



QUALITY ASSURANCE DOCUMENT QA 23 - UNFAIR PRACTICE IN ASSESSMENT

INTRODUCTION

1. Unfair practice covers a range of infringements within the assessment process. These regulations provide a definition of what unfair practice means and set out the process for dealing with suspected cases.

UNFAIR PRACTICE

2. Unfair practice is any situation where a student, acting alone or in conjunction with others, attempts to gain credit or advantage in assessment by unfair or improper means. The term 'assessments' covers any type of assessment undertaken in pursuit of a qualification. Unfair practice includes cheating, attempts to cheat, plagiarism and collusion, and they also apply to any other similar allegation. It is wrong and unacceptable, not least because it is dishonest and it undermines the value of qualification that students are pursuing.
3. Examples of unfair practice are provided below. This list of examples is not exhaustive and does not limit the general nature of the definition of unfair practice. Other actions may fall within the general definition of unfair practice.
 - 3.1 Infringements of examination regulations, for example and not limited to the introduction of prohibited material into the examination; copying from or any communication with any other person during the examination that has not been authorised by an invigilator; the impersonation of an examination candidate or allowing oneself to be impersonated.
 - 3.2 Plagiarism, which is the use without proper acknowledgement of another person's words and presenting them in an assessment as if they were one's own. Plagiarism includes copying from another student, copying from published work (including online learning materials, tutor notes, books, internet sites, journal articles, case studies, etc.), subcontracting work to another person, paraphrasing somebody else's words, the reuse and submission of the same piece of work for two or more different purposes, and any other similar practice.
 - 3.3 Collusion, which includes work that is undertaken collaboratively by two or more people and is submitted as if it were the work of a single person; the submission of one student's work as if it were the work of another student; where a student makes their work available to another student to copy; where a student copies another's work with or without the



other person's knowledge. It should be noted that in collusion cases, both or all parties can be considered to be at fault even if the collusion takes place without the knowledge of the original author of the work.

PENALTIES

4. Cases of unfair practice are treated extremely seriously. Students found guilty of committing an unfair practice offence will be penalised. Penalties may include a formal warning, the cancellation of a grade resulting in a referral or fail, or expulsion from the programme. Particularly severe cases of unfair practice or serial repeat offenses may also result in exclusion from further study with Arden University and/or the awarding body if different.

PROCESS

5. Students are required to submit their assignments electronically via its VLE. It is Arden University's policy to systematically scan all assessment submissions received in this way by use of the Turnitin plagiarism detection system. In addition, markers and examiners are expected to be vigilant in detecting unfair practice in assessment.
6. Students have the ability to submit a draft of their work to Turnitin in advance of the assessment deadline and are strongly encouraged to use this function developmentally before making their final submission.
7. An internal marker, external examiner or any other individual involved in the assessment of students who suspects, during or after the assessment and marking process, that a student has committed unfair practice must report this using the UP field on the marking screen (if using isystem) or in the appropriate column (if using the standard marking spreadsheet) and provide details of the evidence that gave rise to this suspicion.
8. In the case that a marker reports an allegation of UP as above, the student's work in question must nonetheless be marked and awarded a grade on its own merit and produce feedback that takes account of the work in its entirety, irrespective of the allegation. This grade and feedback would stand in the case that a student is cleared of all wrong-doing.
9. In the case that markers assessing the first two modules of a programme, or modules submitted in the student's first round of assessments, identify cases of poor references where there is no evidence of intentional unfair practice, this will be noted in the feedback as an informal warning to students. These cases will be treated developmentally and need not be reported for further investigation.



10. Invigilators suspecting unfair practice in examinations will act in accordance with the relevant examination regulations and will make a report of the allegation in the invigilator's report and append any supporting evidence to their report.
11. All instances of alleged unfair practice will be collated by a nominee of the Quality Assurance team who will be responsible for convening a Committee of Enquiry to hear and investigate the allegations and to determine any penalties to be applied. The Committee of Enquiry will normally comprise the Quality Assurance nominee, who will act as secretary and take minutes of the proceedings, and two other members selected by the Director of Academic Affairs, one of which will act as Chair. Where deemed appropriate, an independent person may be appointed as an additional member of the Committee.
12. Student will be issued with individual letters detailing the nature of the allegation being made against them, informing them of the date of the Committee of Enquiry and inviting them to provide a formal response either in writing, by telephone or in person to the Committee of Enquiry. A copy of this policy will be appended to these letters. Letters will be produced and distributed by the Quality Assurance nominee. Letters will normally be issued at least 7 days in advance of the scheduled meeting of the Committee of Enquiry.
13. Students wishing to attend the Committee of Enquiry in person may be accompanied by a friend, adviser or representative who may speak on their behalf. They cannot be accompanied by a professional (e.g. solicitor or barrister) acting on their behalf in a professional capacity.
14. The student will be required to inform the Quality Assurance Team via UPresponses@arden.ac.uk whether they intend to make a response to the allegation or not. Students who are being accompanied by a friend, adviser or representative must inform the Quality Assurance nominee of the name of the person in writing in advance of the meeting. Every reasonable attempt will be made to obtain such a response from the student and the Committee of Enquiry will not normally hear a case for which no acknowledgement of the allegation has been received from the student, or without the student being fully informed that their case will be heard without their response. If however a student does not attend the meeting of the Committee of Enquiry, having previously indicated that he/she would attend, and providing all reasonable attempts have been made to contact the student, the meeting shall proceed in his/her absence.



15. Cases of collusion will normally be heard separately, however students who choose to attend the Committee of Enquiry meeting may request that their case be heard jointly.
16. The terms of reference of the Committee of Enquiry are:
 - 16.1 To consider the evidence on which the allegation of unfair practice is based;
 - 16.2 To determine whether the allegation has been substantiated;
 - 16.3 Where a case has been substantiated, to determine the penalty to be imposed.
17. The following procedures apply to meetings of the Committee of Enquiry:
 - 17.1 The Chair or other member of the Committee will present the case against the student and the evidence on which the case is based.
 - 17.2 If the student is in attendance, in person or by telephone, the Committee may question the student during the presentation of evidence.
 - 17.3 Once the presentation of evidence is complete, all persons, excluding the Committee members, shall withdraw, and the committee shall consider whether the allegation has been substantiated.
 - 17.4 The Committee will not normally be expected to prove intent, but any evidence of intent may be used to inform the penalty that is applied. The Committee will not normally be informed of any previous substantiated allegations of unfair practice against the student before reaching its verdict on the case in question. Such information will however be taken into consideration when arriving at the penalty to be applied.
 - 17.5 If the Committee finds that the case has been substantiated, it shall then consider the penalty to be imposed.
 - 17.6 If the Committee finds that the case is not substantiated but the Committee finds that the infraction goes beyond poor references as outlined in paragraph 9, then the Committee can make a finding of poor academic practice and consider imposition of an action.
18. Actions and penalties available to the Committee of Enquiry are:



18.1 Actions available to the Committee

- UPA: Initial warning letter for poor academic practice – grade stands

18.2 Penalties available to the Committee

- UPB: Formal warning – loss of marks for all or part of the work with re-sits capped at the minimum pass grade. Recommended for first substantive offences.
- UPC: Final warning - loss of marks for all or part of the work with re-sits capped at the minimum pass grade. Recommended for students who have received a UPB in a previous assessment period or for first offences due to the severity of which a UPB is deemed inappropriate.
- UPD: Exclusion from programme. Recommended for students who have received a UPC in a previous assessment period or for serious first offences due to the severity of which a UPB or UPC are deemed inappropriate.

18.3. If a Committee of Enquiry deems that the above actions and penalties are inappropriate, it may use its discretion to impose an appropriate penalty.

19. Following the proceeding of a meeting of the Committee of Enquiry, the following actions will be undertaken:

- 19.1 A letter will be issued to students notifying them of the outcome of the Committee of Enquiry and informing them of any penalty that has been imposed, if applicable.
- 19.2 Where the recommended penalty is exclusion the details of the case will be referred to the Vice Chancellor, Pro Vice Chancellor, or Academic Director for approval.
- 19.3 The Quality Assurance nominee will record such outcomes on the student's record and any cancellation of grade will also be recorded.
- 19.4 The outcomes of the Committee of Enquiry will be presented to the next meeting of the Examining Board, where these outcomes will be noted and where they will inform progression decisions, as appropriate.
- 19.5 There shall be no further discussion of the details of the case or the proceeding of the meeting with the candidate following the Committee of Enquiry meeting. The student does, however, have the right of appeal as detailed below.



- 19.6 Allegations of malpractice which involve fraud or a serious breach of examination security and implicate the Head of Centre or senior management will be reported to the awarding body and subject to the awarding body's investigation process.

Confirmed cases of Unfair Practice may be reported to professional bodies where applicable.

APPEALS

20. Students whose allegation of unfair practice has been substantiated have the right to appeal against the decision of a Committee of Enquiry. Student appeals must be made in writing and in accordance with the Academic Appeals procedure.