
Bury College Policy and Procedures

Malpractice Policy/Procedures

(Covering malpractice, maladministration and plagiarism,
by students or staff)

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Purpose

To establish the definitions, scope and policy on all aspects of malpractice, whether carried out by students or staff of Bury College.

Definitions

1. Malpractice

'Malpractice', which includes maladministration, means any act, default or practice which is a breach of regulations by which Bury College is required to abide or which compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate; and/or damages the authority, reputation or credibility of the institution, officer, employee or agent of the college.

Failure to investigate allegations of malpractice in accordance with the requirements of this policy also constitutes malpractice.

2. Staff malpractice

'Staff malpractice' means malpractice committed by a member of staff, contractor or representative of Bury College (whether employed under a contract of employment or a contract for services), or an individual appointed in another capacity by the college such as an invigilator, an oral language modifier, a practical assistant, a prompter, a reader, a Sign Language Interpreter or a scribe to a candidate.

Examples of centre staff malpractice are set out in the appendices. These examples are not an exhaustive list and do not limit the scope of the definitions set out in this document. Other instances of malpractice may be identified and considered at the discretion of the college.

3. Student malpractice

'Student malpractice' means malpractice by a candidate in the course of any examination or assessment, including in the preparation and authentication of any controlled assessments or coursework, the presentation of any practical work, the compilation of portfolios of assessment evidence and the writing of any examination paper.

Examples of candidate malpractice are set out in the appendices. These examples are not an exhaustive list and as such do not limit the scope of the definitions set out in this document. Other instances of alleged malpractice may be considered at the discretion of the college.

Scope

This policy covers all suspected instances of malpractice. The basis for this policy and its compliance is in line with the JCQ *Suspected Malpractice Policies and Procedures* document and that document should also be adhered to in any judgements, actions or procedures that are carried out under this policy document.

Policy

1. Responsibilities

1.1 The college must:

- Establish and maintain written procedures for the investigation of suspected or alleged malpractice.
- Ensure that investigations of suspected or alleged malpractice are carried out rigorously, effectively and by persons of competence who have no personal interest in their outcome.

1.2 The procedure. If an allegation is reported the college will appoint, under the guidance of the Deputy Principal, a nominee who will oversee all investigations into suspected or alleged malpractice. This nominee will normally be the Head of Standards or another member of staff at Director Level. He or she should not be the Curriculum Director of the area of the alleged malpractice. Reporting back to the Deputy Principal regularly, the nominee will:

- Establish the basis and validity of any suspected or alleged malpractice;
- Apply the appropriate sanctions and penalties in line with internal misconduct policies or with external regulatory or exam board requirements;
- Report the matter to regulators, where appropriate.

1.3 The nominee must:

- Carry out or personally supervise all investigations resulting from an allegation of malpractice;
- Ensure that, if it is necessary to delegate any part of the investigation to a member of staff, the member of staff chosen is independent and not connected to the department or persons involved in the suspected malpractice. It is essential to avoid conflicts of interest that might otherwise compromise the investigation;
- Respond speedily and openly to all requests for an investigation into an allegation of malpractice, as this is in the best interests of staff, students and any other persons involved;
- Ensure that the findings of any investigation, and any warnings or notifications of penalties are communicated to the persons involved at the earliest opportunity.

Procedures for dealing with suspected malpractice

The handling of malpractice complaints and allegations involves the following phases:

- The allegation – the allegation will be referred to the Head of Standards who will investigate it or ask the Deputy Principal to appoint a Director as nominee to carry out the investigation.
- The investigation – the investigation will be carried out by the person identified above, who will attempt to complete the investigation at the earliest opportunity.
- The report – a written report of the findings of the investigation will be made and include recommendations for action.
- The decision – the Head of Standards will consider the report and decide whether malpractice has occurred. If so, the procedure will be covered under the HR policy for misconduct.
- The appeal – any person found guilty of malpractice will be allowed an appeal to the Principal, whose decision will be final.

Cheating

Cheating is an attempt to deceive assessors or examiners. It includes but is not restricted to situations when the student is in an examination situation and:

- Communicates or attempts to communicate with a fellow candidate or individual who is not the invigilator or a member of staff
- Copies or attempts to copy from a fellow candidate
- Attempts to introduce or consult during the examination any unauthorised printed or written material, or electronic, calculation or information storage devices
- Impersonates another or allows him or herself to be impersonated.

Cheating is considered by the college to be gross misconduct and will be treated as such The penalties that may be imposed range from downgrading the result, reporting to the awarding body, to specific disciplinary measures such as disciplinary contract, temporary or permanent exclusion from Bury College.

Students suspected of cheating may also be subject to penalties at the discretion of awarding bodies; these may include a zero mark for the exam being sat, up to and including exclusion from all other exams or modules the student is due to sit in that session.

Plagiarism

Plagiarism is the theft or use of someone else's work without proper acknowledgement, presenting the material as if it were one's own. Plagiarism is a serious academic offence and the consequences are severe.

For Higher Education provision please see the Appendix relating to the college *Policy for the Use of Turnitin UK at Bury College University Centre. **Appendix A***

Guidelines on Plagiarism – for Students

Plagiarism occurs whenever a student dishonestly presents as his or her own work the work of another person, whatever the medium (text, written or electronic, computer programmes, data sets, visual images whether still or moving).

1. Unacknowledged direct copying from the work of another person, or the close paraphrasing of somebody else's word, is plagiarism. This applies to copying both from other students' work, work of staff and from published sources such as books, reports or journal articles. Plagiarised material may originate from any source. It is as serious to use material from the World Wide Web or from a computer based encyclopaedia or literature archive as it is to use material from a printed source if it is not properly acknowledged.

2. Use of quotations or data from the work of others is entirely acceptable, and is often very valuable provided that the source of the quotation or data is given. Failure to provide a source or put quotation marks around material that is taken from elsewhere gives the appearance that the comments are ostensibly one's own. When quoting word-for-word from the work of another person quotation marks or indenting (setting the quotation in from the margin) must be used and the source of the quoted material must be acknowledged.

3. Paraphrasing, when the original statement is still identifiable and has no acknowledgement, is plagiarism. Taking a piece of text, from whatever source, and substituting words or phrases with other words or phrases is plagiarism. Any paraphrase of another person's work must have an acknowledgement to the source. It is not acceptable to put together unacknowledged passages from the same or from different sources linking these together with a few words or sentences of your own and changing a few words from the original text: this is regarded as over-dependence on other sources, which is a form of plagiarism.

4. Direct quotations from an earlier piece of the student's own work, if unattributed, suggests that the work is original, when in fact it is not. The direct copying of one's own writings qualifies as plagiarism if the fact that the work has been or is to be presented elsewhere is not acknowledged.

5. Source of quotations used should be listed in full in a bibliography at the end of the piece of work and in a style required by the student's curriculum area.

6. Coursework (including assignments, essays, skills assessments and management reports) must be the student's own work unless in the case of group projects a joint effort is expected

and is indicated as such. Students must acknowledge assistance given from fellow students, staff and work-based mentors to avoid suspicion of plagiarism.

7. Major plagiarism is a serious offence and will result in the College disciplinary process being invoked. In deciding upon the penalty the College will take into account factors such as the stage of the study, the extent and proportion of the work that has been plagiarised and the apparent intent of the student. The penalties that may be imposed range from a minimum of a zero mark for the work (with or without allowing resubmission), the down grading of a result, reporting to the awarding body, to disciplinary measures such as disciplinary contact, temporary or permanent exclusion from the college.

It is important to distinguish between minor plagiarism and those cases in which the plagiarism is major. Staff assessing students' work must use their own professional judgement to decide when an instance of plagiarism is significant, i.e. when action needs to be taken over the case. The unattributed use of several words or a single sentence would not normally require significant action (other than appropriate tutorial advice).

Minor Plagiarism

Plagiarism that is minor includes:

- The unattributed use of a few sentences, or a short paragraph;
- Where students may be likely to be unaware of the consequences of plagiarism

Cases of minor plagiarism will normally be handled within the curriculum area and should be treated in a way which first of all provides clear guidance to students over what they have done; students should receive instructions from their Tutor (or other member of the academic staff) about plagiarism: that it amounts to cheating; and is regarded by the College as very serious. The tutor should explain to the student the necessity of properly acknowledging and referencing the work of others and should provide appropriate examples.

Major Plagiarism

All cases not covered by the definition above are deemed to be major, that is:

- Extensive copying or plagiarism committed by a student;
- Plagiarism which is the student's second (or subsequent) offence of minor plagiarism.
- Cases of such seriousness or such blatancy committed by a student that to deal with them within the curriculum area would be inappropriate;
- Any case, regardless of extent, where it is inappropriate to deal with it within a curriculum area.

Major Plagiarism is considered by the college to be **gross misconduct** and will be treated as such. The penalties that may be imposed range from awarding a minimum of a zero mark for the work (with or without allowing resubmission), downgrading the result, reporting to the awarding body, disciplinary measures such as disciplinary contract, temporary or permanent exclusion from Bury College.

Other forms of malpractice

1. Collusion

Collusion occurs when two or more students work so closely together that the results of their efforts are so similar as to suggest one may have copied from another. While actual copying may not have taken place, the work is not that of the students' alone and is therefore considered an act of plagiarism. The penalties for this are the same as for plagiarism described above.

Working cooperatively is actively encouraged among students, but final drafting of work should be completed independently if students are to avoid accusations of collusion.

2. Fabrication

There are three types of fabrication which are considered to be grounds for a misconduct charge.

- i. Obfuscation – leaving out relevant data, such as results that might change the overall conclusion of a piece of research.
- ii. Fabrication – the making up of data, rather than a researcher gathering genuine primary data.
- iii. Falsification – the manipulation of data to ensure certain conclusions can be supported.

All three of the above constitute forms of cheating and are subject to the same penalties outlined elsewhere in the Policy.

3. Fraudulent certificate claims

Fraudulent certificate claims result when staff or students claim achievement to which a student is not entitled. Examples of such claims may include but are not exclusive to:

- i. Claiming achievement when a student has not completed the required assessments or other course requirements
- ii. Claiming achievement in the name of a student who has not taken the course stated
- iii. Claiming achievement when the examining body's procedures and regulations have not been adhered to.

All the forms of malpractice described above should be considered to be cheating and may result in disciplinary proceedings on charges of gross misconduct, the penalties for which are outlined elsewhere in this policy document.

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2. Use of quotations or data from the work of others is entirely acceptable, and is often very valuable provided that the source of the quotation or data is given. Failure to provide a source or put quotation marks around material that is taken from elsewhere gives the appearance that the comments are ostensibly one's own. When quoting word-for-word from the work of

another person quotation marks or indenting (setting the quotation in from the margin) must be used and the source of the quoted material must be acknowledged.

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5. Source of quotations used should be listed in full in a bibliography at the end of the piece of work and in a style required by the student's curriculum area.

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7. Major plagiarism is a serious offence and will result in the College disciplinary process being invoked. In deciding upon the penalty the College will take into account factors such as the stage of the study, the extent and proportion of the work that has been plagiarised and the apparent intent of the student. The penalties that may be imposed range from a minimum of a zero mark for the work (with or without allowing resubmission), the down grading of a result, reporting to the awarding body, to disciplinary measures such as disciplinary contact, temporary or permanent exclusion from the college.

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Major Plagiarism is considered by the college to be **gross misconduct** and will be treated as such. The penalties that may be imposed range from awarding a minimum of a zero mark for the work (with or without allowing resubmission), downgrading the result, reporting to the awarding body, disciplinary measures such as disciplinary contract, temporary or permanent exclusion from Bury College.

Appendix A

Policy for the Use of Turnitin®UK at Bury College University Centre

1. At Bury College Turnitin®UK is partly used as a formative learning tool and partly to enable students to ensure that their work complies with our rules on good academic practice. We will encourage students to take advantage of Turnitin to help them improve their academic practice.
2. We will make Turnitin available to students to make submissions to check their own written work throughout their study. Students will be required to submit a proportion of their work (**50% in 2015 -2016 for students on Higher Education programmes**) to Turnitin before the final submission of assignments to their tutor, subject to the discretion of the Programme Leader. In this case, the module or programme guide will contain a notice to this effect.
3. All students will be given an opportunity to complete a first 'formative' assignment before completing and submitting their first 'summative' written assignment. A 'formative' assignment is, for the benefit of new students, after which the student can discuss their work thoroughly with their tutor to ensure that they are working at the correct level for their award, and that they understand the requirements of good academic practice.
4. Students will be invited to submit their formative assignment to 'Turnitin®UK'. Turnitin®UK will produce an Originality Report which clearly indicates where the passages in a piece of work have been sourced. They may then discuss this with their personal tutor to see where they may need to improve their academic practice.
5. Formative Turnitin®UK Originality Reports, as described in paragraph 4 above, will not be used as indications of assessment offences requiring investigation according to the Academic Regulations of Bury College or the respective awarding University. However, students will be asked to indicate their acceptance of the following statement when they submit work for formative review by Turnitin®UK:

'In submitting this work you are agreeing that it can be electronically checked for matches with existing sources. The final copy of this work will be kept on the Turnitin®UK database and will be used solely for the purpose of detecting the future plagiarism of your own work by others'. 'Adapted from The Student Guide to Using Turnitin®UK at University of Bradford, Sept 2008

6. For all written work submitted for summative assessment, it is recommended that students maintain an electronic copy for 8 weeks after submission, and must make this available on request to module leaders who wish to obtain a Turnitin®UK Originality Report on their work, should there be any concerns about poor academic practice.
7. On the summative assignment cover sheet, students will be required to indicate their acceptance of the following statement:
'In submitting your work you are confirming that it is all your own work or the work of an approved group and that where you have incorporated the work of others you have correctly acknowledged that fact e.g. by using references. You are also agreeing that, if requested, you will supply an electronic copy of your work to be checked for poor academic practice. Any work submitted to the Turnitin®UK database may be used in any investigation of suspected academic offence and or for the purpose of detecting the future plagiarism of your own work by others'. '2
8. Academic staff will not make random submissions of an individual student's summative work to Turnitin. Academic staff will inform students if their work is to be submitted to Turnitin before the assignment is set, and will submit the work of the whole cohort.
9. There may be occasions when Turnitin®UK Originality Reports – generated by students or their assessors – are used to assist in the identification of plagiarised work submitted for summative

assessment. To facilitate the use of a Turnitin Report in an investigation into plagiarism, Programme Leaders will submit the work to Turnitin and will interrogate the report online.

10. There is no level of percentage matched text in a Turnitin@UK Originality Report which proves that a piece of work does, or does not, contain plagiarised passages. The text matches identified in an Originality Report will be reviewed to determine:
 - a) Whether such matched text is a result of common terminology in the discipline
 - b) Whether matched text has been properly referenced and cited in accordance with Bury College requirements
 - c) whether there is an appropriate level of matched text given the nature of the assignment.
11. An Originality Report will never be advanced as the sole reason for suspecting that a piece of work is plagiarised. The technology itself does not make judgements about a piece of work. The Turnitin@UK Originality Report can only inform decisions about the academic integrity of assignments. Usually these decisions are made by module tutors after assignments have been submitted.
Consequently, an Originality Report may never be advanced as the sole defence against an accusation of plagiarism.
12. All students will be advised, at the point of enrolment, that their work may be made available to third parties (such as Turnitin@UK) for specified purposes by way of a clause to be added to module guides and student handbooks (

Additional information for students when you submit work to us for summative assessment it may be necessary for us to make it available to third parties in either paper, or electronic form. There are three reasons for this:

- First, in order to allow the fair assessment of your work it may be necessary to copy it. For example, we may need to share your work with external examiners, or allow a piece of work to be independently assessed by more than one assessor or examiner.
- Second, we may need to keep samples of work for quality assurance purposes.
- Third, in order to uphold the academic integrity of our awards and ensure our students secure reputable academic qualifications, we may need to compare your work with that of others to ensure that it is substantially your own. This will only be done where there are concerns about poor academic practice on your behalf, and may be undertaken through the submission of your work to Turnitin@UK – an online text matching service – or through manual comparison.

Any work submitted to Turnitin@UK will be held on their database and may be used in any investigation of suspected academic offences and or for the purpose of detecting the future plagiarism of your own work.

If you have any questions about Turnitin@UK, you should ask your tutor, or visit the Turnitin website at https://www.submit.ac.uk/en_gb/support-services.