**FOREKNOWLEDGE** This occurs where candidates and/or members of the general public have knowledge of the contents of examination question paper(s) after release from the Council's proper custody but before the scheduled time of examination.

**EXPLANATORY NOTES**

- A candidate is deemed to be *found with a material in the examination hall*, if the material is found:
  - (a) on any part of the candidate's body;
  - (b) in or on the desk/seat of the candidate.
  
- A school is deemed to have refused to grant examination official(s) *timely access into the school premises/examination hall* where it is found that the examination official(s) have identified themselves and they are not granted immediate entry thereafter, into the school premises for whatever reason.

**THE RULES**

1. **BRINGING FOREIGN MATERIAL INTO EXAMINATION HALL**

- (1) Where a candidate is found with a blank piece of paper, cribs, notes textbooks, prepared material or any other printed material, in the examination hall (except mobile phone or any other electronic communication device), the following shall apply:
  - (a) where it is confirmed or there is evidence to show that the candidate is involved in examination malpractice in only one subject, the result of the subject involved, shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
  - (b) where it cannot be immediately confirmed or there is no evidence to show that the candidate is involved in examination malpractice in only one subject, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
  
- (2) Where a candidate is found with a programmable calculator in the examination hall, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

- (3) Where a candidate is found in the examination hall to have inscription(s) on any part of his/her body or clothing, the candidate's entire results in the examination shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (4) Where a candidate is found with a mobile phone or any other electronic communication device in the examination hall, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

## 2. **IRREGULAR ACTIVITIES INSIDE OR OUTSIDE THE EXAMINATION HALL**

- (1) Where a candidate is apprehended for offence(s) such as those listed below inside or outside the examination hall, the candidate's entire results shall be withheld pending the outcome of investigation by the appropriate Committee of the Council:
  - (a) stealing, converting or misappropriating the scripts of other candidates.
  - (b) substituting worked scripts during or after the examination.
  - (c) submission of more than one worked script.
  - (d) possession of more than one question paper or answer booklet.
  - (e) seeking or receiving help from non-candidate(s) such as invigilator(s), supervisor(s), teacher(s) or other personalities before, during or after the examination.
- (2) Where the person giving the help is not a candidate for the examination in session, but a prospective candidate, he/she shall be barred from taking any examination conducted by the Council for 1 year and will also be reported to the appropriate authority for disciplinary action to be taken against him/her. In addition to the above action, the candidate's entire results shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (3) Where a candidate is apprehended for offence(s) such as those listed below inside or outside the examination hall, the candidate's entire results shall be withheld pending the outcome of investigation by the appropriate Committee of the Council:
  - (a) tearing part of the question paper or answer booklet during the examination.
  - (b) refusing to submit worked script to the Supervisor after the examination.

- (c) starting to write an examination before commencement of work is officially announced OR continuing to write after official orders have been given for candidates to stop work.
- (d) other irregular activities including but not limited to causing noise or disturbances within the immediate precincts of the examination hall before, during or after the examination.

### **3. COLLUSION**

- (1) Where a candidate is found during the examination passing notes for help from other candidate(s), receiving or giving assistance, talking with or colluding in any manner with another/other candidate(s), the entire results of the candidate(s) involved shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (2) Where cases of collusion are detected in script(s) and/or otherwise established in one paper, the entire results of the candidate(s) involved shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (3) Where a candidate is proved to have colluded with another/other candidate(s) in more than one paper/subject, the entire results of the candidate(s) involved shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

### **4. IMPERSONATION**

- (1) Where a person is found impersonating a candidate, he/she shall be handed over to the Police for prosecution. The bona fide candidate, if apprehended, shall also be handed over to the Police for prosecution.
- (2) The entire results of the candidate being impersonated and those of the impersonator, if he/she is also a candidate for the examination, shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (3) Both the impersonator and the impersonated shall also be barred from taking any examination conducted by the Council for a period of not less than 2 years.

The Council also reserves the right to publish the names of persons so barred.

### **5. FOREKNOWLEDGE**

- (1) Where a case of foreknowledge in a subject(s) is established at a centre, the entire results of the candidates offering the subject(s) involved at the centre shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

- (2) Where it is established that a case of foreknowledge occurred and any examination official(s), connived at, aided and/or encouraged the foreknowledge, the appropriate sanction(s) shall be meted out on all who are found culpable, by the appropriate Committee of the Council.
- (3) Where it is established that the school authorities condoned, connived at, and/or encouraged the case of foreknowledge, the school shall be de-recognised in accordance with Rule 7.

## **6. LEAKAGE**

Where it is established that leakage has occurred and any examination official(s) connived at, aided and/or encouraged the leakage, the appropriate sanction(s) shall be meted out on all who are found culpable by the appropriate Committee of the Council.

## **7. MASS CHEATING**

- (1) Where mass cheating in a subject(s) at a centre is established, the entire results of the candidates at the centre shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (2) Where mass cheating is established in more than one subject taken at a centre, the following shall apply:
  - (a) in the case of schools, a report shall be made to the Ministry of Education or the appropriate Board for disciplinary action to be taken against the person(s) responsible.
  - (b) the school shall be de-recognised for a period not less than 1 year.
  - (c) the school concerned may be required to pay penalty fees in addition to prescribed fees for the supervision and invigilation of the examination before the examination begins.
  - (d) in the case of public centres, the Council shall take appropriate action.
  - (e) notwithstanding (b) above, recognition may be restored upon a written assurance from the administering authority of the school that the necessary requirements have been satisfied. Such assurance shall contain details of measures taken to ensure the satisfactory conduct of the examination, and those which shall be put in place subject to acceptance by the Council. Recognition, however, will only be restored after at least 1 year of de-recognition.
- (3) Where mass cheating is established in three (3) or more subjects taken at a centre, the school's/public centre's recognition shall be withdrawn. Recognition of the school/public centre may be restored upon re-inspection and a written assurance that necessary measures have been put in place to forestall such occurrence. The school after serving at least 5 years of the sanction, may begin a new process of recognition and a new centre number shall be given to the school.

**8. INSULT/ASSAULT ON SUPERVISORS/INVIGILATORS/SCHOOL OFFICIALS/INSPECTORS**

- (1) Where a candidate insults or assaults a supervisor/invigilator/school official/inspector in the lawful performance of his/her duties inside or outside the examination hall, or in any other way disturbs the conduct of the examination, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council. The candidate shall also be barred from taking any examination conducted by the Council for a period not less than 2 years. In addition, he/she may be handed over to the Police for prosecution.
- (2) Where a candidate brings into the examination hall or uses anything including firearms, chemical substances with intent to cause injury, temporary or permanent incapacity to any authorised person in the examination hall including other candidates, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council. In addition, the candidate shall be barred for a period of not less than 2 years from taking any examination conducted by the Council.
- (3) Where a school official(s) insult(s) or assault(s), incite(s)/instigate(s) the assault on an examination official(s) before, during or after the examination, such school(s) shall be de-recognised for a period not less than 2 years.
- (4) Where such assault in 8(3) causes injury (temporary or permanent) on the official(s), such school's recognition shall be withdrawn. The school shall be required to pay the cost of treatment of the injured examination official(s).
- (5) Without prejudice to Rule 8(3), where the Proprietor of the school is found to be involved in the assault, the recognition of the school shall be withdrawn.
- (6) Sanctions for Rules 8(1)- (5) above, shall not preclude legal action being taken against the offender(s) by the Council or affected individual(s).

**9. CONTRAVENTION OF INSTRUCTIONS TO CANDIDATES**

- (1) Where a candidate, in contravention of the instructions to candidates, writes with pencil instead of ink or shades with ink instead of pencil, the following shall apply:
  - (a) where it is confirmed that this is the only examination malpractice the candidate is involved in, the result of the subject involved, shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
  - (b) where it cannot be immediately confirmed that this is the only examination malpractice the candidate is involved in, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

- (2) Where a candidate fails to complete the cover page of his/her answer booklet as specified in the instructions, the following shall apply:
  - (a) where it is confirmed that this is the only examination malpractice the candidate is involved in, the result of the subject involved, shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
  - (b) where it cannot be immediately confirmed that this is the only examination malpractice the candidate is involved in, the entire results of the candidate shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

#### **10. MULTIPLE REGISTRATIONS/REGISTRATION OF UNQUALIFIED CANDIDATES**

- (1) Where a candidate is involved in multiple registrations for the same diet of examination and investigations reveal that the candidate sat the examination in more than one centre, the candidate's entire results shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (2) Where a Head of school(s) or its official(s) or representative(s) is/are found to have committed any of the offences listed below, before, during or after the conduct of the examination;
  - (a) registration of non-school/unqualified candidate(s) for School Candidates' examinations;
  - (b) fabrication and/or falsification of continuous assessment scores for the affected candidate(s) in (a) above;

a report shall be made to the Ministry of Education or the appropriate Board for disciplinary action to be taken against the person(s) responsible and the school shall be de-recognised for a period not less than 1 year.

- (3) the non-school/unqualified candidate(s) who is/are found to be beneficiary(ies) of the school's breach as described above, shall have his/her/their entire results withheld pending the outcome of investigation by the appropriate Committee of the Council.

#### **11. DESTRUCTION OF EXHIBITS**

Where a candidate is apprehended in the examination hall or within its precincts, committing an offence or aiding another/other candidate(s) to commit an offence, and he/she proceeds to destroy the evidence of his/her offence, his/her entire results shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.

**12. POSTING LIVE QUESTIONS ON THE INTERNET**

- (1) Where a candidate is found to have posted/received live questions/answers on the internet via social media, his/her entire results shall be withheld pending the outcome of investigation by the appropriate Committee of the Council.
- (2) Where it is found that the live questions were posted by any examination official(s), appropriate sanctions shall be meted out to whoever is found culpable. The matter shall also be reported to the Police for investigation and prosecution.

**13. REFUSAL TO GRANT TIMELY ACCESS INTO THE SCHOOL PREMISES**

Where a school is found to have refused to grant examination official(s) timely access into the school premises/examination hall, the following shall apply:

- (1) in the first instance, the school shall be warned.
- (2) where another report is received on the same school, the school shall be de-recognised for 2 years.

**14. MISCONDUCT OF EXAMINATION OFFICIAL(S)**

- (1) Where an examination official is found, inside or outside the examination hall with any material relevant to the examination being conducted and which may impugn the conduct of the examination, the examination official shall be handed over to the Police for investigation and prosecution. In addition, he/she shall be formally reported to his/her employer.
- (2) Where the school authorities offer bribe to examination officials before, during or after the period of the conduct of examinations, the school shall be de-recognised for 2 years and the relevant conditions in Rule 7 shall apply as appropriate.

**15. NEW CASES**

As new cases arise, which are not covered by the above rules, the appropriate Committee of the Council shall take necessary action.

**16. REVIEW**

These rules shall be subject to review as and when necessary.

Headquarters, Accra

December, 2022