



Instructions to Examination Centres & Invigilators 2017

CILEx Level 3 Diploma in Law and Legal Skills

Units 1, 3, 4, 5 and 6

Issued November 2016

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1. Introduction

This booklet provides instructions and guidance to centres and invigilators on the conduct of CILEx examinations for the **CILEx Level 3 Diploma in Law and Legal Skills**. It forms part of the Invigilation pack issued to centres delivering CILEx examinations. These instructions should be read in conjunction with the other documents contained in the Invigilation pack;

- Invigilation Report Form
- Candidate Attendance Register
- Key Code Slips
- Examination Timetable
- Examination Regulations for Candidates
- Special Consideration Policy and Procedures

CILEx may undertake unannounced visits to examination centres during the periods in which examinations are being conducted. The examination centre is required to facilitate any visit from a CILEx representative.

The examinations take place in November, March and June (see Examination Timetable).

2. CILEx contact details:

Membership Contact Centre Team: Tel: 01234 845777

Email: membership@cilex.org.uk

CILEx Address:

**CILEx
Kempston Manor
Kempston
Bedford
MK42 7AB**

CILEx Website: www.cilex.org.uk

3. CILEx Level 3 Diploma in Law and Legal Skills

An overview of the **Level 3** units for the Level 3 Diploma in Law and Legal Skills qualifications is provided below:

Unit	Title	Type of Assessment	Examination Duration
Unit 1	Introduction to Law and the Legal System in England and Wales	Multiple choice test	1 hour
Unit 2	Practical Legal Skills	Assessed through an open book synoptic assessment at the end of the programme with 10 hours of supervised time. The synoptic assessment also covers aspects of Units 1, 3, 4, 5 and 6.	
Unit 3	Law of Contract	Unseen external examination	1.5 hours
Unit 4	Tort Law	Unseen external examination	1.5 hours
Unit 5	Law of Crime	Unseen external examination	1.5 hours
Unit 6	Land and Property Law	Unseen external examination	1.5 hours

3.1 Examination start times:

Please see the Examination Timetables for dates and times of the examinations.

- Morning examinations start at 9.30 am
- Afternoon examinations start at 2.00 pm

Examination start times must not be adjusted unless permission is granted by CILEx. Accredited centres must ensure that all learners sitting examinations at the centre are advised if a different start time has been agreed by CILEx.

Centres should take into account any additional time that may be needed for latecomers, when planning the examination timetable.

SECTION A: PREPARATION FOR CILEx EXAMINATIONS

4. Resources for conducting online examinations

- 4.1 Centres must ensure that sufficient workstations are available;** including at least one replacement workstation, where required. The equipment must be fit for purpose, and meet CILEx's minimum technical specifications for secure delivery: see the following page and scroll down: <https://cilex.surpass.com/LaunchTest>
- 4.2 Workstations must be checked by a competent person before use.** Centres must use one workstation as a 'control centre' from which the invigilator is able to monitor activity of candidates' workstations. It is advisable to have IT support available, should this be required prior to, during and after any assessments.
- 4.3 Centres must ensure they install the relevant software to enable the examinations to be administered.** CILEx's e-assessment system uses a secure application, which will need to be downloaded on to all computers being used for the examinations. CILEx will ensure that examinations are available to download at least 2 days in advance of an examination session.
- 4.4 Each workstation will need to have access to the internet after the examination in order for the examination to be submitted.** The secure application for conducting online examinations does not require a constant connection to the internet during the examination. This is, however, recommended so that full functionality can be provided (e.g. the invigilator(s) can monitor candidates during the examination and, where necessary, pause the examination). A constant internet connection also ensures that in the event of a workstation failure, the candidate's completed examination up to that point can be saved.
- 4.5 Scrap paper should be available for candidates to use if they so wish.**

5. Invigilation pack materials supplied by CILEx

- 5.1 Instructions to Examination Centres and Invigilators:** The instructions in this guide **must** be followed before, during and after each examination session. It is essential therefore that centres and invigilators read this thoroughly.
- 5.2 Key Code Slips:** An individual Key Code is issued to each candidate for each examination. The Key Code enables the candidate to access the examination on screen as well as being required for entry to the examination room as part of the ID checks. Candidates must present their Key Code Slip at each examination for checking by the invigilator.
- The candidate is responsible for inputting their Key Code and for ensuring the name of the test, and their name and details are correct before starting the examination. If the information is incorrect, they must cancel out of the test before starting and notify the invigilator. If a candidate sits an examination in another candidate's name (whether intentional or unintentional) this may constitute malpractice.
- 5.3 Candidate Attendance Registers:** These show candidates' names and Junior Membership Numbers for each examination. They are used to record candidate attendance at the examination and confirm that the ID checks have been completed.
- 5.4 Invigilator Report Form:** A report form must be completed for each examination. Full details of any incident which occurs during the examination must be recorded on the report form.

5.5 Examination Regulations: Candidates must comply with these regulations when taking examinations.

Examination Timetable: Please see the Examination Timetables for dates and times of the examinations.

5.6 Special Consideration Policy and Procedures: this sets out the CILEx policy and procedures for special consideration for candidates who are adversely affected by temporary illness, injury, other medical indisposition or non-medical indisposition.

6. Security of on screen examinations

6.1 Preparing Workstations for the Assessment: Centres should use the 2 days before the examination to check that there are no problems with the examination being set up on the workstations and to ensure that all of the requirements for candidates with reasonable adjustments and access arrangements can be met.

6.2 PIN numbers: CILEx will issue Centres with a PIN number at least two days before the examination is due to take place. The PIN number will be used by the invigilator to 'unlock' the examination at the start time so that candidates can take the examination.

6.3 Workstation security: Centres must have appropriate security systems and procedures in place to protect **the** network and the security of hardware and software which is used to deliver the on screen examination.

Centres must ensure candidates cannot communicate with each other during the assessment. .

CILEx must be informed immediately if the security of the examination is put at risk by fire, theft, loss, damage, unauthorised disclosure or any other circumstances.

7. Accommodation

Examination rooms should meet the following requirements:

Seating: There must be at least 1.25 metres between workstations measured from the nearest outer edge of one screen to the next, unless the monitors are positioned back to back or separated by dividers or protected by privacy screens. Where 1.25 metres proves to be an insufficient distance to prevent candidates seeing the work of others, whether intentionally or unintentionally, appropriate steps must be taken by the centre to ensure candidates cannot see the work of others.

Health and Safety, Heating, Lighting, Ventilation: There must be adequate heating, lighting and ventilation. Heating must be adjustable to respond to the temperature in the examination room, as necessary. Centres must ensure that candidates' comfort and safety is observed. This includes checking the position of screens and providing foot rests, wrist rests etc. where necessary.

Fire escape routes: must be accessible. Invigilators must ensure that they are familiar with the fire alarm evacuation procedures.

Toilet facilities: must be available and should be located reasonably closely to the examination room/s.

Extraneous noise etc: All reasonable steps should be taken to ensure that candidates will not be disturbed during the examination. Please make certain that any neighbouring rooms are not used for any activity that might generate a noise or other distraction.

Signs: Signs should be displayed immediately outside the examination room. These can be used to indicate both the location of the examination room/s, and that silence is required, e.g.:

Display materials: No display materials which might be helpful to candidates should be visible in the examination room/s.

8. Invigilators

The invigilator is the person in the examination room responsible for the conduct of a particular examination in the presence of the candidates. Invigilators must give their full attention to the proper conduct of the examination. **As a minimum CILEx requires 2 invigilators for every 25 candidates**, unless there is only 1 candidate, in which case 1 invigilator is sufficient. Ideally both male and female invigilator/s should be present.

To avoid conflicts of interest, invigilators must not be:

- A CILEx programme leader/subject tutor/member of teaching team for CILEx programmes
- A relative or friend of any examination candidate.

All invigilators must be fully conversant with the 'Instructions to Invigilators' which are detailed in **Part B**.

9. Candidates with reasonable adjustments

On occasion, candidates may require additional support during their examination in the form of reasonable adjustments. All requests for reasonable adjustments are considered by CILEx in advance of the examinations. CILEx advises invigilators and centres about any candidates who have been granted reasonable adjustments in order that they can check that the necessary arrangements have been made prior to the examination session. Any queries about reasonable adjustments must be raised with the Membership Contact Centre Team before the start of the examination/s.

SECTION B: INSTRUCTIONS TO INVIGILATORS

10. Arrival at the examination venue

Reasonable Adjustments: Invigilators should check that the arrangements which have been made for any candidate with reasonable adjustments have been carried out.

11. Admitting candidates into the examination room

Invigilators should start to admit candidates into the examination room, after the room has been set up in accordance with the instructions in Section 7, approximately 15 minutes before the start of the examination to allow sufficient time for the registration process, including the candidate identity checks to be carried out. (See **Section 12** Registration of candidates).

(This timeframe may vary depending on the size of the examination centre and it is requested that invigilators use their discretion.)

On entry to the examination room candidates should be instructed to leave unauthorised books, study/revision notes etc. at the side/back of the room and to turn off mobile telephones and place them with their belongings at the side/back of the room.

Candidates in the examination room must be supervised at all times.

Smoking by candidates or invigilators is **NOT** allowed in the examination room.

12. Registration of candidates

The following procedures are recommended by CILEx but it is appreciated that invigilators may need to adapt these procedures to accommodate a variety of factors. However, it is essential that candidates are not disturbed during the examination with any queries about the ID documents they have brought along to the examination.

12.1 Candidate identity checks and completion of the Candidate Attendance Register

- On entry to the examination room each candidate's ID (see Appendix 1 for suitable forms of ID) and Key Code Slip should be checked by one of the invigilators before they are allowed to take their seat. The Key Code Slip will show the candidate's name, the centre address, the candidate's Junior Membership Number and the date and time of the examination as well as the Key Code.
- The Candidate Attendance Register should be completed by the invigilator by placing a tick in the 'Present' column for each candidate whose ID is confirmed.
- After the ID check and Candidate Attendance Register have been completed, the candidate should be asked to take his/her seat.
- Where a candidate does not meet the ID check requirements, this must be noted on the Candidate Attendance Register by placing a X in the 'Present' column and a note must be made on the Invigilator Report Form (see **Appendix 2**).
- Absentees must also be noted on the Candidate Attendance Register.

13. Pre-examination announcements

After the examination registration procedures have been completed and all candidates are seated ready to start the examination, one of the Invigilators should read out the pre-examination announcements. CILEx has set out in **Appendix 2** the announcements which should be made, however, Invigilators are permitted to adapt the announcements as long as the content and meaning is not changed.

The announcements may take 2-3 minutes to go through with the candidates, so invigilators should ensure they have sufficient time to read the announcements to the candidates.

In the event that the examination start time is delayed due to the registration procedures or the reading out of the announcements, invigilators should ensure that the actual start time is recorded on the Candidate Attendance Register.

14. Candidates arriving late

Candidates arriving late may be admitted. However, no candidate may be admitted after 45 minutes from the commencement of the examination.

The candidate identity checks, as detailed in **Section 12.1**, should be carried out for any candidate arriving late and the Candidate Attendance Register completed.

All such incidents should be recorded on the Invigilators' Report form along with any action taken.

15. Guidance for invigilators during the examination

15.1 Observing candidates

Invigilators must patrol the examination room discreetly and regularly to ensure that candidates are abiding by the Examination Regulations and are not referring to any unauthorised materials, communicating with other candidates, using unauthorised electronic communication devices etc.

15.2 Procedures for candidates leaving the examination room

Candidates are not permitted to leave the examination room during the first 45 minutes or the final 15 minutes before the scheduled finish time of the examination. (For Level 3 Unit 1: Introduction to Law and the Legal System in England and Wales, candidates are only permitted to leave the examination if they require the toilet facilities or are unwell, otherwise they should remain in the examination room for the duration of the examination.)

Any candidate wishing to leave the examination room at any other point during the examination for any reason must raise their hand to alert the invigilator, as specified in the Examination Regulations.

In all cases an invigilator must speak discreetly to the candidate to ascertain the candidate's reason for wishing to leave the examination room.

In the event that a candidate has a valid reason for temporarily leaving the examination room, the candidate must at all times be escorted by an invigilator. Please note, if the candidate wishes to take a toilet break they should, wherever possible, be accompanied by an invigilator of the same sex.

Invigilators are not permitted to pause the examination for a candidate who has a toilet break. The candidate is not permitted to take anything from their workstation with them. The invigilator must be satisfied that the candidate is not intending to make any attempt to breach the Examination Regulations.

In the event, that a candidate wishes to leave the examination room permanently, the candidate's test must be submitted **before the candidate is allowed to leave**. The time that the candidate leaves should be recorded on the Invigilator's Report Form

Candidates and invigilators who leave the examination room during the examination should leave quietly to minimise disruption to the other candidates.

15.3 Candidate queries

If a general query is raised on an examination, for example, the number of questions which must be answered, the invigilator should try and assist. **Guidance as to the content of a question or the way in which a question could be interpreted should not be given.**

In the unlikely event that a candidate states that there is an alleged ambiguity or error on a question in the Unit 3, 4, 5 or 6 assessments, the candidate should be advised to state the interpretation they have put on the question in their response to the question. For Unit 1, which is a multiple choice test, the invigilator should report any discrepancies identified by a candidate/candidates on the Invigilator Report Form. Candidates will need to record the relevant question number on their scrap paper during the examination and then notify the invigilator after the examination has taken place. The invigilator should then record the details on the Invigilator Report Form. Candidates should be reassured that such issues will be considered by CILEx to ensure that the candidates are not disadvantaged in any way. The Membership Contact Centre team at CILEx can be contacted during the examination with such queries (see **Section 2** for contact details). The Invigilator's Report Form must be completed to reflect the queries raised and the action taken.

15.4 Calculators – Candidates may use silent, non pre-programmable, battery operated calculators.

15.5 Dictionaries – Candidates are not permitted to use dictionaries.

16. Conclusion of the examination

Invigilators must instruct candidates to submit their examination once they have completed it.

Examinations that are started but never submitted will be automatically voided after the examination session has closed. Where candidates/centres are unable to submit completed examinations due to problems such as loss of internet connection, CILEx will allow up to 3 days for the examinations to be submitted. After this time, any examinations that were started but not submitted will be voided.

At the conclusion of the examination, candidates should be asked to remain seated in silence whilst any rough notes and scrap paper are collected. Candidates may then leave the examination room once the invigilator is satisfied that all rough notes and scrap paper have been collected and the examinations have been submitted.

17. Invigilator's Report Form

The Invigilator's Report Form must be completed after each examination and returned to CILEx Assessment Team: awards@cilex.org.uk.

In the event that an incident has occurred which has caused disruption to the examination, or a candidate has encountered personal difficulties, this should be reported on the form. In addition, the invigilator should refer to the CILEx Special Consideration Policy and Procedures which is included in the Invigilation Pack. The Invigilator should ensure that any incidents which could have an adverse

effect on candidate performance are report to the Centres Exams Office. The centre is required to apply for special consideration, where appropriate, on the candidates' behalf.

Important: Invigilators should be cautious about advising candidates who have experienced difficulties about the action CILEx might take as each application for special consideration is considered on its individual merits.

Any problems encountered with the candidate identity checks should be recorded on the Invigilator's Report Form, including any information relating to candidates who did not meet the ID check requirements.

18. Candidates suspected of breaching the Examination Regulations

As detailed in **Section 17**, invigilators must patrol the examination room regularly to ensure that candidates are abiding by the Examination Regulations. The Examination Regulations are included in the Invigilation pack, which is sent to centres at least one week in advance of the examination. . It is essential that invigilators are vigilant because learner malpractice is taken very seriously by CILEx.

18.1 Examples of breaches of the Examination Regulations

Examples of breaches of the Examination Regulations include but are not limited to:

- Taking unauthorised materials into the examination room (it is acceptable to leave text books etc. at the front/side/back of the room in accordance with the Invigilator's instructions). This could include notes written on a piece of paper/ ruler/ candidate's arm/ back of hand etc.
- Communicating with another learner during the examination.
- Using a mobile telephone/ pocket computer/ programmable calculator/ personal stereo or other similar communication devices during the examination.
- Using a workstation to access anything other than the secure client application.
- Non-compliance with instructions or advice of an invigilator in relation to the Examination Regulations.
- Disruptive behaviour in an examination room
- Impersonating another learner or arranging to be impersonated (i.e. arranging for another person to take the examination)

18.2 Guidance on action to be taken if a breach of the Examination Regulations is suspected

The following points are provided as guidance to assist invigilators. As each situation will differ it is important that invigilators use their discretion within the boundaries set out below. Allegations of learner malpractice may be considered by the CILEx Malpractice Committee which reviews the evidence provided, often by the invigilators at the examination centre and any other witnesses, if applicable, along with the learner's written response to the allegation.

- Care must be taken not to disturb other candidates. However, the invigilator has the discretion to pause the examination if the incident has caused a disturbance. The invigilator will need to consider the severity of the disturbance and the impact on other candidates of pausing the exam before making a final decision. This must be documented on the Invigilator's Report Form.
- If an invigilator suspects a candidate is breaching the Examination Regulations; for example, referring to notes, using an unauthorised communication device etc, it is important to advise another invigilator present who can also act as a witness.
- Evidence of the breach of the Examination Regulations must be sought – the candidate should be discreetly observed by the invigilators present.
- In the event that the invigilators reasonably believe that the candidate is breaching the Examination Regulations – the candidate should be challenged. It may be appropriate to

ask the candidate to step outside of the examination room to avoid disruption to the other candidates. Wherever possible two invigilators should be present.

- If necessary, a request that the candidate empties their pockets (or wherever the suspected unauthorised material was thought to have been placed) should be made. However if the candidate refuses, this should be noted, and no efforts should be made to search a candidate against their will.
- In the event that unauthorised 'material' is found in the possession of the candidate, a request should be made that the candidate gives the material to the invigilator. The material should be subsequently submitted to CILEx and the details noted on the Invigilator's Report Form. However, if the unauthorised 'material' is electronic equipment (MP3 player etc) or a mobile phone – a record/description of the equipment should be made on the report form and there should be two witnesses (preferably invigilators) who are in a position to describe the equipment which was found in the candidates' possession. The Invigilator should also consider taking photos of the equipment if the facility to take photos is available. The equipment should then be returned to the candidate.
- The candidate should be allowed to continue the examination, but the invigilator should record on the Invigilator Report Form the question in the examination the candidate had reached, stating the time the malpractice was suspected and the candidate challenged.
- At the end of the examination, the candidate should be advised that a report will be made to CILEx and that the candidate will be invited by CILEx to provide their own report in due course. All the evidence presented will be considered by the appropriate CILEx Committees.

If any matter not covered by these instructions arises during the course of the examination, it should be dealt with as appropriately as possible. Any candidate found to be in breach of any of the Examination Regulations should be permitted to complete the examination. The Invigilator's Report Form must clearly detail any events that occurred and be submitted to the CILEx Compliance Team within 5 working days of the examination and the candidate should be informed of this action. In an emergency, the Membership Contact Centre Team can be telephoned (see **Section 2** for contact details).

In exceptional circumstances where the continuing presence of a candidate would hinder other candidates, a candidate may be expelled from the examination room. In this situation the incident should be reported to CILEx.

18.3 Completing the Invigilator's Report form in cases of suspected breaches of the Examination Regulations

A report must be provided if a candidate is suspected of breaching the Examination Regulations. The Invigilator's Report Form should be used as necessary. The report should include the following information and should be submitted within 5 working days of the examination:

- CILEx Junior Membership Number
- Candidate's Name
- Centre Name and Number
- CILEx examination being sat by candidate
- Room plan indicating where the candidate was sitting in the examination room (essential if candidate is suspected of communicating with other candidates during the examination).
- The time of any events that occurred
- Names and details of any witnesses to the 'events'
- The reasons for the allegation of malpractice. Any evidence should be attached to the report.
- The complainant's name, signature and date of complaint/report and contact details.

18.4 Witness reports

Reports from other witnesses should be sought. If another candidate has made the accusation, their full details (including contact details) must be taken and advice given that CILEx will require a written report addressing the key points above. If possible this report should be made immediately after the examination. The Invigilator's Report Form must detail such allegations even if the invigilator/s did not suspect misconduct.

19. Emergencies

Invigilators must take the following action in the event of an emergency such as a fire alarm, bomb or other security alert: In such circumstances, the safety of the CILEx candidates and the invigilators is of paramount importance and should not be compromised.

However, where time allows, pause the test by clicking the 'Pause' button. This will lock the examination for any selected candidates' tests, presenting a message on-screen to let them know that it is being controlled by an invigilator. The timer for the examination will be frozen so that the candidate is not at a disadvantage. To resume a test, select the 'Resume' button. The test will unfreeze for the candidate(s) and they will be able to resume with the same amount of time left as when the test was paused.

Evacuate the examination room in accordance with instructions given by the appropriate authority. Ensure that all computer equipment being used for the assessment is left in the examination room. However, consideration should be given to the possibility of taking the candidates, to another place in order to complete the examination.

Ensure that the candidates are supervised as closely as possible whilst they are outside of the examination room so as to ensure that there is no collusion.

Note the time and duration of the interruption and notify CILEx.

Where an incident occurs that affects the candidates' examination the Invigilator Report Form must be completed with the following details:

- Date of incident
- Time of incident
- Nature of the incident
- Duration of the incident
- Any extra time given to compensate for the incident
- Name and Junior Membership Numbers of the candidates affected
- Details of any material/evidence to be submitted with the Invigilator Report Form.

20. Early Leavers

Where a candidate/candidates leave early the Invigilator Report Form should be completed with the following details:

- Name and Junior Membership Numbers of candidate(s) leaving early
- Reason(s) for leaving early

CANDIDATE IDENTITY CHECKS 2016/2017

Candidates are required to present proof of their identity at the examination centre for each examination taken.

Candidates who do not present appropriate proof of identity at an examination centre in accordance with CILEX's requirements set out below will be permitted to sit the examination with the warning that **their examination responses will NOT be marked** unless proof of identity is provided to the satisfaction of CILEX within 14 days.

Centres **must** ensure adequate checks are made to establish the identity of all candidates sitting exams.

Candidate Key Code Slips

Candidates must present the relevant Key Code Slip at each examination. A Key Code Slip will include the candidate's personal details as well as details of the specific examination to be taken. Candidates must ensure they have the correct Key Code Slip for each examination.
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Proof of Identity

In addition to their Key Code Slip candidates should present ONE item from the following:
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- | |
|---|
| <ul style="list-style-type: none">• Signed valid passport (any nationality)• Valid national photo identity card• Student Card• Birth Certificate• Full or provisional driving licence |
|---|

Appendix 1

Pre – Examination Announcements

Before the examination starts please give your full attention to the following important announcements which I must go through with you.

- The nearest fire exit is ... in the event of a fire alarm, please follow my instructions.
- The toilet facilities are ...
- Please ensure that any bags have been placed at the side/back of the room.
- Mobile phones **must** be switched off and placed with your belongings at the side of the room.
- Ensure that you do not have any unauthorised materials (for example, revision notes, texts books etc.) in your possession.

Instructions for online exams.

- The scheduled finish time for this exam is...
- Your remaining time will be displayed on screen.
- You are not permitted to leave the examination room during the first 45 minutes or the final 15 minutes before the scheduled finish time of the examination.
- **Level 3 Unit 1 Introduction to Law and Legal System in England and Wales** - you are not permitted to leave the examination room during this examination, unless you wish to use the toilet facilities, in which case you should raise your hand and wait for an invigilator.
- If you wish to leave the examination room at any other point, you should raise your hand and wait for an invigilator.
- If you have any questions or require extra scrap paper, please raise your hand and wait for an invigilator.
- Please ensure that you do not communicate with or disturb other candidates during the examination.
- At the end of the examination, please remain seated in silence until I confirm that you are able to leave the examination room.
- All candidates are reminded that they must adhere to the CILEx Examination Regulations,
- Does anyone have any questions?