



ACADEMIC MALPRACTICE

Protocol and Guide for Staff

This document is based on an equivalent protocol and guide in use in the School of Arts, Languages and Cultures in the University of Manchester

It should be used in conjunction with the Spurgeon's College Academic Malpractice Policy and Procedure, January 2016

Contents

1. Poor Practice and Malpractice
2. Process when academic malpractice has been discovered
 - If the plagiarism is minor and the student is in level 4 and it is a first offence
 - If the plagiarism is major or the student is in levels 5, 6 or 7
 - If the plagiarism is a second or subsequent offence
3. College Malpractice Panel Meeting Protocol
 - Pre - Meeting
 - Meeting
 - Post-meeting
4. Process when academic malpractice has been discovered in the work of an online student
5. Relationship of malpractice decisions to Board of Examiners
6. Inspecting other work by the student
7. Confidentiality
8. Appeals

Templates

See Index of Paper work that supports this policy document.

For Template for Recording Panel/Tribunal Minutes: see Index of Paper work, item 11.

For Tutor's Report Form: see Index of Paper work, item 8.

1. Poor Practice and Malpractice

The College and University treat plagiarism very seriously. That being said, it is important that staff distinguish between cases of malpractice (which need to be handled by the College Malpractice Panel) and cases of poor academic practice (which are better handled by subject tutors).

(a) Instances of poor academic practice include:

- inadequate referencing, e.g. failure to repeat footnote references each time a text is drawn on
- an incomplete bibliography, which as a result of carelessness fails to include sources mentioned in the main text and references, or gives inadequate or inaccurate information about them.
- isolated examples of the omission of quotation marks from quotes (i.e. cases where it is clear that sloppiness or a misunderstanding of academic conventions is to blame)
- close paraphrasing of a phrase or sentence of someone else's material without direct and immediate acknowledgement (again, brief and isolated examples, where the source is referenced properly elsewhere in the work)
- failure to give a complete record of the sources drawn on (e.g. omitting reference to the secondary source when using secondary quotations)

Instances of poor academic practice normally stem from a misunderstanding of academic conventions, inadequate preparation, or sloppiness in presentation. In these kinds of cases the marking tutor will notify the Academic Malpractice Officer and if there is agreement that this is poor practice rather than malpractice, the work should be marked as normal. The assessment criteria explicitly include presentation (which itself includes the use of quotation marks, adequate referencing, and the provision of a complete bibliography).

A Poor Academic Practice Feedback Form will be attached to the essay when it is returned to the student which provides the student with information about the nature of their poor practice and gives the opportunity for the student to discuss the piece of work with their unit tutor.

(b) Instances of malpractice (plagiarism) include:

- referencing whose inadequacy vitiates the integrity of the work
- a bibliography that omits texts drawn on in the main body of the work (compounding the failure to cite them in the main text and/or references)
- more than isolated examples of the omission of quotation marks from quotes
- close paraphrasing of phrases or sentences of someone else's material without direct and immediate acknowledgement (anything more than isolated examples where the source is reference properly elsewhere)
- extensive misuse of secondary quotations
- copying the work of another student, or submitting material from 'essay banks'

Note: this document mainly concerns plagiarism, but analogous procedures should be followed in the case of other kinds of suspected malpractice, such as collusion, or cheating in exams. Instances of malpractice should always be referred to the Academic Malpractice Officer.

2. Process when academic malpractice has been discovered

Markers should compile an annotated copy of the coursework together with the feedback form and a scan or photocopy of the annotated plagiarised text. These documents along with a completed Tutor's Report Form should be sent to the Course Unit Tutor (if not you) and the Academic Malpractice Officer for discussion.

Please note that if the unit tutor and Academic Malpractice Officer are happy to discuss with only initial documents then the paperwork does not have to be completed until a decision is taken to hold an Academic Malpractice Panel or Tribunal. This will help to speed up the initial stages of the process. However the full documents will need to be compiled by the Unit Tutor prior to the Panel or Tribunal meeting.

Markers should normally record a pre-penalty mark on the feedback form, indicating that this is the notional mark that the portions of the work uncontaminated by malpractice would have received. In relatively minor cases of malpractice (e.g., where the malpractice is highly localized), it may be appropriate for the Malpractice Officer's Panel to make a deduction from this pre-penalty mark, rather than record a mark of 0%.

Tutors must adhere to the following procedures:

- underline the plagiarised passages in the essay
- annotate the written work so it is clear whether the material has been copied word for word or lightly reworded (you may wish to use the abbreviations 'WFW' and 'LW')
- identify the sources and underline the plagiarised passages, inserting cross references to the piece of assessed work

If the suspected plagiarism is a first offence:

If the suspected plagiarism is a first offence then the case can be handled by the **Academic Malpractice Panel**, consisting of the Academic Malpractice Officer with one other member of academic staff (apart from the one who detected the plagiarism). The Senior Registrar will also be in attendance. The following process applies:

Pre-meeting:

- Documents sent to Senior Registrar with confirmation that the case will be handled by the Academic Malpractice Panel
- Marked up work sent to the student with an invitation to the student to attend a meeting with the Academic Malpractice Officer and one other member of academic staff (chosen at the AMO's discretion, but not the one who detected

the plagiarism). Student must be informed in writing of the meeting at least 3 days before the meeting and the student must be provided with the documents at the same time.

- The student must be informed about the meeting's procedure and its possible outcomes. They have the right to be accompanied to the meeting by whomever they wish.

Meeting:

- Student taken through the work and malpractice explained
- One of the following penalties is imposed:
 - (a) a reprimand and warning about future behaviour;
 - (b) requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed;
 - (c) the relevant tutor to be informed that the piece of work be marked, if not already marked, according to the criteria; such a mark will normally be low, to reflect inappropriate use of sources
 - (d) a mark already awarded for the piece of work or for the course unit to be reduced by a specified amount;
 - (e) a recorded mark of zero for the examination paper or other assessed work in which malpractice occurred (this penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence);
 - (f) a recorded mark of zero for the course units(s) in which the malpractice occurred (this penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence)

In the case of (e) and (f), the Board of Examiners will normally instruct the student to resit the exam or resubmit the assessed work, for a capped mark. However, the penalty of a zero mark may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence, for example if the candidate is in their final semester and has no opportunity for a resubmission.

Note that Malpractice Panels may request a candidate to resit or resubmit without waiting for a meeting of the Board of Examiners.

Post-meeting:

- Senior Registrar will write up the minutes of the Panel.
- E-mail or letter will be sent to the student confirming that the meeting has taken place; the nature of the penalty applied (and any deadlines)

- Senior Registrar will record decision on database, including deadline for resubmission if a resubmission has been granted.
- Senior Registrar will file any letter sent to the student

If the suspected plagiarism is a second or subsequent offence:

If the suspected plagiarism is a second or subsequent offence then the case must go to the **Academic Malpractice Tribunal**. The following process applies:

- Academic Malpractice Officer arranges which members of academic staff will be on the panel, completes the final section on the Tutor's report Form and sends to Senior Registrar with confirmation that the case needs to be handled by the Academic Malpractice Tribunal
- Student informed that their work has been referred to the Academic Malpractice Tribunal
- Academic Registrar arranges date for Tribunal meeting and informs student by letter

3. Academic Malpractice Tribunal Protocol

Pre-meeting

- Senior Registrar provides hard copy papers for all tribunal members and this must include:
 - Coursework underlined and cross referenced with source/s
 - Source/s – underlined and cross referenced with coursework
 - Tutor's report Form
 - Marks to date (ratified and unratified)
- Student must be informed in writing of the meeting at least 3 days before the meeting and the student must be provided with the documents at the same time.
- The student must be informed that they have the right to be accompanied to the meeting

Meeting

- Meeting takes place with Chair, two other members of academic staff (not including the one who detected the plagiarism), and Senior Registrar. The Academic Malpractice Officer may be present in an advisory capacity.
- Tribunal to clarify procedural issues before student enters, including any statement submitted by the student in advance of the hearing.
- Student and any support person are invited to enter
 - If the student does not attend and is not contactable then a decision is made in absentia on the evidence available to the panel at the time of the hearing.
- Reason for meeting explained to student.

- Student asked whether they understand the charge.
- Ask the student to explain why they think this has happened.
- Establish whether there are any mitigating circumstances such as illness, family or personal problems. If there are, ask if they are aware of the mitigating circumstances procedures and explain them. Refer the student to the Chaplain or their pastoral tutor for further advice and support.
- If there are no mitigating circumstances, pursue whether the problem is with the programme itself (should they consider transferring? or interruption?) or a general lack of engagement or something else.
- Establish whether there is any outstanding assessed coursework or missed exams (at this point advice should be given to the student on seeing their pastoral tutor or a member of the Learning Support team, working on a plan to catch up, study skills etc.)
- Once all questions have been answered and the student has been able to put their case to the panel and provide evidence if necessary, the student is asked to wait outside with any support person while the tribunal debate.
- Tribunal to discuss the evidence given by the student, taking into account whether the student admitted the offence and any circumstances they brought to the attention of the panel.
- Tribunal to choose an appropriate penalty from the below:

(a) a reprimand and warning about future behaviour;

(b) requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed;

(c) the relevant tutor to be informed that the piece of work be marked, if not already marked, according to the criteria; such a mark will normally be low, to reflect inappropriate use of sources;

(d) a mark already awarded for the piece of work or for the course unit to be reduced by a specified amount;

(e) a recorded mark of zero for the examination paper or other assessed work in which malpractice occurred (this penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence);

(f) a recorded mark of zero for the course units(s) in which malpractice occurred (this penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence).

In the case of (e) and (f), the Board of Examiners will normally instruct the student to resit the exam or resubmit the assessed work, for a capped mark. However, the penalty of a zero mark may be imposed 'without loss of credit' in circumstances in

which it is judged that the penalty would otherwise have a disproportionate consequence, for example if the candidate is in their final semester and has no opportunity for a resubmission.

Note that Malpractice Tribunals may request a candidate to resit or resubmit without waiting for a meeting of the Board of Examiners.

In addition, the following penalties are also available to the Academic Malpractice Tribunal, for use only in exceptional circumstances:

- (g) recorded mark of zero for the piece of work or course unit(s) in which the malpractice occurred and the student being not allowed a re-assessment;
- (h) recorded mark of zero for the piece of work or course unit(s) in which the malpractice occurred and the student being not allowed a re-assessment or to substitute any other assessed work;
- (i) recorded mark of zero for all examination papers and other assessed work taken during the particular examination period (i.e. end of first semester (January); end of second semester (May/June); resit (August/September)) in which malpractice occurred;
- (j) recorded mark of zero for all examination papers and other assessed work taken during the academic year;
- (k) the examining authority to be required to reduce the class of degree by one or more classes from that which would have been awarded on the basis of the student's academic progress, or to award a lesser qualification;
- (l) suspension from the College for a fixed period, up to a maximum of twelve months. A student who is so suspended will be prohibited from entering College premises and from participating in College activities although the suspension may be subject to qualification;
- (m) cessation of the student's registration for their accredited course;
- (n) expulsion from the College.

In the case of (g) and (h), the penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence.

- Student and support person are invited to re-enter;

- Chair sets out the reasoning and decision of the tribunal;
- Student is asked if there is anything else that s/he thinks the panel should know;
- If student wishes to make a statement, record for report;
- Student is thanked for attending the hearing.

Post-meeting (Senior Registrar)

- Letter or email sent to the student confirming the decision of the tribunal in writing and giving any instructions. (If a student did not attend the hearing, write to them to confirm that a decision was made in absentia on the evidence available to the tribunal at the time of the hearing.);
- Letter or email copied to members of the tribunal;
- Update database and file copy of letter sent;
- Record of Malpractice Activity Spreadsheet updated and report on the hearing saved in the appropriate folder within 1 week;
- Relevant administrators and Course Unit tutors made aware of re-submissions / grade changes etc;
- In consultation with Chair of the Tribunal, inform Training Group and/or Chaplain re any students who have presented mitigating circumstances or are otherwise a cause of concern.

4. Process when academic malpractice has been discovered in the work of a student who is unable to attend

The standard process should be followed as closely as possible. If students are unable to attend hearings, they should be given the opportunity to be interviewed by Skype and to make a written statement.

5. Relationship of malpractice decisions to Board of Examiners

The Academic Malpractice Panel and the Academic Malpractice Tribunal have the right to refer work for resubmission without reference to the Board of Examiners. They also have the right to override normal regulations in respect of resubmissions, for example allowing a student to resubmit the work for a unit on *two* further occasions after the first, if they believe it is in the student's academic interest.

6. Inspecting other work by the student

In accordance with University policy, work by the student other than that in which malpractice was detected, whether submitted at the same time or previously, will *not* normally be consulted by the Academic Malpractice Officer or the Academic Malpractice Tribunal unless there are very good reasons for doing so..

7. Confidentiality

In accordance with University policy, markers are *not* informed of the numbers of students who are suspected of malpractice in a unit or units other than the one they are marking.

8. Appeals

Students have the right to appeal against a decision of a Malpractice Panel or Tribunal. Students need to follow the same procedure as outlined in the “Verification and Appeal Procedure” (section 4.10 of the Student Handbook) which covers requests for the review of decisions of the Board of Examiners. The Malpractice Panel’s or Tribunal’s work is considered to fall under the responsibilities of the Board of Examiners.

(SW/DR 11.1.16)

