



**UNIVERSITY
ACADEMY 92**
MANCHESTER

ACADEMIC MALPRACTICE PROCEDURE

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1.3	1 st December 2021	Add In relation to apprenticeship provision, when investigating and determining Academic Malpractice cases, UA92 will be cognisant of the JCQ policies in this area https://www.jcq.org.uk/exams-office/malpractice/ .(new 2.6)	Registrar

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1. Purpose

- 1.1 This Procedure sets out how suspected cases of Academic Malpractice will be managed and the responsibilities of all parties.
- 1.2 This Procedure also provides details of when Lancaster University will be involved in the consideration and determination of suspected cases of Academic Malpractice as the awarding body for UA92 awards.
- 1.3 A UA92 Academic Malpractice Panel will meet on an annual basis to review all academic malpractice cases. This panel will agree an annual report which includes recommendations for action or amendments to this policy and procedure by UA92 to improve its academic programmes and student and apprenticeship experience in light of academic malpractice cases and the outcome of them. It will also capture learning to ensure that decisions have been made consistently and at the right level. The Academic Committee of UA92 will receive this report and is responsible to both Lancaster University and the UA92 Board for monitoring student and apprentice complaints. Lancaster University's Academic Quality and Standards Committee will also receive the report for information.

2. Scope

- 2.1 This Procedure applies to all current students and apprentices registered on any UA92 programme.
- 2.2 UA92 follows Lancaster University's policy on Academic Malpractice <https://www.lancaster.ac.uk/media/lancaster-university/content-assets/documents/student-based-services/asq/marp/Plagiarism-Regs.pdf>.
- 2.3 This Procedure outlines how UA92 will consider suspected cases of Academic Malpractice in line with Lancaster University's policy.

2.4 What is Academic Malpractice?

- 2.4.1 Academic Malpractice is defined as any attempt by a student or apprentice to gain an unfair advantage in assessment with a view to them achieving a higher grade, mark or more favourable outcome than they would otherwise achieve.
- 2.4.2 Any attempt to convey deceitfully the impression of acquired knowledge, skills, understanding, or credentials, shall represent a contravention of the regulations of Lancaster University and UA92, and may constitute grounds for exclusion.
- 2.4.3 UA92 regards any form of Academic Malpractice as a serious matter. Types of Academic Malpractice include, but are not limited to:
 - i. Plagiarism;

- ii. Cheating in assessments;
- iii. Collusion;
- iv. Fabrication and falsification of results;
- v. Impersonation/Ghost Writing;
- vi. Bribery/intimidation.

2.5 Further explanation of the different types of Academic Malpractice are detailed in Appendix 2.

2.6 In relation to apprenticeship provision, when investigating and determining Academic Malpractice cases, UA92 will be cognisant of the JCQ policies in this area <https://www.jcq.org.uk/exams-office/malpractice/>.

2.7 It is important to note that the definitions and descriptions in this Procedure are indicative, not exhaustive, and UA92 reserves the right to deem that Academic Malpractice has occurred in instances that are not explicitly defined in this document, where appropriate.

2.8 What is Poor Academic Practice?

2.8.1 Poor Academic Practice covers a range of poor practices. This may include:

- i. Minor errors, for example, missing quotation mark, minor mistakes in referencing.
- ii. Poor paraphrasing;
- iii. Inadequate referencing.

2.9 **Right to be accompanied and/or represented:** A student or apprentice has the right to be accompanied and supported at any meeting by one person, and may be represented where they have expressly authorised a third party in writing to act on their behalf.

2.10 **Legal representation:** Students should not require legal representation as proceedings will remain as informal as possible. If a student does wish to employ legal representation, requests made at least 5 working days in advance will be considered on a case-by-case basis. In such instances, UA92 will also reserve the right to legal representation.

2.11 **Students or apprentices with additional support needs:** Where practical, reasonable adjustments will be made in the procedure as necessary to meet requirements related to protected characteristics or where the students or apprentices have additional support needs. Students or apprentices should discuss these matters with UA92 at any time during the procedure to enable us to make any reasonable adjustments.

2.12 In this Procedure, any reference to named members of UA92 staff also includes reference to her/his nominee and named staff may delegate their responsibilities to other appropriate members of staff without invalidating the

procedure. The identity of nominees or members of staff to whom responsibilities are delegated will be notified to the student or apprentice.

2.13 Advice on how to use this procedure is available from the UA92 Head of Registry and Quality.

2.14 **Record keeping:** UA92 will keep a record of any Academic Malpractice cases and any evidence collated as part of the investigation into the Academic Malpractice. Students or apprentices are advised to also keep their own records. Records will be retained in line with the UA92 Retention policy.

2.15 Academic Malpractice Panels will be composed of individuals from UA92 who are independent of the situation.

3. Procedures for dealing with Academic Malpractice or Poor Academic Practice

3.1 Academic Tutors shall, when concern is identified, use their judgement to decide if some form of **Poor Academic Practice** or **Academic Malpractice** has occurred.

Dealing with Poor Academic Practice

3.2 Where it is decided that a student or apprentice's work displays some form of **Poor Academic Practice** but not **Academic Malpractice**, the Academic Tutor will deal with this as part of the normal feedback and assessment procedures.

3.3 The academic judgement of the Academic Tutor may be that the poor academic practice should lead to a reduction in the mark awarded or that the affected work should be set aside and the remaining work marked as normal. The student or apprentice must be informed of the nature of the problem and why. The student or apprentice must be informed of the nature of the problem and why it is unacceptable and a note of '**Poor Academic Practice**' shall be recorded in their Student Record.

3.4 Where the student or apprentice's work displays some form of Poor Academic Practice as above, but the student or apprentice has not taken note of previous advice of similar problems, then the student or apprentice must be informed of the repeated problems, be required to meet with their Course Leader and an '**academic warning**' shall be recorded in their Student Record.

Dealing with Academic Malpractice

3.5 Where the Academic Tutor believes that **Academic Malpractice** has occurred, then they should collate the relevant evidence and refer the matter for an **Academic Malpractice** hearing.

3.6 The Academic Malpractice Hearing panel will be constituted as follows:

- i. Two members of staff involved in the academic delivery of programmes at UA92, one of whom will act as the Chair.
- ii. A member of staff from Student Life who will take a record of the meeting.

3.7 The Academic Tutor asserting the allegation of academic malpractice and the student or apprentice will also be invited to attend. In the event that the student fails to attend the academic malpractice panel without giving good cause, the panel may proceed in their absence.

3.8 In advance of the Hearing, the student or apprentice should be able to review any documentary evidence, including, in the case of plagiarism, any Turnitin reports or coursework annotated by the Academic Tutor.

3.9 At the Hearing, the student or apprentice will be asked to respond to the allegations regarding their work and may also wish to consider if there are any exceptional circumstances which should be made known to the panel.

3.10 Following consideration of the evidence, the following decisions are available to the Academic Malpractice Panel:

- i. no action of any kind will be taken. Where appropriate this may mean that the Academic Marker shall be instructed to mark the work normally;
- ii. the matter should be considered as a matter of poor academic practice and dealt with as described in 3.2-3.4;
- iii. allow the student or apprentice to re-take the assessment; subject to receiving only the minimum pass mark appropriate to the assessment. If the student refuses or fails to repeat and resubmit the work, a mark of zero or equivalent grade shall be recorded;
- iv. award a mark of zero (0) or equivalent grade for the assessment. In this instance, no form of resubmission would be allowed;
- v. award zero or equivalent grade for the module;
- vi. direct that the student or apprentice be awarded a classification lower than the one derived from the mark profile (after any 0 mark or equivalent grade awarded under (iii) or (iv) has been included);
- vii. to recommend to the Principal that the student or apprentice should be permanently excluded from UA92, where the offence is detected before the final assessment is completed;
- viii. not to award the degree, where the offence is detected after the final assessment has been completed.

3.11 The Registry and Quality team will inform the student or apprentice of their decision as soon as possible and at the latest, in writing within seven days. Where appropriate, the record of 'Poor academic practice' or 'Academic Malpractice' will be recorded in their Student Record. The outcome letter will normally detail the following:

- a) identifies the nature and scope of the offence;
- b) confirms the outcome of the academic malpractice and misconduct panel;
- c) identifies appropriate sources for study skills support.
- d) next steps should the student or apprentice want to challenge the decision.

3.12 The UA92 Academic Malpractice Panel shall act on behalf of the Lancaster University Senate and the Committee of the Senate, and its decisions shall be binding on Boards of Examiners.

Retrospective detection of Academic Malpractice

3.13 Retrospective detection is defined as the discovery of alleged Plagiarism or other Academic Malpractice in work that has been subject to final moderation, including by a relevant board of examiners.

- 3.14 UA92 shall reserve the right to review work and to apply the appropriate procedures and, where reasonable, the appropriate penalties.
- 3.15 Where there are reasonable grounds to review work, the relevant member of staff shall initiate the process and shall have the right to require the student or apprentice to resubmit work that has been finally assessed, and to refer the matter to the Academic Malpractice Panel with a recommended sanction.
- 3.16 The UA92 Academic Malpractice Panel shall, in addition, have the right to require retrospective review of any assessed work of candidates referred to it under the above procedures.
- 3.17 Failure by the student or apprentice to produce the required material shall normally be treated by the UA92 Academic Malpractice panel as leading to the assumption that the material had, in part or in whole, been plagiarised.

Appeals against penalties for Academic Malpractice

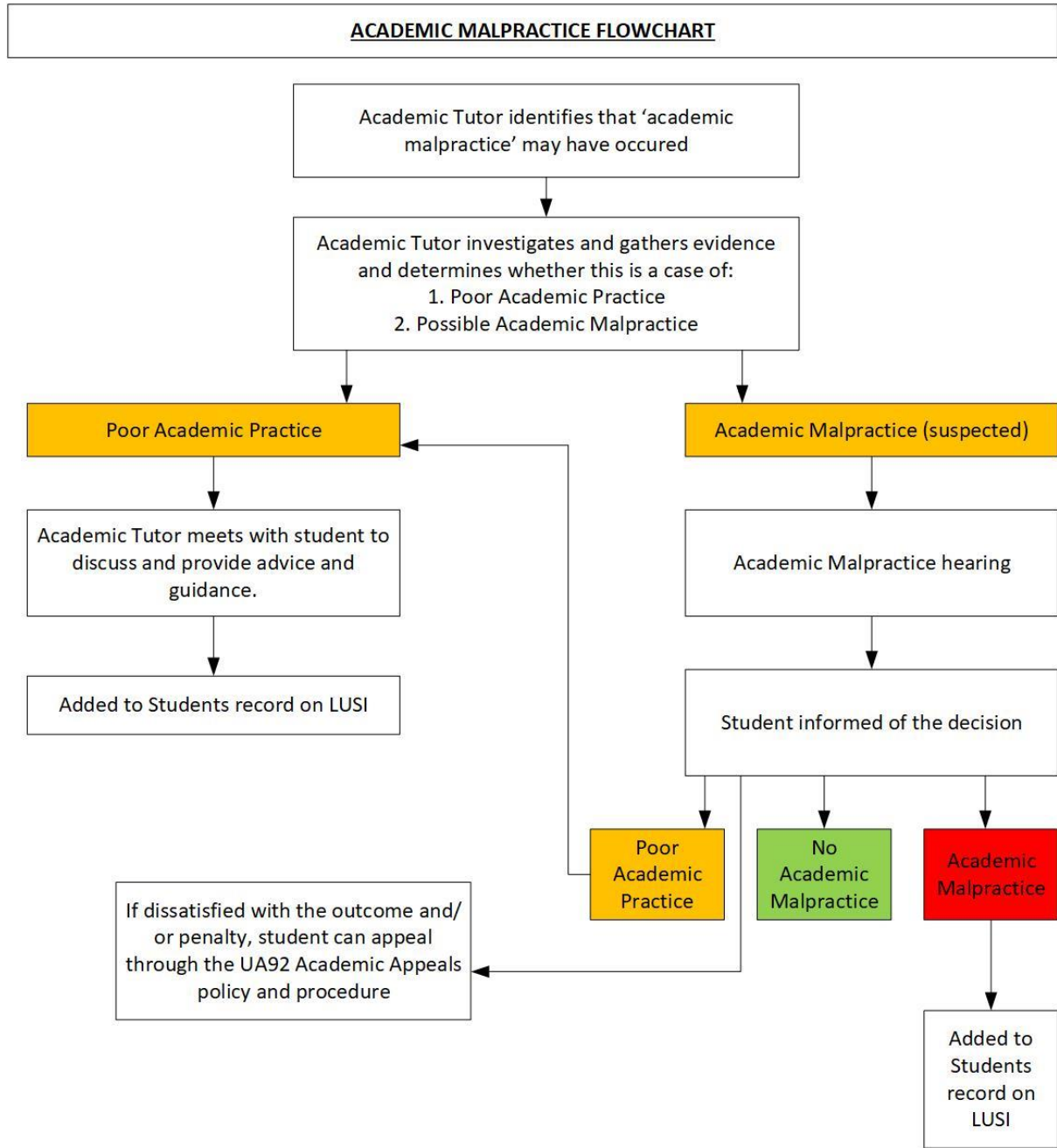
- 3.18 A student or apprentice who has been judged to have committed academic malpractice shall have the right to appeal against the judgement under UA92's Academic Appeals Policy and Procedure.
- 3.19 A student or apprentice's right to have their appeal heard by an Academic Appeal Panel is conditional upon them fulfilling the criteria for a prima facie case for appeal.

4. Related documentation

- UA92 Academic Appeals Policy and Procedure
<https://ua92.ac.uk/storage/app/media/UA92%20Academic%20Appeals%20APPROVED.pdf>
- UA92 Manual of Academic Regulations and Procedures
<https://www.ua92.ac.uk/storage/app/media/MARP-UA92-Academic-Regs.pdf>
- Lancaster University Academic Malpractice Regulations
<https://www.lancaster.ac.uk/media/lancaster-university/content-assets/documents/student-based-services/asq/marp/Plagiarism-Regs.pdf>

5. Appendices

Appendix 1: Academic Malpractice flowchart



Appendix 2: Further information on the Types of Academic Malpractice

Plagiarism is broadly described as an attempt to pass off work as one's own which is not one's own. It includes the representation of work, in whatever format it is presented, including written work, online submissions, group work or oral presentations and may take the form of:

- i. the act of copying or paraphrasing a paper from a source text, whether in manuscript, printed or electronic form, without appropriate acknowledgement (this includes quoting directly from another source with a reference but without quotation marks);
- ii. the submission of all or part of another student or apprentice's work, whether with or without that student or apprentice's knowledge or consent;
- iii. the commissioning or use of work by the student or apprentice which is not their own and representing it as if it were;
- iv. the submission of all or part of work purchased or obtained from a commercial service;
- v. the submission of all or part of work written by another person, whether by another member of UA92 or a person who is not a member of UA92;
- vi. reproduction of the same or almost identical own work, in full or in part, for more than one module or unit of assessment of the same programme of study (often known as self-plagiarism);
- vii. directly copying from model solutions/answers made available in previous years.

Cheating in assessments is an infringement of the rules governing conduct in assessments. Cheating includes the following:

- i. communicating with or copying from any other student or apprentice during an assessment, except in so far as the rules may specifically permit e.g. in-group assessments;
- ii. communicating during an assessment with any person other than a properly authorised invigilator or another authorised member of staff;
- iii. introducing any written or printed material into an assessment venue, unless expressly permitted by the regulations for the module or course assessment;
- iv. introducing any electronically stored information into an assessment venue unless expressly permitted by the regulators for the module or course assessment;
- v. gaining access to any unauthorised material relating to an assessment during or before the specified time;
- vi. providing or helping to provide in any other way false evidence of knowledge or understanding in assessments.

Collusion may include instances where a student or apprentice:

- i. knowingly submits as entirely their own work that was undertaken in collaboration with another person without official approval;
- ii. collaborates with another student or apprentice in the completion of work which they know is intended to be submitted as the other student or apprentice's own unaided work;
- iii. knowingly permits another student to copy all or part of their own work and to submit it as that student or apprentice's own unaided work.

Fabrication and falsification of results may include instances where a student:

- i. claims to have carried out tests, experiments or observations that have not taken place or presents results not supported by the evidence with the object of obtaining an unfair advantage;
- ii. has obtained data by unfair means;
 - i. fabricates references or a bibliography.

Impersonation/Ghost Writing is the assumption by one person of the identity of another person with intent to deceive.

Bribery is attempting to gain special consideration by offering or receiving inducements or favours.

Intimidation is attempting to gain special consideration by frightening or threatening.