



Malpractice and Maladministration Policy

Policy review area	Students and Staff
Lead manager	CEO
Approval level	Board
Start date	Sept 2019
Review cycle	1 year
Next review	Aug 2020

Contents	Page
1. Introduction	3
2. Purpose and Aims of the Policy	3
3. Scope.....	4
4. Definition	4
5. Preventing Malpractice by Learners.....	4
6. Definitions of Malpractice by Learners	5
7. Cheating.....	5
8. Plagiarism.....	6
8.1 Definition	6
8.2 Guidelines on Plagiarism – for students	6
8.3 Minor Plagiarism	7
8.4 Major Plagiarism	7
9. Malpractice and Maladministration by TEC (Trent Education Centre) Staff.....	8
9.1 Examples of staff malpractice and maladministration	8
10. Actions arising from malpractice or maladministration.....	8
11. Related policies, procedures and guidelines	9

1. Introduction

- 1.1 Malpractice consist of those acts which undermine the integrity and validity of assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification.
- 1.2 This policy sets out how TEC (Trent Education Centre) addresses any issues regarding malpractice and maladministration including any issues regarding the authenticity of work submitted by a student for assessment. This policy applies to all staff and students at TEC (Trent Education Centre) including Sub-Contractors.
- 1.3 TEC (Trent Education Centre) has an obligation to its students, partner universities, employers and awarding bodies to ensure that the qualifications its students receive are a fair and accurate representation of their work, and of the knowledge and skills attained. If a student passes an assessment, or gets a qualification, by unfair means then this is unfair to those who have achieved the same qualification fairly. For these reasons TEC (Trent Education Centre) will undertake all appropriate measures to ensure that student work is in fact their own, and that plagiarism, cheating or other forms of malpractice have not taken place.
- 1.4 TEC (Trent Education Centre) will also ensure that appropriate action is undertaken where malpractice or maladministration has taken place.
- 1.5 This policy will be reviewed annually and revised as necessary in response to Joint Council for Qualifications (JCQ) guidance, stakeholder feedback, funding and awarding bodies requirements, changes in legislation, or trends identified from previous instances of assessment malpractice or maladministration.

2. Purpose and Aims of the Policy

2.1 The purpose of the policy is to:

- Protect the integrity of TEC (Trent Education Centre) and its qualifications;
- Provide guidance and support to staff and learners on malpractice and Maladministration.

2.2 The aims of the policy are to:

- Identify and minimise the risk of malpractice by learners;
- Identify and minimise the risk of malpractice and maladministration by staff;
- Respond to any incident of alleged malpractice or maladministration promptly and objectively;
- standardise and record any investigation of malpractice or maladministration to ensure openness and fairness;
- prevent such issues from reoccurring through taking actions where malpractice or maladministration has occurred.

3. Scope

3.1 This policy applies to all students irrespective of their method of application or enrolment or their type of study including those on further education, higher education (*see 3.2 for exceptions*), school links and apprenticeship programmes, Functional Skills, ESOL studying either full-time or part-time.

3.2 Students on programmes of study with **other awarding bodies**, TEC (Trent Education Centre) are subject to the academic procedures and processes for these institutions. Concerns regarding malpractice, including plagiarism, copying and cheating, will be referred to the relevant institution and sanctions will be applied accordingly, following their and/or TEC (Trent Education Centre)'s academic conduct procedures. Further information is provided in the course handbooks for these programmes. In Education and Social work programmes acts of malpractice may be viewed as whether they are fit to practise in their chosen profession. It is then up to the Director of Curriculum and Quality to consult the partner university regarding further action that may be required.

4. Definition

4.1 The Joint Council for Qualifications defines 'Malpractice', which includes maladministration and non-compliance, as *"any act, default or practice which is a breach of the Regulations 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 any awarding body or centre or any officer, employee or agent of any awarding body or centre."*

5. Preventing Malpractice by Learners

5.1 TEC (Trent Education Centre) aims to prevent malpractice by learners through:

- seeking to avoid potential malpractice by using the induction period to inform learners of TEC (Trent Education Centre)'s policy on malpractice and the penalties for attempted and actual incidents of malpractice;
- ensuring staff who carry out assessment show learners the appropriate formats to record cited texts and other materials or information sources prior to production of their coursework;
- asking students submitting written work in line with TEC (Trent Education Centre)'s Assessment Policy;
- asking learners to declare that their work is their own;
- asking learners to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used;
- conducting an investigation in a form commensurate with the nature of the malpractice allegation. Such an investigation will be undertaken under TEC (Trent Education Centre)'s. It will proceed through the following stages:

1. *make the individual fully aware at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven.*
2. *give the individual the opportunity to respond to the allegations made.*
3. *inform the individual of the avenues for appealing against any judgment made*
4. *documenting all stages of any investigation.*

5.2 Where malpractice is proven, TEC (Trent Education Centre) will apply penalties / sanctions appropriate to the nature of the malpractice or maladministration under review and the relevant awarding body will be informed in line with the JCQ's Suspected Malpractice in Examinations and Assessments Policies and Procedures and the case will be referred to the relevant institution.

6. Definitions of Malpractice by Learners

6.1 This list is not exhaustive and other instances of malpractice may be considered by TEC (Trent Education Centre) at its discretion:

- cheating in an exam (*see section 7*);
- plagiarism of any nature (*see section 8*);
- collusion by working collaboratively with other learners to produce work that is submitted as individual learner work;
- copying (including the use of ICT to aid copying);
- deliberate destruction of another's work;
- fabrication of results or evidence;
- false declaration of authenticity in relation to the contents of a portfolio or coursework;
- impersonation by pretending to be someone else in order to produce the work for another;
- or arranging for another to take one's place in an assessment/examination/test.

8. Cheating

7.1 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 an examination any unauthorised printed or written material, or electronic, calculation or information storage devices, including mobile phones;
- Impersonates another or allows him or herself to be impersonated.

7.2 **Cheating is considered to be gross misconduct by TEC (Trent Education Centre) and will be treated as such (see *Student Code of Conduct Policy*).** The penalties that could be imposed include down grading the result and specific disciplinary measures such as suspension or permanent exclusion from TEC (Trent Education Centre). In addition, a Case Conference may be called to address academic concerns. The relevant awarding body will be informed in line with the JCQ's Suspected Malpractice in Examinations and Assessments Policies and Procedures.

8. Plagiarism

Definition

8.1.1 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 consequences are severe. Where there is doubt over the authenticity of work, an opportunity will be given to demonstrate that it is genuinely that of the learner claiming credit.

Guidelines on Plagiarism – for students

- 8.2.1 Unacknowledged direct copying from the work of another person, or the close paraphrasing of somebody else's work, is plagiarism. This applies to copying both from other students' work, the 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, electronic encyclopaedia or literature archive as it is to use material from a printed source if it is not properly acknowledged.
- 8.2.2 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 taken from elsewhere gives the appearance that the comments are a learner's own work. 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.
- 8.2.3 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.
- 8.2.4 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.
- 8.2.5 Source of quotations used should be listed in full either as a footnote or in a bibliography at the end of the piece of work and in a style required by the student's curriculum area.
- 8.2.6 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.
- 8.2.7 Major plagiarism is a serious offence and will result in TEC (Trent Education Centre) disciplinary process being invoked. In deciding upon the penalty, TEC (Trent Education Centre) 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 will be imposed include zero marks for the work (with or without allowing resubmission), the down grading of a result, reporting

to the awarding body, to disciplinary measures such as suspension or permanent exclusion from TEC (Trent Education Centre). In addition, a Case Conference may be called to address academic concerns.

8.2.8 It is important to distinguish between minor plagiarism (*see 8.3*) and those cases in which the plagiarism is major (*8.4*). Staff assessing students' work will 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). TEC (Trent Education Centre) may use appropriate software, e.g. 'Turn it in', to check a student's work.

Minor Plagiarism

8.3.1 Plagiarism that is minor includes the unattributed use of a few sentences, or a short paragraph.

8.3.2 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 members of academic staff) about plagiarism: that it amounts to cheating; and is regarded by the TEC (Trent Education Centre) as very serious. The tutor should explain to the learner the necessity of properly acknowledging and referencing the work of others and should provide appropriate examples.

8.3.3 Incidents of minor plagiarism must be noted on the student's file and in the case of full-time students the Progress or Pastoral Tutor should be informed.

Major Plagiarism

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

- Extensive copying or plagiarism committed by students;
- Plagiarism which is the students' second (or subsequent) offence of minor plagiarism;
- Cases of such seriousness or such blatancy committed by students 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.

8.4.2 **Major Plagiarism is considered to be gross misconduct by TEC (Trent Education Centre) and will be treated as such (see Student Code of Conduct).** The penalties that will be imposed range from awarding a zero mark for the work (with or without allowing resubmission), down grading the result, reporting to the awarding body, disciplinary measures such as suspension or permanent exclusion from TEC (Trent Education Centre). In addition, a Case Conference may be called to address academic concerns.

8.4.3 It is the tutor's responsibility to identify and report Cheating and Major Plagiarism to both the Head of Department and the Assistant Principal Curriculum and Quality. Any uncertainties should also be recorded. A written report must be submitted which clearly states the outline of the assignment, how it was presented to the students, and the areas where the students was considered to have cheated or that were considered to be plagiarised. Procedures for Gross Misconduct will then be followed.

9. Malpractice and Maladministration by TEC (Trent Education Centre) Staff

Examples of staff malpractice and maladministration

9.1.1 This list is not exhaustive and other instances of malpractice and maladministration may be considered by TEC (Trent Education Centre) at its discretion:

- improper assistance to candidates prior to or during examination or assessment;
- inventing or changing marks for internally assessed work (coursework or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made;
- failure to keep candidate coursework/portfolios of evidence secure;
- fraudulent claims for certificates;
- inappropriate retention of certificates;
- assisting learners in the production of work for assessment, where the support has the potential to influence the outcomes of assessment, for example where the assistance involves TEC (Trent Education Centre) staff producing work for the learner;
- producing falsified witness statements, for example for evidence the learner has not generated;
- allowing evidence, which is known by the staff member not to be the learner's own, to be included in a learner's assignment/task/portfolio/coursework;
- facilitating and allowing impersonation;
- misusing the conditions for special learner requirements, for example where learners are permitted support this is permissible up to the point where the support has the potential to influence the outcome of the assessment;
- falsifying records/certificates, for example by alteration, substitution, or by fraud;
- fraudulent certificate claims, that is claiming for a certificate prior to the learner completing all the requirements of assessment.

10. Actions arising from malpractice or maladministration

10.1 Any suspected instances of staff malpractice or maladministration should be reported immediately to the Assistant Principal Curriculum and Quality and the relevant Head of Department.

10.2 Once reported any suspected malpractice or maladministration will be reviewed in line with TEC (Trent Education Centre) procedures and awarding body guidelines. This may result in referrals regarding to suspected malpractice prior to any investigation where this is required by the awarding body.

10.3 Any allegations of staff malpractice or maladministration will be dealt with in accordance with TEC (Trent Education Centre)'s Staff Disciplinary Procedures.

10.4 The Assistant Principal Curriculum and Quality will record any actions arising from incidents of alleged malpractice or maladministration and pass these onto relevant managers to help prevent such issues from reoccurring. Relevant third parties (e.g. funding bodies) will be informed of findings in line with the nature of the incident and individual funding or awarding body requirements.

11. Related policies, procedures and guidelines

11.1 The following documents should be read in conjunction with this policy and are available via the [TEC \(Trent Education Centre\) website](#):

- *Student Code of Conduct policy*
- *Academic Honest Policy*
- *Academic Appeals policy and Procedure*
- *Assessment Policy*
- *Higher Education Assessment Policy*
- *Student Handbook*

11.2 The following documents are available to staff via the Intranet:

- *Staff Handbook 2019-20*
- *Internal Verification Procedures*
- *Disciplinary Procedures*
- *Whistleblowing Policy*

11.3 Detailed guidance can be found here: <https://www.jcq.org.uk/exams-office/malpractice>