



ACADEMIC MALPRACTICE Protocol and Guide for Staff

**This document must be read in conjunction with the
Academic Malpractice (Misconduct) Policy**

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Templates

Templates and documents accompanying this protocol are held on the Shared drive under "Malpractice Accessible"

Introduction

1. Spurgeon's College treats academic malpractice very seriously. However, it is important that staff distinguish between cases of malpractice (which need to be handled by Malpractice Panels/Tribunals) and cases of poor academic practice (which are handled by individual tutors).
2. Students submit summative assignments as Word documents through the College's Moodle platform. All submissions are subject to checking by "Turnitin" - a web-based text-matching tool, which is widely used in UK universities. Turnitin searches the current and archived internet, and papers submitted by other students, to identify similarities between online text and the assignment submission. It produces an "originality report" expressed in percentage terms, identifying suspected sources. This report is examined by tutors.
3. All Turnitin reports require interpretation by tutors concerned. For example, there may be a high similarity rating in the report, but no malpractice has been committed because all quotations have been correctly marked as such. Tutors do not rely solely on the Turnitin report. They employ other detection methods including consulting hard copy textbooks. Tutors are able to employ other detection software (for example, those that employ stylometry and linguistic analysis) where appropriate. If appropriate, and with the agreement of the Academic Malpractice Officer, tutors can interview students about their essay submissions before the case is escalated to a Malpractice Panel or Tribunal.

Distinguishing between poor academic practice and academic malpractice

4. Poor academic practice includes:
 - 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).
5. Instances of poor academic practice normally stem from a misunderstanding of academic conventions, inadequate preparation, or sloppiness in presentation.

6. Academic malpractice includes:
 - 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/mills'.
7. This document mainly concerns plagiarism, but analogous procedures should be followed in the case of other kinds of suspected malpractice, such as collusion, fabrication or cheating in exams. Instances of malpractice should always be referred to the Academic Malpractice Officer.

Process when poor academic practice is evident

8. In these cases the marking tutor will mark the piece of work as normal but will upload onto the P drive and forward to the Registrar a Poor Practice Feedback Form which will be sent to the student by registry on mark release day. In cases of doubt, where the piece of work lies on the border of poor practice and malpractice, the tutor will consult with the Academic Malpractice Officer. The awarded mark will reflect the poor practice elements as the assessment marking criteria explicitly include marks for presentational elements (e.g. the use of quotation marks, adequate referencing, and the provision of a complete bibliography).
9. By filling out the Poor Academic Practice Feedback Form (Appendix A) the tutor provides the student with information about the nature of their poor practice and gives the opportunity for the student to arrange a meeting to discuss the piece of work with their unit tutor.
10. It is usually helpful for tutors to include in their feedback comments a statement that indicates that the mark awarded has taken into consideration the poor practice contained within the essay.
11. Online tutors cannot normally arrange a face-to-face interview with students to discuss the Poor Practice Feedback Form. However, they may consider it important to invite a telephone or skype conversation or initiate an email discussion with the student where there are particular reasons for doing so.
12. All marking is undertaken anonymously but the Registrar will lift anonymity when Poor Practice Feedback Forms are received so that students can be sent the Feedback Forms on mark release day. Tutors can lift anonymity once they have uploaded the mark and their comments onto Moodle; this

enables them to offer appointments to students to discuss the Poor Practice forms they have issued.

Process when academic malpractice is detected

Summative Assessment

13. Internal tutors should save a copy of the essay showing the TurnItIn originality report and print it out.¹ They can then highlight the sections of the essay which contain examples of malpractice and annotate the script as appropriate. It may be necessary to copy and annotate pages from textbooks, course notes and other sources not detected by Turnitin to supplement the case of malpractice. The tutor will then pass their evidence to the Academic Malpractice Officer.
14. The following documents may constitute evidence:
 - an annotated copy of the assignment (showing TurnItIn report, other plagiarised text and tutor feedback on the essay if appropriate);
 - a print out of the annotated plagiarised source(s);
 - printed textbook or course notes source material;
 - the Academic Malpractice Tutor's Report Form (Appendix B);
 - examples of the student's normal writing style;
 - evidence of submission to an essay mill or similar;
 - evidence of third party editing;
 - report on any interview which has been held (if appropriate).
15. If necessary, and in consultation with the Academic Malpractice Officer, the tutor may provide electronic copies of this evidence rather than hard copies.
16. Tutors should normally record a pre-penalty mark at the conclusion of their feedback comments in cases where malpractice is localized and restricted to one portion of the assignment. This would indicate the notional mark that the portions of the work uncontaminated by malpractice would have received. This pre-penalty mark can sometimes guide members of Panels/Tribunals when they wish to impose a penalty of mark reduction rather than a mark of zero in relatively minor cases of malpractice.
17. Tutors may wish to use the following abbreviations when they mark-up essays:
 - WFW for word for word plagiarised text
 - LR for lightly reworded sections

¹ To do this select the print icon (normally at bottom left of your screen) and download/ save the file. If you are working from your iPad you need to save the file and email it to a computer with a printer in order to print it. You cannot at present print from your iPad unless you have Airprint. You need to save the document in the format in which the essay was submitted (not the PDF version) if you want to make additional comments/highlight text electronically).

- P for paraphrased sections not referenced
18. The Academic Malpractice Officer will lift anonymity in order to progress the required panel/tribunal once the tutor has provided the evidence for the case.
 19. To avoid any confusion it is helpful if both Poor Practice Feedback Forms and Tutor's Report Forms record both the submission ID number and the student number wherever possible.
 20. If academic malpractice is first suspected during a viva, then the examination should continue, as this will allow discussion that may evidence the extent to which the work is that of the student. The examiners should thereafter produce a statement, cross referring to the viva and written work, in keeping with the above procedure for written work.
 21. If the unit tutor and Academic Malpractice Officer are in agreement it is possible to make a decision to hold a Malpractice Panel or Tribunal before all the evidence is collected. This will help to speed up the initial stages of the process. However the full documents will need to be compiled by the tutor in good time for the evidence to be circulated to and examined by the student and all members of the Panel/Tribunal prior to the Panel or Tribunal meeting.

Possession of unauthorised material in an examination

22. Students are informed prior to the start of examinations that they should not have any unauthorised materials on their person. This might include any electronic device, revision notes or anything else which could give them an unfair advantage in the examination compared to their fellow students. The material need not be pertinent to the examination for it to be unauthorised.
23. Some material may be permitted for an examination but this will have been confirmed to the student in advance of the examination.
24. Invigilators monitor the conditions of an examination, including the detection of unauthorised material. Where unauthorised material is detected, the preliminary details of this should be recorded, including the type and content of the material, the time it was found, the examination title and start time etc. Often students are asked to leave the examination at the point unauthorised material is detected whilst the above details are obtained and the material is confiscated, but they may later be allowed to return to complete the examination in the time remaining.
25. The case and all the evidence will be reported to the Academic Malpractice Officer. The student will then be asked to attend a post-examination interview with the Academic Malpractice Officer. At the interview additional information will be sought from the student.

26. If it is agreed that an offence has likely been committed then the case will be referred on for appropriate disciplinary action.

Contract cheating

27. If there is a reasonable suspicion that a student may have commissioned a piece of work from a third party, but there is no direct evidence of this, then in agreement with the Academic Director a viva voce can be arranged to give the student the opportunity to demonstrate that they:

- produced the work;
- undertook the reading and research themselves;
- undertook the preparatory work themselves;
- understand what they have written.

28. If a viva voce is held, the following principles will be met:

1. The viva voce should normally take place within 30 days after the assessment feedback deadline.
2. The student should be given at least five working days notice of the requirement to attend the viva voce. An explanation of what a viva voce is, the purpose of it and the potential outcomes should be outlined in the invitation. It should be made clear that the viva voce is arranged due to the detection of potential academic malpractice and it is to allow the student an opportunity to demonstrate that the work is their own; it will not contribute to any mark obtained for the piece of work.

29. Two members of academic staff (at least one of whom must be a subject specialist) must conduct the viva voce; this will normally be the Head of Department and the examiner of the assessment.

30. The student may be accompanied by a person of their choice for support only (normally a fellow student, member of staff or Students' Union representative). Any individual accompanying the student should under no circumstances participate in the viva voce.

31. Reasonable adjustments must be made to ensure that candidates with additional support needs are not disadvantaged for reasons relating to a long-term medical condition, sensory impairment, specific learning difficulty and /or disability.

32. The viva voce will not normally exceed 30 minutes.

33. In exceptional circumstances the viva voce can be conducted via video link.

34. Intensive questions are expected. The questions asked should provide the student with the opportunity to demonstrate that the work is their own.

35. An accurate record of the viva voce should be taken; this record may be used to form the evidence base for any future disciplinary hearing. It may be necessary for an administrative member of staff to be present at the viva voce to make the record. The student is entitled to have a copy of the record.

36. The viva voce can have one of two outcomes:

1. The staff conducting the viva voce will confirm that they accept that the student wrote the work in question; no further action will be taken. The work should then be marked on its own merit, if it has not already been marked.
2. If the staff conducting the viva voce remain doubtful of the authorship of the work in question, or the student admits that it is not their work, then the case should be referred for disciplinary action. Any future disciplinary panel should not include, as a member of the panel, the examiner or the same member of staff. The viva voce, in itself, will not result in a penalty being applied; a penalty can only be applied by a disciplinary panel.

Process when suspected academic malpractice is a first offence

37. If the suspected plagiarism or malpractice 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 (not being the one who detected the plagiarism). The Senior Registrar will also be in attendance. The following process applies:

Pre-meeting

38. The Academic Malpractice Officer will send all documents relating to the case to the Senior Registrar with confirmation that the case will be handled by the Academic Malpractice Panel.

39. The documents will be sent to the student with an invitation to the student to attend a meeting of the Malpractice Panel. The letter to the student will also inform them about the meeting's procedure and its possible outcomes. They have the right to be accompanied to the meeting by a person of their choice if they so desire.

40. The documents will also be sent to all members of the Panel in advance of the Panel's meeting.

Meeting

41. At the meeting of the Panel the case against the student will be presented and the student (and/or companion) will be invited to respond.

42. 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).

43. In the case of (e) and (f), the Progression and Awards Board will normally instruct the student to re-sit 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.

44. The Malpractice Panel may request a candidate to re-sit or resubmit without waiting for a meeting of the Progression and Awards Board.

45. The Panel shall have regard to the guidance in the Academic Malpractice Policy in respect of assessing the severity of academic malpractice and the proportionality of the penalty imposed.

Post-meeting

46. The Senior Registrar will write up the minutes of the Panel.

47. As soon as possible an email or letter will be sent to the student confirming that the meeting has taken place and the nature of the penalty applied (and any deadlines).

48. The Senior Registrar will record the decision and establish the deadline for any resubmission if a resubmission has been granted.

49. The Senior Registrar will keep any letter sent to the student on the student file.

Process when suspected academic malpractice is a second or subsequent offence (or a serious first offence)

50. If the suspected plagiarism is a second or subsequent offence (or a serious first offence) then the case must go to the **Academic Malpractice Tribunal**

consisting of a Chair appointed by the College Principal, the Academic Malpractice Officer and one other member of academic staff not previously involved in the case (through assessment or in the Malpractice Panel). The Senior Registrar will also be in attendance. The following process applies:

Pre-meeting

51. The Academic Malpractice Officer will send all documents relating to the case to the Senior Registrar with confirmation that the case will be handled by the Academic Malpractice Tribunal.
52. The documents will be sent to the student with an invitation to the student to attend a meeting of the Malpractice Tribunal.
53. The letter to the student will also inform them about the meeting's procedure and its possible outcomes. They have the right to be accompanied to the meeting by a person of their choice if they so desire.
54. The documents will also be sent to all members of the Tribunal in advance of the Tribunal's meeting.

Meeting

55. At the meeting of the Tribunal the case against the student will be presented and the student (and/or companion) will be invited to respond.
56. One of the following penalties will be applied:
 - (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);
 - (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.

57. In the case of (e) and (f), the Progression and Awards Board will normally instruct the student to re-sit 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.

58. 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.

59. The Tribunal shall have regard to the guidance in the Academic Malpractice Policy in respect of assessing the severity of academic malpractice and the proportionality of the penalty imposed.

Post-meeting

60. The Senior Registrar will write up the minutes of the Panel.

61. As soon as possible an email or letter will be sent to the student confirming that the meeting has taken place and the nature of the penalty applied (and any deadlines).

62. The Senior Registrar will record the decision and establish the deadline for any resubmission if a resubmission has been granted.

63. The Senior Registrar will keep any letter sent to the student on the student file.

Process when a student is unable to attend hearings

64. The standard process should be followed as closely as possible. If students are unable to attend hearings, they should be given the opportunity to

contribute to proceedings by Skype and/or to make a written statement [see Academic Malpractice Policy for further information].

Relationship of malpractice decisions to the Progression and Awards Board

65. The Academic Malpractice Panel and the Academic Malpractice Tribunal have the right to refer work for resubmission without reference to the Progression and Awards Board. 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.

Inspecting other work by the student

66. In accordance with College 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.

Confidentiality

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

68. Details of students undergoing investigation should be kept confidential to those involved in the process. Documentation should be held in accordance with College policies and relevant data protection legislation.

Appeals

69. Students have the right to appeal against a decision of a Malpractice Panel or Tribunal.

70. Appeals can be submitted to the Senior Registrar and directed as follows:

- (a) to the Malpractice Tribunal when a penalty has been imposed by a Malpractice Panel;
- (b) to the Malpractice Appeal Board when a penalty has been imposed by a Malpractice Tribunal (except where the Malpractice Tribunal was convened to consider an appeal).

71. Once all internal procedures have been exhausted the student may request that the decision be reviewed. Students registered with validating Universities can request a review of their appeal.

- University of Manchester registered students can request a review of their appeal to the Registrar, Secretary and COO of the University of Manchester.
- Liverpool Hope University registered students can request a review of their appeal to the Pro Vice Chancellor.

72. If the Student believes the issue has not been appropriately addressed, the student may complain to the Office of the Independent Adjudicator for higher Education. The OIA review will focus on the final decision. The OIA must receive a student's Complaint Form within 12 months of the date of the Completion of Procedures Letter. For further details see: <http://www.oiahe.org.uk/rules-and-the-complaints-process.aspx>

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Appendix A
Poor Academic Practice Feedback Form



Student's Name/Number:	
Moodle Submission ID	
Unit Name/Number:	

Your essay mark reflects the fact that there are examples of poor academic practice in your work. It is important that you bear in mind that 'poor practice' is not in itself malpractice but if not checked, may lead to it.

In this piece of work the following features of poor practice were noticed:

1. Inadequate referencing

e.g. failure to repeat footnote references each time a text is drawn on.

Not Present

Occasional

Frequent

2. Incomplete bibliography

(a result of carelessness) - fails to include material mentioned in the main text and references, or gives inadequate or inaccurate information about them.

Not Present

Occasional

Frequent

3. Omission of quotation marks from quotes

(i.e. isolated cases where it is clear that sloppiness or a misunderstanding of academic conventions is to blame).

Not Present

Occasional

Frequent

4. Close paraphrasing of a phrase or sentence of someone else's material

(i.e., isolated examples, without direct and immediate acknowledgement, where the source is referenced properly elsewhere in the work).

Not Present

Occasional

Frequent

5. Incomplete records of sources drawn on

(e.g. omitting reference to the secondary source when using secondary quotations).

Not Present

Occasional

Frequent

6. Other

Details:

PTO

You are invited to come to see me/telephone me for a brief discussion about this on:

Date:

Time:

Tutor's Name:

Date:

