

P9 S8 C1 MALPRACTICE & PLAGIARISM POLICY

This policy outlines what Forus Training considers as malpractice including plagiarism, in-line with the integrity of assessment and national standards, along with the steps that we take to deal with malpractice.

It has been devised in line with QQI's guidelines for Providers and Assessors on Dealing with Plagiarism and Other types of Academic Misconduct;

(<https://www.qqi.ie/Downloads/Quality%20Assuring%20Assessment%20-%20Guidelines%20for%20Providers%2C%20Revised%202013.pdf>)

It is Forus Training's objective to reduce instances of malpractice and plagiarism through training and communication with assessors and learners at all stages of the learning life cycle and, where it should occur, it is dealt with fairly and efficiently.

The Head of Certification ensures that all trainers are informed of the policies and procedures in relation to malpractice plagiarism as part of the induction process. It is important that the trainer communicates such policies and procedures to all learners, emphasising the seriousness of the issue and the 'culture of consequence' at induction, reinforcing key messages throughout the teaching and learning experience.

During induction, the trainer should ensure learners are aware of the guidance in their assessment briefs and learner declaration form. Should a learner submit drafts for review throughout the course, prior to final submission, the trainer may address instances of suspected plagiarism directly with the learner. This will give the learner an opportunity to address the issues prior to final submission and improve their referencing skills, where necessary. The learner's work must be formally submitted prior to review and investigated by the Trainer and/ or Head of Certification (i.e. along with a signed copy of the Learner Declaration Form). This is to ensure that all learners are aware that on submission of assessment evidence, they are declaring that all sources used are acknowledged fully with references and a bibliography.

Learner malpractice is defined as *wrongdoing* carried out by a learner during the teaching, learning and

assessment process. Below are examples of what is meant by malpractice: (*Not intended to be an exhaustive list*)

- Copying from another learner in assessment situations.
- Collusion by working with other learners beyond what is allowed. For example, speaking to other learners during an examination.
- Submitting an assessment where a large section of the content is the same as another learner from the same module (referred to as collusion).
- Removal of assessment material from the assessment location without permission. For example, taking examination papers from the examination event.
- Using electronic communication devices or other materials that are not permitted during the assessment. For example, we do not allow mobile phones to be used in examination scenarios.
- Assisting other learners during assessment, commonly known as cheating.
- When a learner makes up, or fabricates results or evidence.
- Behaving in such a way as to undermine the integrity of assessment events for example talking loudly being disruptive during a test or examination.
- Pretending to be somebody else commonly known as impersonation or producing work for another learner or carrying out an assessment on another learners behalf.
- Engaging in unsafe practices during a test, such as not following health and safety rules.

2. P9 S8 C2 EXAMPLES OF WHAT IS MEANT BY PLAGIARISM

Plagiarism is a specific form of malpractice. The plagiarism spectrum is as follows:

- Accidental
- Paraphrasing
- Mosaic/Patchwork
- Direct/Verbatim
- Complete Plagiarism/Intellectual Theft

Below are examples of what is meant by malpractice: - *Not intended to be an exhaustive list*

- Copying, passing or representing another person's work as your own (This may be from a book or the Internet, from class notes or can also be from another person's assessment material).

This could be any percentage of work that has not been referenced and has been copied from published work, the internet, other learners' work and/or other sources.

- Procuring work from a company or external source including the internet.
- Copying work from any source or medium without reference (i.e. website, book, journal article, etc.).
- Taking a passage of text, or an idea, and summarising it without acknowledging the original source.
- Passing off collaborative work as one's own.
- Piecing together sections of others work into a new whole.
- Submitting another learner's work without their knowledge.
- Accepting unwarranted support from other (e.g. parents, professional) in preparing continuous assessment elements which are submitted as one's own work.

The submission of such plagiarised materials for assessment purposes is fraudulent and all suspected cases will be investigated and dealt with appropriately using the procedures outlined in this document. Suspected cases of plagiarism **will only be investigated when there is a declaration of authenticity** which has been signed by the learner. Any electronic assessment submitted is deemed as having been declared as authentic by the learner.

If a learner is discovered to have plagiarised content, they will normally get zero marks for the entire project. If the learner persists in plagiarising, their work will not be submitted for external authentication and certification.

Forus Training implement the following steps to reduce/mitigate the risk of plagiarism;

- Forus Training ensures that all trainers are informed of their policies and procedures in relation to plagiarism as part of promoting good academic conduct.
- During induction, the trainer is required to ensure that the learners are aware of the Plagiarism Policy and of the requirement for learner declaration forms on each submission of assessment.
- Learners and assessors receive training in Harvard style referencing so that they can fairly credit their sources.
- Learners are shown the difference between collaboration with other learners and plagiarism.
- Assessment strategies are applied to help reduce the possibility of plagiarism.
- On final submission, the learner submits their work with the appropriate accompanying

paperwork - i.e. the assessment brief and cover sheets along with the signed Learner Declaration Form.

DETECTION OF PLAGIARISM

There are several warning signs that may be clues to plagiarised material in learner's writing. These include the use of inconsistent writing styles within one piece, the use of phrasing or concepts that are more sophisticated than you would expect (based on earlier assignments from that particular learner), or unusual repetitions.

These warning signs only serve to raise our awareness of situations where plagiarism may have occurred. It is then helpful to have techniques for detecting plagiarism more clearly.

If this is detected in drafts or during the programme (i.e. before submission), meeting with the learner to discuss their knowledge of the topics discussed in the draft submission can confirm suspected plagiarism and then this can be addressed by the trainer with the learner before submission. Technological tools can also help. For example, using a search engine such as Google to look up an unusual turn of phrase from a student's paper may help identify whether an excerpt was plagiarised from some resource on the internet.

3. P9 S8 C3: STEP 1 INITIAL NOTIFICATION

1. In the event of suspected learner malpractice or plagiarism in assessment events for example, during an examination, this is dealt with promptly by the invigilator or assessor in accordance with our [P9 S9 C8 Examinations policy](#).
2. These instances must be recorded by the invigilators report in the case of an examination or on the learner feedback form ordinarily completed when assessing learner evidence. In the case of plagiarism *The detail of the plagiarism needs to be recorded by the trainer in the [Learner Feedback Form](#). along with the assessment result.
3. Detailed findings are outlined, for example: "it has been identified that information on pages 8 and 9 was taken directly from the website X at https://X..."
4. The plagiarised content within the learner evidence is to be highlighted (each line) and the plagiarised source documented, so that it is clear to the learner what has not been cited.
5. In all cases of alleged malpractices identified, it must be notified to the Head of Centre and the

Head of Certification immediately. Notification must be in writing. In the case of plagiarism the Head of Certification sends the email template, [P9 S8 Plagiarism Notification](#) along with the learner feedback form and annotated learner evidence to the learner. This notification is to be given at the same time as the learner is receiving results along with the rest of the group of learners on the event. The Trainer is cc'd on this email.

6. An informal meeting is then arranged with the learner, Head of Certification and trainer (if possible) to discuss the plagiarised work.
7. The learner is offered a duration of time (7-10 days) to reference/rewrite the work and resubmit. A resubmission 'administrative' fee will apply.
8. If the learner is not accepting of this offer or resubmits the work with plagiarism uncorrected then malpractice investigations should be completed as outlined below.

4. P9 S8 C4: STEP 2 APPOINTMENT OF INVESTIGATORS

1. The Head of Centre will decide who should undertake and oversee the investigation at all stages in consultation with the senior management team.
2. In certain cases, if required and in conjunction with the Head of Centre, an investigation may be undertaken by an external investigator or by internal audit.
3. It is recommended that at least two staff members are involved in the internal investigation which will include the Head of Certification and a trainer with appropriate subject matter and assessment experience.
4. The Head of Certification will commence the investigation process by getting the trainer/assessor/ invigilator to complete [P9 S8 Alleged Assessment System Malpractice Report](#).
5. If the alleged assessment system suspects malpractice from more than one learner, separate forms, per learner/per issue must be used.
6. Those involved in the investigation are required to complete the [P9 S8 Declaration regarding Conflict of Interest](#).
7. Any person who has a possible conflict of interest should not be involved in any investigation or subsequent making of judgements.

Conflict of interest

1. Conflict-of-interest means any issues that might unfairly influence, or appear to influence, the outcome of an investigation.

2. Possible conflict of interest relates to situations where personnel:
 - Have a personal relationship or family relationship with the learner being investigated.
 - Have a professional relationship that may be perceived to unfairly and the investigation process.
3. The Head of Centre is responsible for ensuring that a conflict-of-interest does not arise and that all members of the investigation panel signed the declaration to that effect.
4. In cases where a conflict-of-interest is identified, alternative arrangements must be put in place.

Natural justice

1. Those responsible for conducting investigations shall establish the full facts and circumstances of any alleged assessment as to wrongdoing.
2. It should not be assumed that an allegation equates to proof of malpractice/plagiarism.
3. Any investigation into alleged malpractice/plagiarism shall have due regard to the principles of natural justice.
4. It is necessary that those responsible for managing the conduct of any investigation must insure its adherence to these principles.
5. This includes ensuring that;
 - All investigations do not disadvantage the person against whom the allegation is made and conducted within a reasonable time frame (it is expected that this should be completed as promptly and as efficiently as possible except in exceptional circumstances which may take a maximum of 40 working days from the date of the notification to the Head of Centre of the alleged malpractice).
6. The learners in question are made aware of the allegation and are given the opportunity to respond within a timeframe of 7 days.
7. Care is taken to avoid conflict of interest.
8. The learner or learners against whom an allegation is made should therefore:
 - Know that evidence exists to support that allegation.
 - Know that the possible consequences should an assessment as to malpractice be proven.
 - Have the opportunity to consider their response to the allegations (if required).
 - Have an opportunity to submit a written statement.
 - Have an opportunity to seek advice (as necessary) and supervise the supplementary statement (if required).

- Be informed of the applicable appeals procedure, should the decision be made against him or her.
- Be informed of the possibility that information relating to particular malpractice may be shared with all the relevant parties.

5. P9 S8 C5: CONDUCT OF INVESTIGATION RULES

1. All notified alleged assessment system malpractices must be investigated.
2. It is expected that the investigation should be completed as promptly as possible except in exceptional circumstances which may take up to a defined time frame of a maximum of 40 working days from the date of the notification to the Head of Centre of the alleged malpractice.
3. The Head of Centre shall be responsible for communicating in writing, to the learner to be investigated, in relation to the alleged assessment system our practice(s).
4. The initial communication shall:
 - Provide notification that an allegation of assessment system malpractice has been received.
 - Advise that the centre procedures for managing assessment system malpractice provide full details on how the investigation will be conducted.
 - Emphasise that the investigation will be carried out in a discreet and confidential manner, except in exceptional circumstances.
5. Exceptional circumstances cannot guarantee this confidentiality as identity may be disclosed to:
 - An Garda Síochána, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime including fraud).
 - The courts (in connection with court proceedings).
 - Other persons to whom for this training and/or awarding bodies are required to by law to disclose identity.
6. Avoid implying that the conclusions have already been determined or, that decisions have been made in respect of the application of corrective actions.
7. There is a notification of investigation letter template, [P9 S8 Notification Assessment System Malpractice](#), available on our *Learning Management System (LMS)*, with which to communicate the alleged assessment system malpractice to the learner.

6. P9 S8 C6: STEP 3 THE INVESTIGATION

Establishing the facts in the investigation

1. The investigation team should endeavour to obtain all the relevant facts about the alleged assessment system malpractice.
2. This may be done through some or all of the steps outlined below:
 - a) Review of allegation details,
 - b) Interview(s) with those that are being investigated,
 - c) Interview with personnel and or management connected to the course, project or alleged malpractice,
 - d) Interview(s) with other relevant parties,
 - e) Witness statement(s) from the learner being investigated,
 - f) Written statement(s) from learners connected to the course/project where malpractice has been alleged,
 - g) Witness statement(s) from personnel connected with the course/project where malpractice has been alleged,
 - h) Statement(s) from other relevant parties,
 - i) Review of recent assessment reports, for example invigilators reports.
 - j) Review of previous learner records, to seek to establish whether there has been any previous malpractice investigations for this learner/learners,
 - k) Other related records, e.g. disciplinary committee reports of previous history.

Confidentiality

1. Confidentiality is a key aspect in the conduct of an investigation into alleged malpractice, due to the risk of reputational damage to learners involved.
2. In order to ensure confidentiality is maintained before, during and after investigation, the following conditions should apply:
 - A. Material relating to any allegations, findings or conclusions must not be made known to any parties, either internally or externally or to the centre, beyond those key to the investigation.
 - B. It is not necessary to inform all learners being interviewed of the details of meetings with other parties, unless there is a specific relevant matter to be raised.
 - C. The name or other details of the learner making the malpractice

allegations should not be divulged to the learner/learners to be investigated without consent.

- D. All material relating to the investigation must be held and stored in a secure manner.
- E. Material relating to the given investigation should be stored together on a single file.
- F. Each file should have a unique code to identify the investigation copies of the electronic material held within this file.

7. P9 S8 C7: STEP 4 THE INVESTIGATION REPORT

Part 1: The Investigation Report

This report shall contain the following: [P9 S8 Alleged Assessment System Malpractice Report](#):

1. The number of learners affected are indicated.
2. How the alleged malpractice was identified and notified to the centre manager/assessment coordinator.
3. The nature of the malpractice and the specific assessment procedure(s) or assessment rule(s) or assessment regulation(s) that have been allegedly breached as well as the award details.
4. Details of the scope of the investigation carried out.
5. The findings:
 - a) Details of the procedure, rule and / or regulation that is alleged to have been breached
 - b) Statement of the facts as described by all parties.
 - c) Details of any mitigating factors.
6. Any recommendations based on the findings.
7. Conclusion (whether the malpractice today location is substantiated or on substantiated).
8. While the investigation team are required to make recommendations based on the findings, the team should not adjudicate on the report findings.
9. The report will be signed and dated by the investigating team.
10. Any written statements, notes of it or interviews or other relevant documentation obtained as part of an investigation must be filed separately and securely as part of the investigation process.

Part 2: Report findings adjudication

1. The investigation report is submitted to the Head of Centre.

2. The Head of Centre adjudicates on the report findings and notifies the person(s) in writing as to whether the allegation has been substantiated or not.
3. Where the allegation is substantiated, the notification will include details of the appeal process in regard to the findings/consequences.
4. The Head of Centre must complete the Findings Adjudication and Communications with Findings.

Part 3: Communicating the results

1. The Head of Centre is responsible for ensuring that the notification of the alleged assessment system malpractice investigation finding is communicated to the relevant learners within a defined timeframe - 10 working days from the date of receipt of the investigators report.
2. The finding of an investigation into an alleged assessment system malpractice maybe:
 - a) Unsubstantiated assessment system a practice.
 - b) Substantiated assessment system malpractice.

Note: There is a letter template for this communication on our Learning Management System (LMS) named [P9 S8 Finding of the Alleged Malpractice Investigation](#).

3. If the assessment system malpractice is found to be unsubstantiated, the Head of Centre will convey the findings of the investigation, in writing, and within the timeline specified, to the learner(s) involved.
4. A record of the investigation is kept on file.
5. Where the allegation is substantiated, the Head of Centre will Convey the findings of the investigation in writing and within the timeline specified, to the learner(s) involved, and should include details of the sanctions/consequences of the assessment system malpractice.
6. In addition, the notification to the person must also outline the Assessment System Malpractice Appeals Process and the timeline in regard to appealing their findings. P9 S37 Appeals of Assessment System Malpractice Application Form.

8. P9 S8 C8: STEP 5 SANCTIONS

Sanctions are dependent on:

- The severity of the malpractice.
- History of substantiated assessment malpractice by learner in the centre (if, for example, findings from a previous investigation have evidence of substantiated assessment malpractice against the learner in the Centre).

- Nature of assessment activity.

Examples of sanctions which may be taken (this list is not exhaustive):

Written warning and assignment is marked as zero and submitted

It is envisaged that this will occur in the following instances (this list is not exhaustive):

- The learner has not submitted draft material for feedback earlier in the assessment process which may have highlighted the issue.
- The learner has submitted assessment evidence which has been plagiarised.
- The learner has plagiarised an element of a module (e.g. research element of a project (10%).
- The learner has used another learner's work.

What happens?

- The learner is issued with a written warning by the Programme Coordinator.
- The assignment is marked as zero and submitted.
- The learner is also notified that if the offence is repeated once within the Centre, further sanctions will be applied.

2. Evidence for the entire module marked as zero and submitted

It is envisaged that this will occur in the following instances (this list is not exhaustive):

- Unacceptable behaviour in assessment. This may include but is not limited to:
 - Unauthorised removal of assessment material from the assessment location.
 - Deliberate damage to or destroying of assessment related materials.
 - Use of electronic communication devices /technology or other unauthorised materials during the assessment.
 - Assisting other learners during the assessment.
 - Any form of communication with other learners (written, verbal, gestures, expressions, pointing, etc.) in an assessment event (e.g. examination).
 - Copying from another learner (both parties involved in the investigation)
 - Collusion by working collaboratively with other learners, beyond what is allowed.
 - Fabrication of results and/or evidence.
 - Falsification (faulty data collection methods)
 - Large element of assessment evidence is not the original work of the learner (copied

from another learner, poor academic honesty in assessment evidence, etc.).

- Behaving in such a way as to undermine the integrity of the assessment event or process.
- 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.
- Engaging in unsafe practices in assessment.
- Disruptive, violent and offensive behaviour in relation to assessment
- Tampering or interfering with assessment materials or another learner's work
- Submission for assessment of a piece of work that has been purchased/procured from another source, where the work is not the learner's own work

What happens?

- Evidence from the learner is marked as zero and submitted.

3. Results will not be submitted or will be cancelled (exceptional case)

It is envisaged that this will occur in the following instances (this list is not exhaustive):

- Unacceptable behaviour (see above)

What happens?

- Forus Training may withhold or cancel results and/or certificates if there is evidence to prove, or on the balance of probabilities it is found, that the results/certificate(s) issued to the learner are invalid

In certain circumstances the following steps may be utilised to sanction a learner;

1. The Head of Certification must ensure that an appointment is set up between the trainer and the learner and a third party to discuss the learner evidence.
2. During this appointment, the Trainer must advise the learner that the plagiarised content has resulted in the learner getting zero marks and a zero grade for their entire assessment.
3. The learner is advised of the Forus Training's policy for Late Submission of Coursework. ([See P9 S9 C4 Policy for Late Submission of Coursework](#))

*Depending on the degree of plagiarism evident in the learners' assessment, they may be given the opportunity to complete form [P9 S11 Student Application for Late Submission](#) and resubmit their final assessment along with the related €100 fee.

* If it has been determined that the majority of the content submitted by the learner is plagiarised, the learner may be advised to repeat the course entirely in order to be eligible to

- resubmit their final assessment.
4. The trainer must communicate the outcome of this appointment to the Head of Certification via email at certification@forustraining.ie.
 5. The final decision as to the outcome rests with the Head of Centre only.