



Student Malpractice Policy

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QO	15.05.17	New Policy implemented to meet the requirements of SQA Criteria 1.5 as identified by the SQA systems audit.
QO	01.11.17	Qualification Wales added to list of Regulators
QO	01.11.17	Update to malpractice appeal retention to 6 years.
QO	01.11.17	Updates to Linked Policies/Related Documents links
QO	20.12.17	Updates to SQA Malpractice Definitions
QO	04.02.19	Updates to SQA Malpractice Guidance

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1 Purpose

Argyll College UHI expects students (students) to act with honesty and integrity, and behave considerately, at all times.

This policy is a requirement for external awarding bodies whose qualifications are delivered by Argyll College UHI, to ensure that all investigations into suspected student Malpractice are undertaken in a consistent manner and that the integrity of the qualification(s) is upheld.

This policy is designed to provide students with a clear framework within which to work and outlines the Argyll College UHI definition of student Malpractice. This document provides advice and guidance on how student malpractice can be minimised and the procedures that must be adhered to when suspected or actual cases of malpractice are reported, and the responsibilities required for their investigation.

2 Scope

This policy applies to all students studying qualifications at SCQF Level 6 and below and includes all modes of study - full time, part time, open Learning, distance and online learning.

Where allegations relate to a UHI approved qualification or assessment at SCQF Level 7 or above, these will be dealt with under the **Academic Standards and Quality Regulations of the University of the Highlands and Islands**, or relevant awarding body regulations.

The policy and procedures apply to all SQA qualifications and qualifications certificated by other awarding bodies, (including those that are subject to statutory regulation by SQA Accreditation, Ofqual and Qualification Wales).

3 Definition

Malpractice can include both maladministration in the assessment and delivery of awarding body qualifications and deliberate non-compliance with awarding body requirements. SQA's definition of student malpractice is any act, default or practice (whether deliberate or resulting from neglect or default) which is a breach of SQA assessment requirements including any act, default or practice which:

- Compromises, attempt to compromise or may compromise the process of assessment, the integrity of any SQA qualification or the validity of a result or certificate; and / or,
- Damages the authority, reputation or credibility of SQA or any officer, employee or agent of SQA.

Argyll College uses this definition of malpractice to cover all awarding body qualifications and confirmed or suspected malpractice, whether intentional or not, will be investigated and acted upon to protect the integrity of the qualification and to identify any wider lessons to be learned.

Malpractice can arise for a variety of reasons:

- Some incidents are intentional and aim to give an unfair advantage or disadvantage in an examination or assessment (deliberate non-compliance);
- Some incidents arise due to ignorance of SQA requirements, carelessness or neglect in applying the requirements (maladministration).

- Malpractice can include both maladministration in the assessment and delivery of SQA qualifications and deliberate non-compliance with SQA requirements.
- Whether intentional or not, it is necessary to investigate and act upon any suspected instances of malpractice, to protect the integrity of the qualification and to identify any wider lessons to be learned.
- Where SQA becomes aware of concerns of possible malpractice, its approach will be fair, robust and proportionate to the nature of the concern. These procedures will be applied where SQA's view is that there is a risk to the integrity of certification, which is not being successfully managed through our regular processes.
- The Quality Officer is required to report **all** suspected cases of **Centre malpractice/maladministration** to SQA (or other awarding body as required).
- For those qualifications that are subject to statutory regulation by SQA Accreditation, Ofqual or Qualification Wales, centres are **required** to report any suspected case of **student malpractice** to SQA.
- The matter must also be reported to the police if the malpractice involves a criminal act.

3.1 Student Malpractice

The following are examples of Student Malpractice. This list is not exhaustive and the College may consider other instances of malpractice\maladministration:

- Breaching the security of assessment materials in a way which threatens the integrity of any exam or assessment – including the early and unauthorised removal of a question paper or answer booklet from the examination room. This includes capturing images of assessment papers, or copying assessment papers in part or full and removing from the assessment room.
- **plagiarism** – failure to acknowledge sources properly and / or the submission of another person's work as if it were the student's own
- **collusion** with others when an assessment must be completed by individual students
- **copying** from another student (including using ICT to do so) OR allowing work to be copied (for example posting written coursework on social networking sites prior to an examination / assessment)
- **Misconduct** — inappropriate behaviour in an assessment room that is disruptive and/or disrespectful to others. This includes talking, shouting and/or aggressive behaviour or language, and having a prohibited electronic device that emits any kind of sound in the assessment room.
- exchanging, obtaining, receiving, passing on information (or attempting to) which could be related to an exam. This can be by means of talking, electronic, written or non-verbal communication
- allowing others to assist in the production of controlled assessments, coursework or assisting others in the production of controlled assessments or coursework
- bringing into the examination room notes in the wrong format (where notes are permitted in examinations) or inappropriately annotated texts (in open book examinations)
- **Prohibited items** — items that students must not have with them at their allocated seat in the exam room because they can give an unfair advantage, including: mobile phones; electronic devices such as an MP3 player, iPod, tablet, smartwatch or any other device that is web-enabled or stores information; books, notes, sketches or paper; pencil case; calculator case; calculator or dictionary (except in specified subjects) — unless any of these things have been approved by SQA as part of an assessment arrangement.
- **personation** - assuming the identity of another student or a student having someone assume their identity during an assessment
- **frivolous content** – producing content that is unrelated to the assessment

- **Offensive content** — content in assessment materials that includes vulgarity and swearing that is outwith the context of the assessment, or any material that is discriminatory in nature (including discrimination in relation to the protected characteristics identified in the Equality Act 2010). This should not be read as inhibiting students' rights to freedom of expression.
- inappropriate behaviour during an examination or assessment that causes disruption to others, including talking, shouting, aggressive behaviour, vulgarity or swearing
- behaving in a manner so as to undermine the integrity of the examination or assessment.

4 Responsibilities

At Induction students will be made aware of the Student Malpractice Policy and Procedure. Students will also be informed at the start of every assessment/exam, and during the compilation of project work to be used for assessment, what constitutes malpractice and the student's responsibility in ensuring malpractice does not occur. This is outlined in the Argyll College Student Assessment guidance Document, detailed in Appendix B.

Even when robust steps are taken to prevent malpractice, it is possible that the college may still face cases of actual or suspected student malpractice. SQA and other awarding bodies expect Argyll College UHI to be vigilant to possible instances of malpractice and to deal with such concerns in an open, fair and consistent manner.

5 Reporting and Investigating suspected malpractice

- Students can notify any member of staff if they suspect staff malpractice has occurred. In all cases, the member of staff notified should notify the Quality Officer (Jen.mcfadyen@uhi.ac.uk) immediately using the form in Appendix A.
- Students who wish to report other student or staff malpractice, can notify the Quality Officer directly (jen.mcfadyen@uhi.ac.uk) using the form in Appendix A, or by emailing the QO directly if they are unable to access this form.
- Members of staff reporting student malpractice or maladministration should notify the Quality Officer immediately in writing, using the form in Appendix A.
- All malpractice/maladministration investigations will be conducted by the Quality Officer.
- Any malpractice/maladministration investigation should be completed within 10 working days of the incident taking place.
- Where a concern of malpractice is brought to SQA's attention by someone other than the college staff, SQA will take steps to establish the merits of the allegation. Further information on this can be found using the links in Section 6.

All Investigations will be carried out by the Quality Officer, using statements from relevant members of staff/students involved with the reporting of the malpractice incident, reviewing supplied evidence, interviewing of students/members of staff as required.

In an instance of suspected malpractice the following procedures will be followed:

1. For qualifications that are subject to statutory regulation by SQA Accreditation, Ofqual or Qualification Wales, the Quality Officer is required to report any suspected cases of student malpractice to SQA.
2. There are other exceptional circumstances, eg the centre believes that the malpractice case involves a criminal act.

If malpractice involves a criminal act, this must also be reported to the police.

3. the concern came to the centre's attention after submission of internal assessment marks
4. The tutor/invigilator shall make a written report providing evidence of alleged malpractice, and forward immediately to the Quality Officer (jen.mcfadyen@juhi.ac.uk) which triggers the formal investigation procedure.
5. The Quality Officer will meet with the Head of Curriculum and if in agreement that malpractice appears to have taken place, they will discuss the matter in a formal interview with the student(s) concerned. The interview also provides an opportunity for the student(s) to present their case. The interview will be held within five working days of receipt of the report from the tutor/invigilator.
6. The student will be informed of details of the process and the purpose of the interview as soon as possible and at least three working days prior to the interview. They will also be advised where they may seek advice, ie the students' association, and that they may wish to be accompanied at the interview by a friend or the students' association representative.
7. Where the student declines to, or does not, attend an interview without good reason, the Quality Officer, Head of Curriculum, Head of Student Services and relevant assessor/invigilator/internal verifier will conduct a malpractice meeting without the student present.

5.1 Malpractice concerns arising from student malpractice investigations

Where the college identifies a new concern of possible staff or centre malpractice (for example, excessive direction by assessors) in the course of investigating a concern of student malpractice, the procedures for responding to centre/staff malpractice should be applied.

6 Actions and sanctions if malpractice is proven

- If the allegation of malpractice is proven and deemed to be minor, the Quality Officer, Head of Curriculum, Head of Student Services, assessor and internal verifier, will determine an appropriate penalty.
- The student will be advised in writing of the outcome of the malpractice interview/meeting within two working days of the interview, and that details of the offence and the penalty will be held on their student record, in accordance with **AC Academic Records Management and Retention Policy and Procedures** guidelines. Notification of the outcome will be sent to the student's tutor, assessor, IV, Curriculum Leader and the Quality Manager.
- The Head of Student Services is responsible, where relevant, for ensuring that the student record system is updated in accordance with the outcome of the investigation, including modification to marks.
- Students under investigation for malpractice will have any relevant results suspended, pending the outcome of the malpractice investigation. This suspension of results will remain in force if an appeal is made.
- Any certification will be put on hold pending the outcome of the malpractice investigation.
- If the result of the investigation proves malpractice, Student Disciplinary procedures will be carried out.
- The level of severity of the sanctions will depend on the circumstances and the seriousness of the malpractice. Sanctions may include formal warning, assessment re-sits, failure of assessment or exclusion from the course.

7 Appeals

- Students have the right to appeal. All appeals should be directed in the first instance to the relevant Course Tutor, or a member of Centre Management staff, who will then contact the Quality Officer (jen.mcfadyen@uhi.ac.uk) for further guidance.
- All Appeals will be fully investigated by the Quality Officer, and an **Outcome of Appeal** letter will be sent to the student detailing the full results of the investigation. This will happen no later than 15 working days after receipt of the initial malpractice appeal request.
- Students may also have a right to appeal to the awarding body. Please refer to each awarding body guidelines.
- SQA students have a right to appeal to SQA where:
 - The centre has conducted its own investigation and the student disagrees with the outcome, and has exhausted the internal appeals process
 - SQA conducts its own investigation and the student disagrees with the decision.
 - **For Regulated Qualifications only:** Students have the right to request a review by the appropriate regulator (SQA Accreditation or Ofqual or Qualification Wales) of the awarding body's process in reaching a decision in an appeal of a malpractice decision for qualifications subject to regulation.
- Student's results will not be entered, and they will not be certificated until the full malpractice process, and appeals process (if relevant) has been completed.

8 Retention of Evidence

Where an investigation of suspected malpractice is carried out, the Quality Officer must retain related records and documentation in accordance with SQA (and Other Awarding Body) regulations. Full detail of the Retention requirements are outlined in the **AC Academic Records Management and Retention Policy and Procedures** located on the Argyll College UHI Staff area – SharePoint. Access to this document can be requested by emailing the Quality Officer on jen.mcfadyen@uhi.ac.uk

Details of any Malpractice/Maladministration incident should be detailed using the relevant Incident Form and is detailed in Appendix A. Records should include:

- A report containing a statement of the facts; a detailed account of the circumstances of alleged malpractice and details of any investigations carried out by the college into the suspected case of students or centre malpractice.
- Written statements from the college staff and students involved.
- Any work of the student; internal assessment or verification records relevant to the investigation.
- Details of any remedial action the college is taking to ensure the integrity of certification now and in the future.

9 Linked Policies/Related Documents

Student Policy documents are available from the Argyll College UHI website – link [here](#).

All other information requested can be directed to the Quality Officer – jen.mcfadyen@uhi.ac.uk

- AC Academic Appeals Policy – Argyll College Website
- FE Academic Appeals Policy – Argyll College Website
- [HE Academic Appeals](#)
- AC Invigilator/tutor/student assessment guidance – available from Centre reception staff.
- AC Academic Records Management and Retention Policy and Procedures - available from Centre reception staff
- AC Student Disciplinary Procedures – Argyll College Website
- AC Student Code of Conduct – Argyll College Website
- ICT Acceptable Use Policy – Argyll College Website
- [SQA – information for student](#)

10 Review of this policy

Every 4 years or sooner if changes in linking policies or awarding bodies necessitate amendments.

11 Appendix A



University of the
Highlands and Islands
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Oilthigh na Gàidhealtachd
agus nan Eilean
Colaiste Earra-Ghàidheil

Malpractice/Maladministration Incident Form

Full name of member(s) of staff/student declaring a Malpractice incident:	
Date and location of Malpractice Incident:	
Name of Student/staff involved in the Incident:	
Student/staff member directly involved with the malpractice incident - statement of events:	
Name of Witnessess to incident (please attached witness statement of events)	
Documentary evidence provided:	
Qualification the student is undertaking (if applicable):	
Unit (s) involved (if applicable):	
Assessment (s) involved (if applicable):	

Technical Actions/IT Analysis (if applicable)	
Minutes of malpractice investigation meeting:	
Head of Student Services Actions (if applicable):	
HR Actions (if applicable):	
Quality Officer (SQA Co-ordinator) action taken – date notified to SQA or Awarding body (if required)	
Further action/sanctions agreed by Head of Curriculum, Head of Student Services, and Quality Officer	
Date and decision of investigation informed to staff/student involved in Malpractice incident:	
Details of any remedial action being implemented to ensure the integrity of certification now and in the future.	
APPEAL ON MALPRACTICE DECISION (n/a if no pending appeal)	

Date Appeal request received by Quality Officer :
Full Details of Appeal Investigation outcome:
Date Appeal Investigation outcome details forwarded to student/member of staff:
Further action/sanctions:
Further Appeals to Awarding Body:
Retention: All documents relating to Malpractice/Maladministration Investigations to be returned to the Quality Officer (jen.mcfadyen@uhi.ac.uk) for retention in accordance with Retention Policy Guidelines.

12 Appendix B



Student Assessment/Examination Guidance

Academic misconduct – Malpractice

Any form of academic malpractice in your course work and assessments is a serious matter. Academic misconduct is any behaviour, intentional or otherwise, that gives a student unearned or unfair advantage in academic work over other students. The following list shows what could be considered academic misconduct, and is prohibited behaviour - this list is not exhaustive:

- Collusion — working with others when an assessment must be completed by individual students
Students will not communicate in any way with, seek assistance from, or give assistance to, another student or students during an examination.
- Copying — from another student (including using ICT to do so)
- Inappropriate behaviour during an assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language
- Offensive content — inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence
- Impersonation — pretending to be someone else
- Plagiarism — failure to acknowledge sources properly and/or the submission of another person’s work as if it were the students own
- Unauthorised aids — physical possession of unauthorised materials (please see list of prohibited items listed below.)
- Students should be aware that taking away assessments, copies or images of assessments is malpractice, and could result in a disciplinary process

Items prohibited from the examination room (see below):

- The items below should not be taken into the examination room, but if the students are unable to store them outside of the examination room, they should be passed to the Invigilator prior to the exam.
 - Mobile phone (fully switched off)
 - Electronic device such as MP3 player, iPod, Tablet or Smartwatch.
 - Book, notes, sketches or paper.

- Pencil case/calculator case.
- Calculator – except in specified subjects.
- Dictionary – except in specified subjects or if additional support requirements have been granted.
- Food is not allowed in the examination room.

Items allowed in the examination room (see below):

- Students may take water, in a sealable bottle, if required.
- A black or blue pen.

Students leaving the examination room (see below):

- If a student has finished their assessment/exam before the allotted time, they will be allowed to leave the room at the Invigilator's discretion – if allowed to leave, the students must leave the room quietly without disturbing other students.
- Students cannot leave the room within the first 30 minutes of the exam/assessment.
- In the case of illness or distress, notify the Invigilator