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Summary available:			

Academic Misconduct, Malpractice and Maladministration Policy

(Adapted from the Association of Colleges Model Policy, 2000)

**This document can be made available in other formats,
on request**

1. Introduction

Plagiarism, cheating, collusion and attempting to obtain an unfair academic advantage are forms of academic misconduct and are entirely unacceptable for any student at a further education college. This policy defines what the College means by plagiarism, give examples of the categories of other forms of unacceptable academic misconduct outside examinations, gives guidance to staff to help prevent the occurrence of such misconduct, determines the procedures to be adopted in suspected cases and indicates the academic penalties which may be appropriate in proven cases.

The aim of this policy is to promote honest practice that encourages original work. It is intended to maintain the integrity of the College's academic awards and procedures and to give any students or staff affected a fair opportunity to respond to any allegation of academic misconduct. Each case will be determined on its own facts and merits. It may be necessary to adjust the procedures to allow a proper investigation or to ensure fairness to those concerned in any particular case. It may be necessary for the College to seek legal advice in specific cases. The procedures in this policy are not contractual in nature and there is no right to compensation for any amendment to the procedures.

The policy reflects the processes described by the Joint Council for Qualifications (JCQ), which are also used in public examinations. In public examinations the policy will be extended by the examining boards' own procedures. The policy includes college-assessed work which contributes towards external examination marks.

* HE students enrolled by a partner University or organisation where the course is delivered at Newbury College should follow the academic malpractice and misconduct guidelines published by that organisation/ University

Staff and students must read and understand the policy and its implications, and sign to this effect. The policy will be reproduced in induction literature, the student handbook or similar publication, so that all students are aware of its existence.

2. Definitions – what activities are included in the Academic Misconduct, Malpractice and Maladministration Policy

Plagiarism is the presentation of someone else's work, words, images, ideas, opinions or discoveries, whether published or not, as one's own, or alternatively appropriating the artwork, images or computer generated work of others, without properly acknowledging the source, with or without their permission.

Plagiarism by students can occur in examinations but is most likely to occur outside sat or unseen exams, i.e. in coursework, assignments, portfolios, essays and dissertations.

Examples of plagiarism in such a context would include:

- a) Directly copying from written physical, pictorial or written material, without crediting the source;
- b) Paraphrasing someone else's work, without crediting the source;

Examples of other forms of academic misconduct (such as cheating, collusion and attempting to obtain an unfair academic advantage) would include:

- a) Getting someone else to produce part or all of the work submitted;
- b) Colluding with one or more student(s) to produce a piece of work and submitting it individually as one's own;
- c) Copying the work of another student, with or without their permission;
- d) Knowingly allowing another student to copy one's own work;
- e) Resubmitting one's own previously graded work;
- f) Using forbidden notes or books in producing assigned work or tests;
- g) Fabrication of results (including experiments, research, interviews, observations).

The use of the word 'academic' in the title seeks to define the scope of policy as it relates to the delivery and assessment of the curriculum. It is intended to include vocational courses and assessed programmes including all vocationally relevant qualifications, diplomas, technical qualifications, NVQs and professional qualifications.

A detailed explanation of plagiarism is available in ['What is Plagiarism'](#) along with full details of the approaches used to acknowledge the work of others.

3. College Academic Misconduct Policy – Action to be taken by staff

Plagiarism, cheating and collusion and attempting to obtain an unfair academic advantage are entirely unacceptable and not allowed. These forms of academic misconduct will be subject to disciplinary regulations.

To prevent the occurrence of academic misconduct, staff should:

- a) Inform students clearly of the policy on academic misconduct (Malpractice) and of the guidelines ['What is Plagiarism'](#) recording the date/s and occasion/s for future reference.
- b) Include statements on academic misconduct and links to the policy in the student handbook and course handbooks, as well as referencing this policy in other relevant policies to ensure consistency throughout the College.
- c) Make students aware of the disciplinary penalties for academic misconduct at the earliest stage of the course.
- d) Provide students with guidance on the format of formal acknowledgement of source material see ['What is Plagiarism'](#) for guidance on this.
- e) Inform students that they are not permitted to submit work within text boxes as plagiarism checkers may not be able to read this information and some awarding bodies will not accept work in this manner.
- f) Use the plagiarism tool provided on the VLE along with the online submission of work. Convert large/ Creative files to PDF to enable them to be submitted via VLE and using the plagiarism checker. Where this submission method is not feasible use a recommended plagiarism checker such as www.plagtracker.com or www.grammarly.com to show the measures of originality in the written text.

- g) Inform students, in writing if possible, of the extent to which they can collaborate in coursework. Please refer to the notes in the guidelines from the awarding body as to what is, and is not, allowed when collaborating.
- h) Be aware that most students are very computer literate and can scan text and surf the web for model essays, etc., with ease. Ensure that students are adequately supervised when using computers (especially when networked) to prevent students from copying or printing out other people's work and submitting it as part of their own.
- i) Use procedures for assessing work to make plagiarism, cheating and collusion more detectable. This might include:
 - ensuring that coursework assessment is supported by unseen and supervised work under test conditions,
 - annually reviewing and updating assignment topics and changing them where permitted by the awarding body on at least a three-yearly cycle.
 - tailor generic assignments where permitted to reflect the progression interests and opportunities that students are likely to encounter.
 - get to know the style of student's writing/submissions, early on in the course; compare subsequent work to initial assessment tests.
 - Mark/assess a class group's coursework on a single occasion, to enhance the likelihood of the assessor spotting plagiarised passages.
 - Search phrases from text that is suspected of being plagiarised using 'Google' or an equivalent search engine.
- j) Fully investigate all instances of suspected academic misconduct utilising the proper Code of Conduct procedures - this policy forms part of the College's Student Code of Conduct procedure and contributes to the Staff Disciplinary Policy and should be used in conjunction with these and also reference the JCQ policies and procedures for ["Suspected malpractice in examinations and assessment"](#).

4. College Academic Misconduct Policy – for students

The following are dishonest and therefore unacceptable and not allowed by the College:

- Taking someone else's work, images or ideas and passing it off as your own (This is called plagiarism),
- Accessing the work of others stored as digital information and passing it off as your own
- Cheating, that is, acting unfairly or dishonestly to gain an advantage
- Secretly agreeing with others to cheat or deceive. (This is known as collusion)
- Collaborating with other students to pass off collectively produced work as one's own, beyond or outside any request by teaching staff for groups of students to collaborate on projects or assignments. This is known as syndication.

All these are called **academic misconduct or malpractice**. If you are discovered or suspected of doing any of the things shown in the list above, the College will investigate and may take disciplinary action against you. (That is, you will be subject to the College Code of Conduct procedures.)

This is what is expected of you whilst you are at the College-

- a) You will only hand in your own original work for assessment and will sign digitally on the VLE or by hand on an awarding body or assignment form to confirm the work as your own.
- b) When you have used information provided by someone else you will acknowledge this by giving the person's name and where you found the information in your work (or in your portfolio) as you go along. For example, if you use someone else's words you will enclose the quote with inverted commas. You will also repeat this information at the end of the piece (this is called a bibliography/references section). The same applies if you have received help. This is the standard practice in the world of learning. Your tutor or lecturer will give you help with this. You should seek advice and guidance from tutors if you are unsure how to do this properly.
- c) You will show when you have downloaded information from the internet and will cite a full web address in the reference. Search addresses are not sufficient. Citation tools such as 'www.citethisforme.com' can help you provide web site or other references in the standard Harvard format or other formats if required.
- d) When submitting work via the VLE you are able to submit as a draft and are able to read the plagiarism checking report so that you can amend any incorrect referencing prior to the final submission.
- e) You will never use another's digital storage as if it is your own work, nor copy work from digital storage belonging to someone else and use it as if it were your own. You will never use someone else's artwork, pictures or graphics (including graphs, spreadsheets etc.) as if they were made by you
- f) You will never let other students use or copy from your work and pass it off as if they had done it themselves
- g) You can expect all cases of suspected academic misconduct and malpractice to be fully investigated using the College Code of Conduct procedures and making reference to the [JCC guidelines](#). It is expected that the allegation will be reported to the awarding body. If proved, you can expect the College to take action against you. What happens will depend on how serious what you have done appears to the College.
- h) The member of staff who has looked into what you have done will decide how serious the case appears at first. This person will consult with senior colleagues when a moderate or serious case is suspected. The claims that you have done something illegal or wrong (the allegations) will be written down so that you know the case you have to answer.

The actions taken by the College, if they believe from the evidence you have done something wrong, may include the following:

When what you have done is thought to be a minor case of academic misconduct -

- a) What you have done will be discussed with you in a private tutorial with your Course Leader or Academic Tutor.
- b) You will be given a warning about how you must act in the future
- c) You may have marks from your piece of work taken away (which may be 6% as a guide), or you may have work returned to re-do and hand in for remarking
- d) If this has happened before, you will go straight to a second stage interview
- e) If you are working towards an exam, the relevant examining body will be told what has happened in accordance with the examination board's policy
- f) External examiners/verifiers will also be told what you have done, in accordance with the examining board's policy

When what you have done is thought to be a moderate case of academic misconduct -

- a) Your mark or assessment grade may be reduced or you may be awarded zero / referral, depending on how serious what you have done appears to the College
- b) You may not be allowed to take the unit/exam/test again
- c) The Course Leader or Head of Department may decide that you must attend a second stage interview. If this has happened before you may go straight to a third stage interview
- d) The relevant examining body will be told what you have done, in accordance with the examination board's policy
- e) External examiners/verifiers will also be told what you have done, in accordance with the examining board's policy

When what you have done is thought to be a serious case of academic misconduct -

- a) A third stage Code of Conduct meeting will be convened by the Vice Principal Students and Curriculum. A sanction will be awarded. This will be decided by the college staff interviewing you and will depend on the seriousness of what you have done. Any of the following may be given –
 - A zero or referral grade in the exam/test/unit is given or the assessed work is not awarded a grade.
 - You are not allowed to re-sit the exam or test, or you are not allowed to re-do the piece of assessed work.
 - You are disqualified from your course.
 - You are permanently or temporarily excluded from the College.
- b) The relevant examining body will be told what you have done, in accordance with the examining board's policy and the JCQ may have to be notified.
- c) External examiners/verifiers will also be told what you have done, in accordance with the examining board's policy

In all cases, a note will be made on your file of the allegation, the outcome and any sanction you are given. You need to know that this information may be used by the

College when it is asked to provide a reference for you, for example if you want to go to another college or get a job.

All students must sign the awarding body document confirming that the work they have submitted is their own and that they have correctly referenced any sources of information. In addition to this, work should be submitted for assessment via the VLE and for each submission the student should digitally confirm that the work submitted is their own.

5. Procedure to deal with student academic misconduct for staff: – guidelines on definitions*

The initial investigation will be undertaken by the Course Leader or a nominated member of teaching staff with findings reviewed by Head of Department before any actions at Stages 2 or 3 are taken. Provision must be made for consultation with more senior staff in the case of a moderate or severe case being suspected.

The allegations against the student should be provided to the student in writing before any action is taken, so that the student is clear of the case to be answered. Copies of relevant work and staff notes should be retained.

Examples of *minor* cases could include a student:

- a) Receiving undue help in good faith because instructions have been misunderstood.
- b) Copying a couple of sentences or using someone else's diagrams.
- c) Copying small amounts of text from books without direct acknowledgement, but which does not make a significant contribution to the overall work
- d) Downloading from the internet without acknowledgement, using another's digital storage or copying work from another's digital storage.
- e) Using another's artwork
- f) Not referencing work properly.
- g) Failing to acknowledge the source of a small section of an assignment.
- h) Infringing the policy when the assessed work does not contribute to the final grade.

Examples of *moderate* cases could include:

- a) Copying from books without acknowledgement which has the effect of making a significant contribution to the overall work
- b) Limited plagiarism from professional work (not course books).
- c) Limited copying of other candidates work (hard copy or from digital storage), or excessive help within one piece of work.
- d) Limited downloading of information from the internet
- e) Planned collusion with others
- f) The use of model answers downloaded from the internet

- g) Failure to keep to described limitations in exam or controlled assessment preparation, such as preparing lengthy scripts or paragraphs where only bullet points are permitted
- h) In a situation where the assessed work contributes to final grade.
- i) Repeated minor cases.

Examples of *serious* cases could include:

- a) Extensive copying of textbooks in one piece of work or limited copying in two or more pieces of work which makes a significant contribution to the work/s.
- b) Extensive plagiarism of professional works (more than 100 words)
- c) Buying, selling or stealing of work.
- d) Repeated evidence of extensive use of information from the internet without acknowledgement
- e) Using model internet answers
- f) Using past candidates' work from previous courses/years.
- g) Undue help from inside or outside of the centre.
- h) Repeated moderate cases.

* HE students enrolled by a University where the course is delivered at Newbury College should follow the academic malpractice and misconduct guidelines published by that University

6. Action to be taken by staff if academic misconduct is believed to be proven beyond reasonable doubt with direct reference to the parent text or other evidence, and/or is admitted by student

If the student admits misconduct:

- a) Arrange a meeting with the student to hear his/her comments. The investigating member of staff determines the level of seriousness of the incident and considers the appropriate action.

If a minor case is identified, the investigating member of staff may choose one or more of the following at their discretion -

- a) Discuss the incident with the student in a tutorial.
- b) Verbally warn the student about future conduct in writing with a note retained on student file
- c) Deduct marks from the student's work (guide 6% - this cannot however be done in the case of criterion referenced courses), or return work to be re-done and resubmitted for marking
- d) If this has happened before, refer directly to a 2nd Stage interview
- e) Inform the examining body, in line with their procedures
- f) Inform external examiners/verifiers in line with examining body's procedures

If a moderate case is identified, the investigating staff (usually the Head of Department or other nominated manager) may elect to

- a) Award a mark which may be on a scale between a minimum pass mark only and a zero grade, or similarly reduce the assessment grade (courses other than criterion referenced)
- b) Give the student a written warning (In line with stage 2 in the code of conduct)
- c) Withdraw the right of the student to re-sit an exam/test or resubmit an assessed piece of work
- d) Refer the case immediately to a 3rd Stage interview (at the discretion of the investigating member of staff).
- e) Notify the examining body, in line with their procedures
- f) Inform external examiners/verifiers in line with examining body's procedures

If a serious case is identified, staff should immediately refer to the Director of Students Quality and Curriculum for a third stage interview meeting which can:

- a) Award a zero grade in the exam/test/module, or withhold from awarding a grade for assessed work
- b) Withdraw the right of the student to re-sit the exam or test or withdraw the right to resubmit work for assessment.
- c) Give the student a final written warning
- d) Disqualify the student from the course
- e) Recommend temporary or permanent exclusion of the student from the college.
- f) Inform the examining body, in line with their procedures
- g) Inform external examiners/verifiers, in line with their procedures

In all cases, a note of the allegation/s, outcome and action taken should be recorded on the student's file. Students should be aware that notes on a student's file might be drawn on, in the event of the College being asked to provide a reference for the student.

- 7. Action by staff, if academic misconduct is not proven yet still suspected, or if the misconduct is proven, yet not admitted by the student there will be the need to investigate, as described above.**

If a minor case is alleged - Student attends a 1st Stage Interview – the process

- a) Interview will be chaired by the Course Leader or nominated member of staff, and attended by relevant teacher/s and student.
- b) Written notice to the student of the nature of interview and allegations should be sent prior to the interview, notifying them that they can bring a friend, relative or a student adviser to the meeting for support.
- c) The incident is discussed with the student, with the evidence and location/s in the student's work being identified.
- d) The student is questioned, to test knowledge of the work.
- e) The student has an opportunity to explain.
- f) The tutor listens to each case carefully and makes a decision.

Possible outcomes

- a) No academic misconduct has taken place and the assignment remains marked as it stands.
- b) The student accepts that academic misconduct has taken place and is allowed to redo and resubmit the work and is awarded the minimum pass mark. A verbal warning is issued.
- c) The student accepts that academic misconduct has taken place and accepts a reduced mark guide 6% (this cannot however be done in the case of criterion referenced courses) and a report is made to the external examiner/verifier. A verbal warning is issued.
- d) The student denies academic misconduct has occurred and a 2nd Stage interview is necessary.
- e) The College informs external examiners/verifiers in line with the examining board's procedures.

If a moderate case is alleged

A report is made by Course Leader or Academic Tutor who will refer to their Head of Department to start the Code of Conduct investigation and procedures.

Student attends a 2nd Stage Interview – the process

- a) The interview will be chaired by the Head of Department and attended by the relevant teacher/s and student.
- b) Written notice to the student of the nature of interview and the allegations should be sent prior to the interview, notifying them that they can bring a friend, relative or a student advisor to the meeting for support.
- c) The incident is discussed with the student, with evidence and the location/s in the student's work identified.
- d) The student is questioned, to test knowledge of the work.
- e) The student has an opportunity to explain.
- f) The manager listens to each case carefully and makes a decision.

Possible outcomes

- a) No academic misconduct has taken place and the assignment remains marked as it stands.
- b) The meeting accepts that academic misconduct has taken place and the student is allowed to redo and resubmit the work and is awarded no more than the minimum pass mark (courses other than criterion referenced). A formal written warning is issued and if the offence is repeated, this constitutes misconduct, requiring an automatic third stage interview.
- c) The student denies academic misconduct has occurred. Appeal to a 3rd Stage interview
- d) The college informs external examiners, in line with their procedures

- e) The college informs the awarding body, external examiners/verifiers in line with the examining board's procedures.

If a serious case of academic misconduct and malpractice is alleged -

A report made by Course Leader or Academic Tutor who will start Code of Conduct procedures.

Student attends a 3rd Stage Interview -

- a) Chaired by Vice Principal Students and Curriculum, attended by relevant teachers and student.
- b) Written notice to student of the nature of the interview and allegations should be sent prior to the interview, notifying them that they can bring a friend, relative or a student advisor to the meeting for support.
- c) Incident discussed with evidence and location in student's work of plagiarism.
- d) Student is questioned, to test his/her knowledge of the work.
- e) The student has an opportunity to explain.
- f) The manager listens to each case carefully and makes a decision.

Possible outcomes

- a) No academic misconduct has taken place and the assignment remains marked as it stands.
- b) The student accepts that academic misconduct has taken place. A zero grade in the exam/test module is given, or the assessed work is not awarded a grade. Neither a re-sit, nor re-doing and re-presenting coursework is allowed. The student is issued with a final written warning or is disqualified from the course.
- c) The student denies academic misconduct has occurred and an Appeal to the Principal takes place.
- d) The college informs external examiners, in line with their procedures.
- e) The college informs the JCQ, awarding body, external examiners/verifiers in line with the examining board's procedures.

In all cases, a note of the allegation/s, outcome and action taken will be recorded on the student's file. Students should be aware that notes on a student's file might be drawn on, in the event of the College being asked to provide a reference for the student.

3rd Stage Interview - the process

- a) Chaired by Vice Principal Students and Curriculum and attended by Course Leader, assessing teacher and student with student advisor or family/friend support.
- b) Written notice is sent to the student stating the allegations, a summary of the evidence, the time and place and possible outcomes, and allowing them to bring a friend, relative or learning mentor for support.

- c) Copies of any documents, to be considered or relied upon by any of the parties, should be disclosed to the student with the written notice if possible but in any event at least three clear working days before the interview.
- d) A formal record of the interview is made, with the assessing teacher presenting the case and allegations of academic misconduct.
- e) The student states their case.
- f) The Vice Principal Students and Curriculum or other member of staff as appropriate questions the student to test their knowledge of the work
- g) The Vice Principal Students and Curriculum reaches a decision.

Possible outcomes

- a) No academic misconduct has taken place and the assignment is marked as it stands.
- b) The assessing course teacher's decision is upheld and the work is assigned a zero mark. The examining body is informed. The examining body will review this and decide whether the student should progress or whether they are awarded any credits based on previously assessed work.
- c) The student is found in breach of the Code of Conduct and a recommendation for temporary or permanent exclusion is made in writing.
- d) The college informs external examiners, in line with their procedures
- e) The college informs external examiners/verifiers if appropriate

8. Appeals

These will be dealt with in line with the College's [Student Code of Conduct](#) Procedure – Appeals.

Should a Higher Education student be dissatisfied with the implementation of the procedures and processes followed once all avenues to explore this have been followed, they may take their concerns to the Office of the Independent adjudicator for HE: <https://www.oiahe.org.uk/>

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Newbury College is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your appeal. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>.

You normally need to have completed the Academic Misconduct and Malpractice procedures and the Student Code of Conduct Appeals procedure before you complain to the OIA. Newbury College will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your appeal is not upheld we will issue you with a Completion of Procedures Letter automatically. If your appeal is upheld or partly upheld you can ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

9. College Academic Misconduct, Malpractice and Maladministration Policy – as it applies to Staff

Definition of Maladministration:

Maladministration is essentially any activity or practice, which results in non-compliance with administrative regulations and requirements and includes the application of persistent mistakes or poor administration within a centre (e.g. inappropriate candidate records).

Examples of maladministration are (this list is not exhaustive):

- Late candidate registrations (both infrequent and persistent)
- Inaccurate claims for certificates (including certificates claimed 'in error')
- Failure to adhere to IMI qualification approval requirements
- Failure to maintain appropriate auditable records (e.g. certification claims)
- Misuse of an awarding organisations logo and trademarks or misrepresentation of the college's relationship with a an awarding organisation and/or its recognition and approval status with any of the awarding organisations who are partnered with the college.

Withholding of information from an awarding organisation which is required to assure the awarding organisation of the college's ability to deliver qualifications appropriately

The staff [Disciplinary Policy](#) and its associated procedures will be applied if a member of staff is implicated in a case of academic misconduct, malpractice or maladministration. Situations where a member of staff may be implicated may include:

- Where the member of staff has produced part or all of the work submitted and not declared this;
- Where there is fabrication of grades achieved that is not supported by the evidence in the work submitted.
- Where a teacher goes beyond guiding the student on what is required in a piece of work and tells the student specifically what to write or procedure of making/producing.
- Where a member of staff has assessed, internally verified, moderated, invigilated, read, scribed or quality assured work from a student where they have a vested interest in the achievement of that student.
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Other Sources of Information on malpractice, academic misconduct and the authenticity of student work.

Academic Misconduct Policy A Model for the FE Sector (2000) by Maggie Scott AoC. The Association of Colleges.

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. College Academic Misconduct and Malpractice Policy – as it applies to Staff

Date: September 2010

Reviewed: April 2012 (minor update), April 2015 (minor terminology update only)

April 2018, Jan 2020, Jan 2022 (minor update for job title only), June 2022 minor update on job title of owner)

Next Review: June 2024

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