

Malpractice & Plagiarism Policy & Procedure 2023/2024

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1. Introduction

The purpose of this policy is to:

- define malpractice in the context of assessment
- set out the rights and responsibilities of Sefton Community Learning Service staff and students in relation to such matters
- describe the procedures to be followed in cases where there is reason to suspect that the regulations have been broken

The Head of Service at SCLS has overall responsibility for the qualifications and/or units of the qualifications and will supervise all investigations resulting from an allegation of malpractice.

SCLS will report suspected malpractice immediately to Awarding Bodies i.e Ascentis, NCFE and Highfields.

2. Malpractice

2.1 Malpractice is deemed to be those actions and practices, which threaten the integrity of assessment and certification. The term 'malpractice' is intended to encompass other similar terms such as 'non-compliance', 'misadministration' and 'professional misconduct'.

3. Staff Malpractice

3.1 The following are examples of malpractice by staff. Other instances of malpractice may be considered by SCLS at its discretion:

- failing to keep student, computer or other files secure
- assisting or prompting students with the production of answers
- failing to abide by the conditions of supervision designed to ensure the security of assessment

4. Student Malpractice

4.1 The following are examples of malpractice by students. Other instances of malpractice may be considered by SCLS at its discretion:

- introduction of unauthorised material during an observed closed book examination assessment, for example course material notes
- copying any type or form of work from another student

- the inclusion of inappropriate, offensive, or obscene material in assessment tasks
- the deliberate destruction of another's work
- plagiarism
- misuse of Artificial Intelligence including failure to cite the use of AI tools in their assessments.
- behaving in such a way as to undermine the integrity of the assessment
- acting in a disruptive manner

4.2 SCLS is committed to ensuring that all assessments are fair, reliable, and valid. We recognise that there are some potential risks associated with the use of AI in assessments, such as the possibility of bias and the potential for cheating.

4.2.1 We expect learners to submit work that is their own and to this effect learners are not permitted to submit work for summative assessment that has been generated by an AI tool. This includes all formats in which such work could be produced, including text, imagery, video, sound, animation or any other outputs. Such work will be considered as malpractice, as the work generated is not the learners' own.

4.2.2 It is the tutor's responsibility at induction to make learners aware of the potential risks associated with the use of AI tools in assessments.

4.2.3 The following documents have been published by the Department for Education (DfE) and Joint Council for Qualifications (JCQ) in relation to AI:

- **[The Joint Council for Qualifications – AI Use in Assessments: Protecting the Integrity of Qualifications - JCQ Joint Council for Qualifications.](#)**
- **[The Department for Education \(DfE\) departmental statement on Generative Artificial Intelligence in Education](#)**

4.2.4 These documents must be read by tutor's delivering and assessing qualifications.

5. Discovery of Malpractice

5.1 All allegations of malpractice must be reported to the Head of Service, by tutors, assessors, IQAs, managers, students and members of the public. In case of misuse of Artificial Intelligence, malpractice will need to be reported to the awarding body if the learner has signed the declaration of authentication form.

5.2 In the case of suspected malpractice or maladministration, the centre will inform the Awarding Organisation, prior to any investigation being carried out.

6 Procedures for Investigating Alleged Malpractice

- 6.1 When dealing with alleged malpractice SCLS will deal primarily with the person or persons against whom malpractice has been alleged.
- 6.2 SCLS will seek to establish the full facts and circumstances of any alleged malpractice.

7 Anonymous Reports

- 7.1 SCLS will only act upon anonymous reports if there is supporting evidence, or if the nature of the report warrants any actions to be taken.

8 Investigation into Suspected Malpractice by Students

- 8.1 The Head of Service will supervise all investigations into the alleged malpractice and will submit a full written report of the case and provide supporting evidence to the awarding body concerned.
- 8.2 Students suspected of malpractice will be made fully aware, in writing at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven.
- 8.3 Students suspected of malpractice will be given an opportunity to respond in writing to the allegations made.
- 8.4 Students suspected of malpractice will be made aware of the routes for appealing should a judgement be made against him/her. *(Full Details can be found in SCLS Appeals Policy.)*

9 Investigation into Suspected Malpractice by Members of Staff

- 9.1 The Head of Service will in the first instance carry out all investigations into any case of suspected malpractice against a member of SCLS staff.
- 9.2 Any member of SCLS staff suspected of malpractice will be made fully aware, in writing; at the earliest opportunity of the nature of the suspected malpractice and the possible consequences should malpractice be proven.
- 9.3 Any member of SCLS staff suspected of malpractice will have the opportunity to respond in writing to the allegations made.
- 9.4 Any member of SCLS staff suspected of malpractice will be made aware of the routes for appealing.

9.5 A report on cases where members of SCLS staff are found to have committed malpractice, together with details of the action taken may be made available to others, for example, the Police, if SCLS decides that the circumstances of the case are sufficiently serious to warrant such reports being made.

10 Reporting

10.1 The Head of Service at SCLS will submit a full written report of any malpractice investigation to the awarding body.

11 SCLS Response to Cases of Malpractice

11.1 Where an investigation indicates evidence of malpractice, the Head of Service will appoint and chair a panel, comprising of members of the senior management team and other relevant members.

11.2 The panel will establish that correct procedures have been followed in the investigation of cases.

11.3 The panel will determine:

- whether the assessment regulations have been broken
- where the culpability lies for the breach of regulations
- appropriate measures to be taken to protect the integrity of the assessment and to prevent future breaches
- the nature of the actions to be taken

11.4 Each case of suspected malpractice will be considered and judged on an individual basis in the light of all information available.

11.5 SCLS will impose sanctions on individuals found guilty of breaking assessment regulations in order to:

- maintain the integrity of the assessment and confidence in assessment
- ensure that there is nothing to gain from breaking the regulations
- deter others from doing likewise

11.6 Where an investigation establishes a malpractice by a member of SCLS staff, SCLS will subsequently undertake disciplinary action against the member of staff concerned.

12 Applying sanctions

- 12.1 The application of sanctions is at the discretion of SCLS and will reflect the particular circumstances of each case and any mitigating factors.
- 12.2 Sanctions will be based only on the evidence presented.
- 12.3 All sanctions will be justifiable and reasonable in their scale and consistent in their application.
- 12.4 For reasons of consistency of approach in the application of sanctions, SCLS will not take into account any consequential effects of a particular sanction which might arise from the circumstances of the individual.
- 12.5 Sanctions applied will remain on record at SCLS.

13 Sanctions Applied Against Students

- 13.1 SCLS may, at its discretion, impose the following sanctions against students found guilty of breaking the regulations:
- the student is issued with a warning
 - the student loses all credit gained for a unit
 - the student loses all credit gained from all units in a single qualification (units which have been awarded are retained)
 - the student is disqualified from the whole qualification

Notes:

- not all of the penalties may be appropriate for all qualifications
- in the case of serious malpractice SCLS may report the case to the Police
- the Head of Service retains sole discretion to take any further action that is deemed appropriate

14 Communicating Decisions

- 14.1 The Head of Service will communicate the decision to the individuals concerned and pass on warnings in cases where this is indicated.