

Assessment Malpractice and Maladministration Policy

Owner: Head of Quality Assurance (Cross College)	Related Strategies: N/A
Relevant to: Assessors	

Office Use only:

Corporate Intranet Family: Curriculum and Quality (CQ)	Approval Board/Committee/Group: N/A Executive Owner: N/A	Approval/Re-approval Date: November 2018	Implementation Date: November 2018	Next Review Date: July 2022
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New Policy or Substantive Policy Review

Version	Date	Policy Development Agreed by (Executive Owner)	Policy Development Author	Draft Policy Verified by	Policy Approval	Impact Assessment (if applicable)
5	November 2018	Interim Head of Quality & Compliance	Elaine Martin	Bev Turner	Yes	

Rationale for new or substantive policy review	
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Please make explicit if change/review relates to procedures, guidelines and associated documents only

Periodic Policy Review / Change History

Version	Date of Review / Revision	Description of Change	Reviewed By	Approved By (Executive Owner)
1	September 2014	Policy issued	Assistant Principal Quality & Learning Enhancement	Student Experience Steering Group
2	March 2016	Policy migrated to 16/17 template	Head of Service Quality Audit & Standards	N/A
3	January 2017	Policy reviewed	Head of Service Quality Audit & Standards	N/A
4	October 2017	Policy reviewed	Head of Service Quality Audit & Standards	N/A
5	July 2018	Policy reviewed and migrated to 18/19 template	Interim Head of Quality & Compliance	N/A
6	July 2019	Policy reviewed	Head of Quality and Compliance	
7	July 2020	Policy reviewed in relation to Covid-19	Head of Quality and Compliance: Cross College	
8	June 2021	Policy reviewed for HE	Head of Quality and Compliance: Cross College	
9	Aug 2021	Policy reviewed for HE – Timescales and added	Head of Quality and Compliance: Cross College	

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Communication

To be agreed by Executive Leadership Team

Announcement on hub <input type="checkbox"/>	SLT email <input type="checkbox"/>
College newsletter <input type="checkbox"/>	All staff email <input type="checkbox"/>
SLT meeting <input type="checkbox"/>	Cascade brief <input type="checkbox"/>
External website /	Training needed (specify who) <input type="checkbox"/>

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The College is committed to ensuring that assessment is valid, reliable, sufficient and authentic, meeting the requirements of regulatory bodies such as OFQUAL and Awarding Organisations.

1. Summary overview

1.1 This assessment malpractice policy covers the summative assessment of all FE and HE learners, including those assessed in the workplace. It covers teacher-assessed work and examinations, and is derived directly from regulatory body requirements. Malpractice and Maladministration, also known as academic misconduct, can involve both learners and members of staff. This includes e.g. 'any form of cheating, including plagiarism, collusion, impersonation and the use of inadmissible material'

Ofqual defines malpractice as; 'any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates'

Maladministration is defined as; a lack of care, judgement or honesty. Incorrect, incompetent or corrupt administration (Cambridge English Dictionary).

1.2 This policy does not cover appeals of assessment decisions. Please see Appeals Policy.

1.3 This policy does not cover appeals of Centre Assessed Grades relating to Covid-19.

1.4 The College will:

- ensure all staff members know and follow the College's Malpractice and Maladministration Policy and guidance
- deal with cases of malpractice through the Student Positive Engagement and Behaviour Policy, Guidelines and Procedures or Staff Disciplinary Procedures
- staff should inform learners about the College's Malpractice and Maladministration Policy, making it clear that plagiarism is regarded as malpractice and is dealt with via the Student Positive Engagement and Behaviour Policy
- include statements on malpractice in the student handbook and in each course handbook, ensuring consistency throughout the College
- teach learners what plagiarism and collusion are, during induction or at the start of each course
- teach learners how to avoid plagiarism, for example through effective citation of references and use of electronic aids for detection of plagiarism
- require teachers where possible, to design out opportunities for plagiarism
- ensure staff make clear the extent to which learners can collaborate on assessed work
- work with Awarding Bodies to ensure Malpractice and Maladministration policy is in line with current regulation and responsibilities
- ensure that any potential conflicts of interest are identified in line with JCQ and Awarding Body regulations; these will be documented with actions and all relevant external stakeholders made aware as applicable

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- for Higher Education (HE), use electronic aids (for example Google and Turnitin) for detection of plagiarism

2. Dealing with malpractice

- The College views all instances of malpractice, including plagiarism, as a serious offence.
- The College will respond to all allegations of malpractice in accordance with the relevant Awarding Organisation regulations.
- This may require the College to report any suspected malpractice involving candidates, Centre staff or any other party to the Awarding Organisation.
- It may also require the College to investigate, in which case the Student Positive Engagement and Behaviour Policy or Staff Disciplinary procedure will be used.
- Instances of malpractice that are upheld following investigation, will lead to disciplinary action.
- The HE Procedure contained in this document outlines how malpractice (inc. academic misconduct) is dealt with.

3. Centre staff malpractice / maladministration:

3.1 Non-compliance, for example:

- failure to follow Awarding Organisation assessment regulations
- failure to deal with issues identified by Awarding Organisations
- misuse of the conditions for special learner requirements

3.2 Maladministration, for example:

- failure to keep assessment papers or mark schemes secure prior to assessment
- failure to maintain appropriate records
- failure to keep learner computer files secure

3.3 Maladministration / Professional misconduct, for example:

- deliberate falsification of records, witness statements, certificates, etc.
- fraudulent certificate claims, for example, claiming for a certificate prior to the learner completing all the requirements of assessment
- allowing evidence, known by the staff member not to be the learner's own work, to be included in a learner's assignment/task/portfolio/coursework
- alteration of mark schemes or assessment and grading criteria
- helping learners to complete assessments
- giving learners access to test papers, supplying answers, etc.

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- giving information on formal assessment outcomes before the official release of such information by the Awarding Body

4. Learner malpractice

4.1 Misconduct, for example:

- any form of impersonation
- falsification, fabrication or alteration of results, certificates or assessment evidence
- failure to follow Awarding Organisation regulations or the instructions or advice of assessors, supervisors or invigilators
- misuse of assessment or examination material
- taking unauthorised material into assessment rooms
- obtaining, receiving, exchanging or passing on assessment-related information during assessment sessions
- behaviour that disrupts or undermines the integrity of assessment
- any form of cheating to gain an unfair advantage
- deliberate destruction of another person's work
- resubmitting previously graded work

4.2 Collusion

- unauthorised co-operation between a learner and another person, in or outside of College, in the preparation and production of work that is eventually submitted by one or both learners as the outcome of his or her individual efforts
- allowing another student to copy one's own work
- Group or team tasks must be designed to ensure that all participants are able to produce evidence of individual authentic work for assessment

4.3 Plagiarism

Plagiarism is a form of malpractice or academic misconduct.

Plagiarism is where a learner submits someone else's work as if it is their own:

- copying work (artwork, images, artefacts, products, designs, words) from a published source and presenting the copied work as if it were the student's own
- the use of another person's work (artwork, images, artefacts, products, designs, words), with or without permission, without appropriately acknowledging the source

Examples of plagiarism include:

- copying from published text without an acknowledgement of source;

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- copying images, graphs, tables, art, music etc. without acknowledging the source;
- copying small or large sections of assignments from other learners;
- downloading original material from the internet without acknowledging the source;
- imitating too closely an existing work of art or music, design idea or concept

4.4 Dealing with Plagiarism (FE)

- Where plagiarism is suspected, the assessor should have an initial, informal discussion with the learner. It may be that the student has misunderstood the brief and acted in error, for example, failing to reference sources appropriately. In such cases the assessor should:
 - make sure the learner is aware of the serious consequences of plagiarism
 - arrange for the learner to re-submit the assessment following an appropriate revision of referencing, citation, etc.
 - re issue plagiarism guidelines to the student
 - record the outcomes of the discussion in the student file (ProMonitor) detailing actions taken to prevent reoccurrence
- If the initial discussion fails to lead to a satisfactory outcome, the case must be investigated and dealt with through the student positive engagement and behaviour procedures .
- This is to ensure that the issue is dealt with fairly, consistently and in accordance with the principles of natural justice. Details are given in the student positive engagement and behaviour procedures , but in essence:
 - the learner is presented with all the evidence and given an opportunity to challenge it in front of the person(s) that will determine the allegations;
 - all participants must be given appropriate notice of the disciplinary hearing;
 - learners must be told about their rights of representation at such a hearing;
 - learners have the right to challenge the evidence, especially where it has not been possible to identify the original of the allegedly plagiarised work;
 - should the plagiarism be confirmed, appropriate disciplinary action should be taken, with reference to the relevant Awarding Organisation regulations; cases may be escalated to the Awarding Organisation as appropriate.
 - learners have the right to appeal against decisions of the disciplinary panel.

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Appendix 1. Plagiarism: Guidance for staff

It is important to make sure students:

- know the College's Malpractice / Maladministration Policy, especially the information about plagiarism
- know that the College's policy is to investigate instances of plagiarism, using the student positive engagement and behaviour procedure and, for HE, the procedure contained within this policy
- always cite the sources of ideas and all resources used in a bibliography/reference list
- do not reproduce verbatim or near verbatim extracts from other resources, e.g. textbooks, Internet
- know that quotations shorter than 15 words (approx) may be included in inverted commas in the normal run of text (with the source provided appropriately for the level)
- realise that longer quotations should be indented and could be shown in a different font/style (source provided appropriately for the level)
- try to avoid long quotations where possible
- try to avoid over use of quotations in their work
- Use appendices for substantial elaborations, e.g. copies of questionnaires, documents, and newspaper reports.
- place charts, graphs and tables in the main text, numbered and referenced
- take care with references: the important point to remind students of is to be consistent
- preserve the anonymity of those who participated in research e.g. questionnaires, psychology experiments

Examples of minor cases of plagiarism could include a learner:

- receiving undue help in good faith because instructions have been misunderstood.
- copying a couple of sentences or using someone else's diagrams or charts
- copying small amounts of text from books without direct acknowledgement, but which does not make a significant contribution to the overall work
- not referencing work properly.
- failing to acknowledge the source of a small section of an assignment.
- infringing the policy when the assessed work does not contribute to final grade.

Examples of serious cases could include:

- copying of text that makes a significant contribution to the work.

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- extensive plagiarism of professional works (more than 100 words)
- buying, selling or stealing work.
- repeated evidence of extensive use of information from the internet without acknowledgement
- using model internet answers
- using past candidates' work from previous years
- undue help from outside of the centre

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Teaching and Learning: suggestions for discouraging plagiarism

- Ensure students are given guidance at the start of the programme (see Appendix 1).
- Use different assignment instruments each year. Students quickly learn if a tutor sets the same assignments year after year. Students can also spot cosmetic changes such as tweaking numbers or renaming characters.
- Avoid tasks that require regurgitation of information. Instead, create tasks that require individualised answers from learners. For example, ask them to compare or contrast elements, explain how to apply something practically, or assess how well it would work in a different circumstance. Comparison with or application to recent events or circumstances make plagiarism quite difficult.
- Make information gathering part of the assignment, e.g., assessing the validity or accuracy of web-based information such as Wikipedia or 'cheat' essays, etc.
- Research shows that weaker learners with poor time management skills and those who read less, are more likely to plagiarise work. Set interim deadlines and check drafts and initial drafts / plans, as well as final products.
- Consider building reading requirements into the assessment e.g. production of a reading log, interim fact list from initial reading, etc.
- Ensure learners are adequately supervised when using computers / other devices etc. to prevent copying or printing out other people's work as their own.
- Support coursework assessment by unseen and supervised work under test conditions.
- Make less use of generic assignments in favour of tailored assignments.
- Get to know the style of students' writing early on in the course.
- Compare subsequent work to initial assessment tests.
- As far as possible, assess a class group's coursework on a single occasion, to enhance the likelihood of spotting plagiarised passages.
- Reconsider the nature of assignments to be set e.g., use a range of assessment tasks or activities.

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Appendix 2. Plagiarism: Guidance for students

Plagiarism is using someone else's work as though it is your own. The ideas or work could be from another student, or something you have found in a book or through the internet. It includes work of any kind whatever, including ideas, art work, graphs, charts, tables, music, diagrams, sculptures, recipes, furniture, questionnaires, schedules, plans or designs.

Plagiarism can happen by accident, by failing to show where your material has come from. It still counts as malpractice, so you need to be very careful about using other people's work, including material downloaded from the internet.

Examples of accidental plagiarism include:

- not using quote marks when you are using someone else's exact words
- using someone's ideas without stating that you have done so
- changing someone's work so that it is different, but failing to say that the ideas were not your own

It is good to refer to other people's work, as long as you say whose it is and where you found it.

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

- You will only hand in your own original work for assessment.
- You will show when you have used information provided by someone else by giving the person's name and where you found the material, for example, at the end of the piece (this is called bibliography or references).
- You will never use essay mills or pay someone else for their services to undertake your assignment(s) and, in doing so, cheat; as passing off as your own work
- If you use someone else's words, from a referenced source, you will enclose the quote with inverted commas ("...").
- If you have received help, ask your tutors how you should acknowledge this within the piece of work.
- You will include references to sources to show when you have sourced information from, including the internet, and never use the information as though you had written it yourself. Referencing should be undertaken in line with appropriate style guides (e.g., Harvard referencing/APA).
- You will never use another person's research as if it were your own work, nor copy work from research belonging to someone else and use it as if it were your own.
- You will never use someone else's artwork, music, pictures or graphics (including graphs, spreadsheets etc.) as if they were made by you.
- You will never let other students use or copy from your work and pass it off as if they had done it themselves.
- You can expect all cases of suspected academic misconduct to be fully investigated using the college Positive Engagement and Behaviour Procedures .

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- If proved, you can expect the college to take action against you; for example, you may have marks from your piece of work taken away, or have work returned to re-do and hand in for remarking.
- If you are working towards an exam, the relevant Awarding Organisation will have to be told what happened; External Verifiers will also need to be told what you have done.
- In serious cases the assessed work may not be awarded a grade and you may not be allowed to re-sit the exam or test, or to re-do the piece of assessed work.
- Cases can be escalated to the Awarding Organisation. You may be disqualified from your course, or from the College.
- This information may be used by the College staff, when asked to provide a reference for you, for example if you want to go to another College or get a job.

On submission of work for assessment, you will be required to declare that the submission is your own work and to the best of your knowledge involves no plagiarism or malpractice/maladministration.

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Higher Education: Assessment Malpractice or Academic Misconduct Procedure

The Sheffield College is committed to consistent, valid and reliable assessment that meets the requirements of QAA, the Open University, Sheffield Hallam University Assessment Regulations and Higher National Pearson regulations. The College endorses the [QAA Academic Integrity Charter](#) and, in signing the charter, outlines its commitment to promoting academic integrity and taking action against academic malpractice and/or misconduct.

This HE assessment malpractice or academic misconduct procedure covers the summative assessment of all HE students (including those assessed in the workplace). It covers teacher-assessed work and examinations and is derived directly from regulatory body requirements and sector practices (e.g., QAA). Assessment malpractice, also known as academic misconduct, can involve both students and members of staff.

2. Dealing with malpractice

- The College views all instances of malpractice, including plagiarism, as a serious offence.
- The College will respond to all allegations of malpractice in accordance with the relevant Awarding Body regulations, including the Open University, Sheffield Hallam University Assessment Regulations and Edexcel BTEC HNC/D regulations
- This may require the College to report any suspected malpractice involving candidates, Centre staff or any other party, to the Awarding Body.
- It may also require the College to investigate, in which case the Student Positive Engagement and Behaviour Policy or Staff Disciplinary procedure will be used.
- Instances of malpractice that are upheld following investigation, will lead to disciplinary action.

3. Sheffield Hallam University courses

Students are subject to the University's procedures for academic misconduct which are located https://students.shu.ac.uk/regulations/conduct_discipline/index.html

Stage one of this procedure invokes the college disciplinary procedure which is included in the student charter.

All cases of malpractice or academic misconduct are reported at the end of semester Review Board.

The Open University and Pearson courses

Students are subject to the college disciplinary procedures, at stages 1 and 2, which will involve meeting(s) to discuss the misconduct and outcomes of the investigation. This can be found in the Student Positive Engagement and Behaviour Policy, Guidelines and Procedures available from Student Experience.

Stage 1

For all investigations of malpractice or misconduct in HE, the student(s) under investigation will be required to attend an individual (e.g., in the case of collusion) initial investigatory meeting; students will be notified of the meeting at least 5 working days in advance. Details of the meeting and the assessment(s) under question will be outlined in advance correspondence, and students are expected to bring with them any notes and/or supplementary materials which were used to produce the work under investigation.

The investigatory meeting will be made up of the Programme Leader and, where practicable/appropriate, the member of staff who has raised the misconduct (e.g., Module Leader) Students will be notified of the outcome of the meeting via letter and/or email within 5 working days of the meeting. Possible outcomes include:

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- No further action: No further action will be taken and there will be no record on your file of the Stage 1 investigation.
- Notice of Improvement: You will be required to work with appropriate services (e.g., HE Tutor Mentor) and seek support to assist with the development of academic skills. You may also be placed on a Positive Engagement Plan – dependant on severity and the type of academic misconduct.
- Escalation to Stage 2: You will be required to attend a Stage 2 meeting for further investigation

Stage 2

If the malpractice or misconduct is considered serious (as per stage 2), a further panel meeting will be arranged, where a Senior Manager will also be in attendance (e.g., Heads of Academy, Heads of Quality, Teaching and Learning and HE Quality & Enhancement Manager) along with Programme Leader. If a second meeting is required, students will be notified at least 5 working days in advance. Notes will be recorded in the meeting and outcomes will be undertaken in relation to the severity of the misconduct. For Stage 2 Panel meeting only, notes and outcomes will be communicated to students within 10 working days. Possible outcomes will be dependent on the offence and calculated in line with the AMBeR Tariff.

Support

Students are permitted to bring someone to support them, such as a friend, family member or support worker, in either stage 1 or 2 meeting, however, they must notify their Programme Leader 2 days in advance. If the investigation is regarding collusion or similarity of work, then the other individual(s) is not permitted to attend. It is important to note that a supporter is, ordinarily, not permitted to contribute and there is a support capacity only.

Non-Attendance

If the student is unable to attend the meeting, they will need to inform their Programme Leader in advance (e.g., no later than 24 hours) so an alternative time and day can be arranged. If there is non-attendance on more than two occasions (including stages 1 and 2), a decision will be made on the basis of previously submitted documentation.

AMBeR Tariff

During the disciplinary process, dependant on the type of malpractice or misconduct, the [AMBeR tariff](#) may be applied. This is a points-based system with penalties according to the number of points scored. Points are based on the following criteria:

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History of malpractice:	
Number of occasions of malpractice	Points
1st Time	100
2nd Time	150
3rd/+ Time	200
Extent of Malpractice	
Below 5% AND less than two sentences	80
As above but with *critical aspects plagiarised	105
Between 5% and 20% OR more than two sentences but not more than two paragraphs	105
As above but with *critical aspects plagiarised	130
<i>* Critical aspects are key ideas central to the assignment</i>	
Level of study	
4	70
5	115
6	140
Credit weighting of assignment	
20	30
40	60
60	90
Additional characteristics	
Evidence of deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection	40

Using the table above, scoring can be calculated for instances of plagiarism. Action is then taken in line with the scoring criteria, which outlines the sanction, explanation, and impact. The scoring system is outlined below:

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Points	Sanction	Explanation	Impact on student if at initial attempt	Impact on student if at referral or re-sit attempt	Notes
280-329	Warning	Written warning issued.	Original mark stands but student is formally reprimanded and a record kept on file for the duration of the course.	Original mark stands but student is formally reprimanded and record kept on file for the duration of the course.	
330-355	Resubmit the assessed work for the assessment task affected by academic misconduct (i.e. coursework of the same title and content). The resubmitted work receives a capped mark.	The student repeats the attempt at the task affected by academic misconduct by submitting the reworked task (i.e. coursework of the same title and content). The reworked task receives a capped mark irrespective of whether it is the initial or referral attempt that is repeated.	Attempt repeated and mark for reworked task is capped at the pass mark. Referral available if required.	Attempt repeated and mark for the reworked task is capped at the pass mark.	Student cannot fail a module directly because of the sanction.
356-379	Submit a new piece of work for the assessment task affected by academic misconduct. This would normally be a different title (requiring different content). The work receives a capped mark.	The student repeats the attempt at the task affected by academic misconduct by submitting a new piece of work for that task. This will normally be a different title requiring different content. The task receives a capped mark irrespective of whether it is the initial or referral attempt that is repeated.	Attempt repeated and mark for resubmitted (new) work capped at the pass mark. Referral available if required.	Attempt repeated and mark for resubmitted (new) work capped at the pass mark.	Student cannot fail a module directly because of the sanction.

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Points	Sanction	Explanation	Impact on student if at initial attempt	Impact on student if at referral or re-sit attempt	Notes
380-479	Fail in all assessment tasks in the module concerned.	The student loses an attempt at all assessment tasks in the module concerned.	Initial attempt is lost. Referral attempt remains available.	Referral attempt is lost and no further attempts permitted. The module mark is calculated based on the initial attempt only.	This sanction will have a greater impact on those students already at the referral attempt. Most will fail the module unless they meet the profile for a compensated pass from the initial attempt.
480-524	Fail in the module, with reassessment only allowed after further attendance on a taught programme. This will require retake of the failed module, capping the overall module mark will apply.	The student fails the module affected by academic misconduct.	Re-register for the failed module the following academic year.	No further retake available.	
525-559	Fail in the module affected, with all other modules taken at that level or during the period concerned capped at the pass mark. Reassessment in the failed module will only be allowed after further attendance on a taught programme. This will require retake of the failed module capping the overall module mark	The student fails the module affected by academic misconduct. All other modules taken at the level or during a period specified by the Academic Conduct Panel will be capped at the pass mark.	Retake available in accordance with Standard Assessment Regulation 9.	No further retake available.	
560+	Fail in the module concerned, with no reassessment or retake, allowed in the failed module.	The student fails the module. No retake or substitution of the failed module is permitted	Student cannot continue on the course.	Student cannot continue on the course.	Depending on the amount of credit already achieved, student may be entitled to an intermediate/fall-back award
560+	Fail in all modules taken at the level or during the period concerned, with no reassessment or retake, and no re- entry to the programme of study.	The student fails all modules taken at the level or during a period specified by the Academic Conduct Panel. No retake or substitution of the failed module is permitted.	Student cannot continue on the course.	Student cannot continue on the course.	Depending on the amount of credit already achieved, student may be entitled to an intermediate/fall-back award

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