

Policy: Academic Misconduct and Malpractice

The following definitions and guidance are taken from both the UHI's Academic Standards and Quality Regulations, and the SQA Quality Assurance for Higher National and Vocational Qualifications 2015-18 which Shetland College UHI has agreed to abide by.

This policy/procedure is communicated by inclusion in all Student Handbooks and in the Staff Induction Process. Whenever this document is updated and approved by Quality Improvement Committee (QIC) all relevant staff will be informed and are responsible for familiarising themselves with the content.

Malpractice as defined within SQA guidelines means any act, default or practice (whether deliberate or resulting from neglect or default) which is a breach of SQA assessment requirements including any act, default or practice which:

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

Malpractice can arise for a variety of reasons:

- Some incidents are intentional and aim to give an unfair advantage or disadvantage in an examination or assessment (deliberate non-compliance);
- Some incidents arise due to ignorance of SQA requirements, carelessness or neglect in applying the requirements (maladministration).

Malpractice can include both maladministration in the assessment and delivery of SQA qualifications and deliberate non-compliance with SQA requirements.

Any suspected cases of centre malpractice should be reported to the Acting Depute Principal who will be responsible for reporting to SQA. In addition, for those qualifications that are subject to statutory regulation by SQA Accreditation, centres are required to report any suspected case of candidate malpractice to SQA.

For further guidance on SQA requirements for dealing with suspected cases of malpractice by students or staff see:

https://www.sqa.org.uk/sqa/files_ccc/MalpracticeInformationForCentres.pdf

Student Malpractice

Academic malpractice by students will be taken to include plagiarism, cheating, collusion, falsification or fabrication, personation, or bribery as further defined below:

Plagiarism

The unacknowledged incorporation in a student's work either in an examination or assessment of material derived from the work (published or unpublished) of another.

Plagiarism may, therefore, include:

- The use of another person's material without reference or acknowledgement
- The summarising of another person's work by simply changing a few words or altering the order of presentation without acknowledgement
- The use of the ideas of another person without acknowledgement of the source
- Copying of the work of another student with or without that student's knowledge or agreement
- Use of commissioned material presented as the student's own.

For some specific modules / units, information and guidance relating to what may or may not constitute plagiarism will need to be made explicit to students in student handbooks or specific module / unit information. For example, use of mathematical formulae, Principles or theories. The centres librarian will offer advice and, if available, will give a talk to students when they commence their studies.

Cheating

A student will be deemed to be cheating as a result of any of the following:

- Deliberately acquiring advanced knowledge of the detailed content of an examination or
- Obtaining a copy of an 'unseen' written examination paper in advance of the date and time for its authorised release
- Communicating with, or copying from, another candidate during an examination permitting another candidate to copy from his / her examination script
- Being found in possession of any printed, written or electronic material or unauthorised material during an examination which may contain information relevant to the subjects of the examination
- Communicating during an examination with any person other than a properly authorised invigilator or another authorised member of staff
- Copying from another candidate (including using ICT to do so)
- Using a mobile phone, MP3 player or any other unauthorised aid in an assessment/exam
- Undertaking any other action with the intention of gaining an unfair advantage over other candidates.

Collusion

Collusion may exist where a student:

- Working with others when an assessment must be completed by an individual student.
- Knowingly permits another student to copy all or part of his / her own work and to submit it as that student's own work (including using ICT to do so) and/or working collaboratively with other students on an individual task.

Falsification

- Falsification or fabrication of data: the presentation of data in laboratory reports, projects etc. based on work falsely presented as to have been carried out by the student; obtained by unfair means; or to present fictitious results.

Personation

- The assumption of one student of the identity of another person, or permitting himself / herself to be impersonated with the intent to deceive or gain unfair advantage.

Bribery

- The paying, offering or attempted exchange of an inducement for information or material intended to advantage the recipient in an assessment.

Other examples of Malpractice by a Student

- Inappropriate, offensive, discriminatory or obscene material in assessment/exam evidence
- Inappropriate behaviour during an internal assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language.
- Frivolous content —producing content that is unrelated to the assessment
- Prohibited items – physical possession of prohibited materials (including mobile phones, electronic devices and handwritten notes etc) during a controlled assessment.
- Breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment.

Prevention

On enrolment/Induction, students will be advised as to the difference between acceptable and unacceptable forms of work. Examples will be provided of expected standards (and methods) of referencing and students will be encouraged to develop study techniques which allow them clearly to identify sources used and ideas acknowledged. Warnings regarding academic malpractice should be repeated prior to submission deadlines for projects, coursework and dissertations. In addition, a reference of the disciplinary policy and procedures, along with these guidelines, should be included in all student handbooks, with full policies and procedures made available on the website through the student portal for all students.

UHI subscribes to an externally hosted software program that may be used for originality checking, anonymous marking and peer review of students' text based work. The originality checking function assists staff in assessing instances of plagiarism. The programme leader will advise students if this service will be utilised. Students should also note that formal acknowledgement of acceptance of these regulations is included as part of the enrolment process (see UHI Admissions Regulations).

Student Guidelines

A student should:

- Complete their assigned work by themselves, in their own words and using their own notes, figures or rough workings (except where group work specifically forms part of the assignment)
- Acknowledge fully any sources used either by means of reference list or bibliography in a form acceptable to the programme being undertaken
- Endeavour to ensure that their work is not available to copy by other students (with or without permission)
- Check with programme lecturer(s) if ever they are in any doubt concerning proper forms of referencing.

Centre/Staff Malpractice

Malpractice as defined within SQA guidelines relates to any deliberate neglect, default, act or acts that *threatens the integrity of the examination or assessment process and / or the validity of certificates*, and breach the Awarding Body standards and assessment regulations by those of a candidate, Assessor, Internal verifier, or any other person involved in the candidate registration/assessment/certification process. Many cases of administrative maladministration are also considered malpractice.

Any suspected cases of centre malpractice should be reported to the Acting Depute Principal who will be responsible for reporting to SQA.

The following are just some examples of malpractice by staff. These are not exhaustive and only intended for guidance:

- Unauthorised copying and distributing of assessment/exam papers prior to use
- Assessors/invigilators providing unfair help and hints during an assessment/exam
- Assessors/invigilators permitting collusion between candidates during an assessment/exam
- Misuse of assessments, including repeated re-assessment contrary to requirements, or inappropriate adjustments to assessment decisions.
- Insecure storage of assessment instruments and marking guidance.

- Failure to comply with requirements for accurate and safe retention of candidate evidence, assessment and internal verification records
- Excessive direction from assessors to candidates on how to meet national standards. *(Should not direct candidates to any specific response. For example, assessors should not provide specific advice on how to improve responses or provide model answers. The requirements of the assessment should be made clear to candidates at the outset. Assessors can clarify with candidates how to approach the assessment and generally guide candidates in producing their response. Assessors may also prompt candidates where appropriate to clarify that they have met the requirements)*
- Unfair marking/submission of results to gain a unit or qualification
- Deliberate falsification of records in order to claim certificates
- Failure of assessors/internal verifiers to follow Awarding Body requirements/regulations
- Failure of assessors/internal verifiers to declare a personal interest
- Failure to comply with SQA's procedures for managing and transferring accurate candidate data.

Prevention

- The most important tool in aiding prevention of any of the many types of malpractice is knowledge, understanding and communication.
- All staff involved with the assessment, internal verification, or candidate registration, assessment, and certification processes will be required to familiarise themselves.
- All staff involved with the assessment, Internal verification, or candidate registration, assessment, and certification processes will be required to familiarise themselves with the following Policies and procedures as appropriate to their role:
 - Staff Responsibilities for Academic Quality
 - Assessment
 - Examinations
 - Internal Verification
 - Conflict of Interest in Assessments Policy
 - Award Data
 - Managing Awards
 - Appeals

Procedure: Academic Misconduct and Malpractice

Malpractice by students

If a member of staff, or a fellow student reports a suspicion of malpractice, it will be

subject to an investigation. If the malpractice is confirmed, it may result in a range of possible sanctions such as having to re-sit an assessment, through to results being withdrawn by the awarding body. It also come under the Student Disciplinary Code as potential Gross Misconduct. Therefore the student may face a further investigation under the Student Discipline Procedure which could result in further sanctions ranging from a Verbal Warning through to exclusion from the course and centre.

If malpractice is discovered or suspected during an external examination, a report must be sent to the Awarding Body by the Examination Officer as per the appropriate awarding body policies and procedures.

If the malpractice involves a criminal act such as assuming the identity of another person, then this must be reported to the Awarding Body, and the Police immediately by the **Acting Depute Principal**.

Any suspected cases of centre malpractice should be reported to the Acting Depute Principal who will be responsible for reporting to SQA. In addition, for those qualifications that are subject to statutory regulation by SQA Accreditation, centres are required to report any suspected case of candidate malpractice to SQA.

Malpractice by staff

Malpractice by staff may be identified in a number of ways:

- By an awarding body EV visit
- Identified by an awarding body external exam marker
- From a “whistleblower” report to an Awarding Body, or to Shetland College UHI
- From the Internal Verification process
- From other internal or external audits

If any person reports a suspicion of staff malpractice, it will be subject to an investigation. If the investigation subsequently confirms malpractice by a member of staff, the Acting Depute Principal may recommend that the matter also be subject to an investigation under the Shetland College UHI / SIC Disciplinary Procedure.

All reports of Centre/Staff malpractice must be communicated to the appropriate department of SQA, or other awarding body concerned by the Quality Manager/Acting Depute Principal.*

Where malpractice is identified in the registration, assessment or certification processes that affects the validity or authenticity of any certificates, the relevant awarding body should be immediately informed by the Quality Manager/Acting Depute Principal*, and provided with a full report and any action taken.

In addition, if the malpractice involves a criminal act such as fraudulently claiming a certificate for financial gain, then this must be reported to the Awarding Body, and the Police immediately by the Quality Manager/Acting Depute Principal*.

Where malpractice is suspected or identified by an awarding body, an investigation will be instigated under those awarding bodies Malpractice Procedures.

*If the suspicion of malpractice involves the Quality Manager/Acting Depute Principal then the Interim Joint Depute Principal will assume the responsibilities of the Quality Manager/Acting Depute Principal.

Reporting and Investigation of Suspected Malpractice Procedure

- i. The person suspecting that malpractice has occurred at Shetland College UHI should report the incident immediately to the Acting Depute Principal who will notify SQA and be responsible for monitoring the progress of the investigation, reporting, and subsequent resulting actions and recommendations.
- ii. The Acting Depute Principal/Quality Manager* shall immediately commence a fact finding exercise.
- iii. No qualification/award/unit results relating to the suspected malpractice shall be sent to SQA or appropriate awarding body for processing/certification until the investigation is satisfactorily concluded.
- iv. The Acting Depute Principal/Quality Manager* shall conduct a formal internal investigation within 3 working days from receiving a report of suspected malpractice, reviewing assessment evidence, Interviewing candidates, concerned staff, assessors & verifiers as appropriate. Signed statements from witnesses, copies of pertinent student work, assessment & verification records should be obtained as required.
- v. A QF35 Malpractice Investigation Report Form shall be completed giving full details of the suspected malpractice, qualification/unit, candidate(s), and/or staff concerned.
- vi. The Acting Depute Principal/Quality Manager* will summarise the findings of the investigation on the QF35 Including any recommendations of sanctions to be applied, and any further action to be taken i.e. from re-sitting an assessment to informing the awarding body or recommendations to instigate student or staff disciplinary proceedings under gross misconduct.
- vii. The investigation and completion of the QF35 should be completed within 5 working days from receipt of a report wherever possible in order to ensure currency and accuracy of evidence and any personal statements.
- viii. The completed QF35 and associated documentation shall be passed to the Interim Joint Principal for review and agreement of any recommended actions identified.

- ix. The Acting Depute Principal shall notify all persons involved of the findings as reported on the QF35 where they will be given the opportunity to comment or appeal (see section 5. below) within 5 working days of receipt.
- x. If the investigation shows confirmed malpractice relating to the validity of qualification/award/unit results or certification previously sent to SQA or relevant awarding body. The Quality Manager* shall immediately inform that awarding body.

- **Note:**

- It is recognised that under certain circumstances, the achievement of the above actions with a specified timescale may not always be possible. Where this occurs, and for actions with no specified timescale, those actions should be completed as quickly as is reasonably and practicably possible.

Additional actions

Any suspected cases of centre malpractice should be reported to the Acting Depute Principal who will be responsible for reporting to SQA. In addition, for those qualifications that are subject to statutory regulation by SQA Accreditation, centres are required to report any suspected case of candidate malpractice to SQA.

If the malpractice involves a criminal act such as assuming the identity of another person, or fraudulently claiming a certificate for financial gain then this must be reported to the Awarding Body, and the Police immediately by the Acting Depute Principal*.

*If the suspicion of malpractice involves the Quality Manager/Acting Depute Principal (SQA Co-ordinator) then the report should be made to the Interim Joint Principal who shall carry out the investigation and assume the responsibilities of the Quality Manager in this procedure from step ii. above. Where this action is taken the Interim Joint Principal will assume responsibility of the Acting Depute Principal in this procedure from step ii. above

5. Appeals against a malpractice investigation outcome

Candidates and staff have the right to appeal a malpractice decision against them.

- If you wish to make an appeal, this should be made in writing within five working days from receipt of the decision and sent to:

The Interim Joint Principal
Shetland College UHI
Gremista, Lerwick
Shetland, ZE1 OPX

- The appeal will be formally acknowledged within three working days.

- Within 15 working days of receiving the above acknowledgement, you will receive from the Interim Joint Principal (or his/her nominated representative) a full reply to which your appeal refers.
- If the investigation has been conducted by SQA, or other appropriate awarding body then the candidate may appeal the decision directly with that awarding body. Candidates have the right to request a review by SQA Accreditation of SQA's process in reaching a decision in an appeal of a malpractice decision
- Shetland College UHI also have the right to appeal a decision where a case of reported malpractice by Shetland College UHI has been confirmed through investigation by SQA. Centre has the right to request a review by SQA Accreditation of SQA's process in reaching a decision in an appeal of a malpractice decision.

For SQA refer to http://www.sqa.org.uk/files_ccc/Appeals_Process.pdf