

Al-Maktoum College of Higher Education

Malpractice Policy and Procedures

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1. Introduction

Al-Maktoum College of Higher Education treats all cases of suspected malpractice¹ very seriously and will investigate all suspected and reported incidents of possible malpractice, whether or not described below, where there are sufficient grounds to do so.

All students and staff are expected to observe all College regulations, policies and procedures that govern the effective organisation and management of specific areas of activity within the College, including those relating to financial requirements, health and safety, the use of IT resources, and recreational facilities. Copies of the regulations, policies and procedures can be found on the College website [Academic Policies & Procedures | Al-Maktoum College of Higher Education \(almcollege.ac.uk\)](http://almcollege.ac.uk)

For all programmes awarded by the SQA: The College will also report to the Scottish Qualifications Authority (SQA) all claims of suspected malpractice either by candidates or centre staff, academic and administrative. Failure to notify, investigate and report to SQA allegations of suspected malpractice constitutes malpractice. Also failure to take action as required by SQA or to co-operate with an SQA investigation constitutes malpractice.

For all programmes: Our policy and practice aligns with the principles outlined in the QAA Academic Integrity Charter and are designed to:

Be fair;

Be applied consistently;

Encourage students to be responsible in their use of data, sources, evidence and other information, however derived, in their academic work;

Not disadvantage students accused of alleged misconduct;

Be simple, understandable, and administratively straightforward.

The College is a community dedicated to the advancement and dissemination of knowledge through research, teaching and learning which expects, requires and promotes a culture of good academic practice. Our awards, and those delivered in partnership are granted in recognition of a student's individual achievement and no student is permitted to gain an advantage unfairly over others. Any deliberate attempt to obtain an unfair advantage by one or more of a variety of means (including, but not exclusively, those described below) will be penalised. This policy is aligned to the QAA Academic Integrity Charter and is intended to support the embedded principles by prescribing sanctions against academic misconduct/malpractice by students.

The purpose of this document is to set out how allegations of malpractice and misconduct are dealt with. As members of the College, students subscribe to academic regulations, which are intended to safeguard the quality of the College's programmes and all work submitted by students is expected to constitute sound academic practice. The purpose of this policy is to be corrective if possible, rather than punitive, to help and encourage students to achieve and maintain good standards of practice, to ensure consistent and fair treatment for all and to protect the College's academic integrity. The scope of the policy is to provide:

- A definition of malpractice;
- Examples of centre malpractice and maladministration and student malpractice;

- How to report suspected malpractice;
- The procedure for investigating suspected malpractice; and
- Possible sanctions that may be imposed in cases of malpractice.

The Malpractice policies and procedures will be disseminated to all staff and students through the College's web site and email channels as well as covered during the Student Induction days.

This policy is intended to demonstrate how the College will proceed where students do not comply with the academic standards expected of them, the process through which allegations of misconduct and/or malpractice by students will be considered and the possible sanctions that may be applied where such malpractice and/or misconduct is proven.

2. Terminology and Definitions

Poor Academic Practice

The College recognises that not all poor practice is academic misconduct and the distinction between the failure to observe good academic practice and academic misconduct is an academic judgement. The College takes seriously its obligation to encourage good academic practice across the entire College community and all work submitted by students is expected to represent good academic practice. In both the decisions and handling of suspected cases of academic misconduct/malpractice, this policy is intended to ensure fair, consistent, transparent and appropriate treatment for all.

Malpractice

Malpractice means any act, default or practice (whether deliberate or resulting from neglect or default) which is a breach of the College's rules and regulations, including any act, default or practice which:

- Compromises, attempts to compromise or may compromise the process of assessment, the integrity of all of our qualifications or the validity of a result or certificate; and/ or certificate; and/or
- Damages the authority, reputation or credibility of the College, our partnership Universities, the SQA and its employee(s) or agent(s).

Malpractice can arise for a variety of reasons:

1. Some incidents are intentional and aim to give an unfair advantage or disadvantage in an examination or assessment (deliberate non-compliance). Examples might include:
 - Failure to carry out adequate /published internal quality assurance arrangements
 - Completing assessment work on behalf of learners; or
 - Falsification of information leading to certification
2. We define maladministration as including incidents that arise due to ignorance of SQA or partnering university requirements, carelessness or neglect in applying the requirements. Examples might include:
 - Seeking approval to offer a new qualification after the deadline for new approval applications has passed, or
 - Requesting late certification of learners after a regulated qualification's certification end date

Malpractice can include both maladministration in the assessment and delivery of SQA and Abertay University qualifications and deliberate non-compliance with their 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.

For programmes awarded by the Scottish Qualifications Authority (SQA)

Any cases of candidate malpractice must be reported to SQA. 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, for example verification.

3. Candidate Malpractice

Candidate malpractice means any type of malpractice by a candidate which threatens the integrity of an examination or assessment. Malpractice by a candidate can occur, for example, in:

- The preparation and authentication of coursework
- The preparation or presentation of practical work
- The compilation of a portfolio of assessment evidence
- The completion of an examination paper, or the controlled write-up stage of externally assessed coursework; and
- Conduct during or after an assessment

The following are examples of candidate malpractice, but you should be vigilant to other instances of suspected malpractice that may undermine the integrity of qualifications. Examples could include:

- 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.
- Collusion with others, or using AI Technology when an assessment must be completed by individual candidates. Collusion is where students act together in order to deceive or cheat. This could include writing an essay for a student; providing one's own work that could be submitted by another student for marking (either an entire piece of work or a part); assisting any student in academic misconduct relating to an examination or class test; having a third party take the place of a student, for example in an examination. Note: group-based coursework involves co-operation and collaboration to produce the required output so would not generally be considered a form of collusion. However, students should be careful to work within the guidelines laid down for the coursework.
- Copying from another candidate (including using ICT to do so) and / or working collaboratively with other candidates on an individual task.
- 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.
- Frivolous content – producing content that is unrelated to the assessment.

- Offensive content – content in assessment materials that includes vulgarity and swearing that is out with 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 candidate’s rights to freedom of expression.
- Personation – assuming the identity of another candidate or a candidate having someone assume their identity during an assessment.
- Plagiarism – Plagiarism is the act of taking another’s ideas and representing them as one’s own. This may involve the use, without proper acknowledgement, of published or unpublished work (including art and digital resources such as AI technology and ChatGPT), of work done partly or wholly by another person, of work obtained from an essay bank or a web site, or of recorded material from lectures and tutorials. Plagiarism includes not just the actual copying of text verbatim (which may also be a breach of copyright) or replication of code, or close paraphrasing of text, but also the unacknowledged presentation of ideas from other sources as if they were original to the author or the assembling of pieces of the work of others into a new whole.
- Self-plagiarism - s the act of submitting for assessment a piece of work already (or simultaneously) submitted for assessment in the same module, another module or in another context. Self-plagiarism also includes the submission of work that has substantial overlap with parts of work submitted elsewhere; this could include experimental results, substantive parts of essays or reports etc.
- Falsification - is the fabrication or alteration of data – for example, by changing data in order to confirm a hypothesis not supported by the actual data, or the invention or fabrication of the results of an experiment, which are then reported as genuine measurements. Included in falsification is the deliberate omission of data where, for example, experimental results or known facts are omitted in order to support an otherwise unsupportable hypothesis. Documentation can also be falsified, and this could include for example, fraudulently inserting a signature on someone else’s behalf. In this example, it might also constitute non-academic misconduct.
- False citation - is the citing of a source for information, when the source does not contain that information or when the information cited was not gleaned from that source.
- Prohibited items – items that candidates must now 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 as part of an assessment arrangement).

Academic misconduct in examinations or class tests

includes the following prohibited activities:

Taking any device which can store data or access the intranet, software or materials into an in-person examination venue (other than those specifically permitted), irrespective of whether or not any use of the item(s) was made.

Taking information (including notes in any format, books, electronically stored data or illegitimately annotated copies of dictionaries, set texts, annotations made on or concealed on parts of a student’s body, etc.) into an in-person examination venue (including toilets etc.), except where such items are left in an area designated by an invigilator. This is irrespective of whether or not any use was made of the item(s).

Providing College/University staff with incorrect or misleading information related to the examination (prior to, at or after an examination).

Unauthorised removal of an examination script, papers or blank examination stationery from the examination venue.

Unauthorised exit from the examination venue during the period of an examination.

Unauthorised acquisition of examination questions prior to an examination, whether or not the student is a candidate for that examination.

Failure to follow the rules for an examination (whether in-person or online), in a way that might result in the gaining of an academic advantage.

Contract cheating

Is where a student commissions or seeks to commission another party (either paid or unpaid) to perform academic work on their behalf.

Unacceptable use of AI (Artificial intelligence)

Is where a student uses an AI tool/s to generate academic work on behalf or presents AI ideas as their own without appropriate acknowledgement.

Research misconduct

Postgraduate Research (PGR) students' work may be the subject of an allegation of academic misconduct and may be dealt with under this Code.

The standard of proof that will be used in all cases is the balance of probabilities. This means that any Academic Disciplinary Officer, Academic Student Disciplinary Panel or Disciplinary Appeal Panel is satisfied that it is more likely than not that an alleged offence took place.

Also, misconduct may occur, for example, on field trips, visits to other institutions or organisations, or during work placements.

Non-academic misconduct

The College distinguishes between academic matters and non-academic matters, which are dealt with elsewhere under the *Code of Student Discipline Non-Academic Misconduct*. Some cases, however, may incorporate allegations of both academic and non-academic misconduct. Examples include that of a student who fraudulently presents false information either verbally or in writing to the College or our partnering universities (this may include falsified medical documentation, an untrue explanation of circumstances affecting study or false reasons for absence). Other examples include that of a student found to be in possession of unauthorised materials in an examination who, when challenged, becomes aggressive and/or abusive to the invigilator. In such cases, a Student Academic Disciplinary Panel may comprise members of both academic and non-academic staff and will be empowered to impose those penalties or sanctions found in both Codes of Student Discipline.

Criminal misconduct

The College may report to the police any allegation of criminal misconduct if it believes that this will best serve the interests of the College/University community or the wider public interest. This applies to any investigation, prosecutions, and/or any enforcement or other action taken by any other bodies, including those acting under immigration regulations, national security or defence, the Student Awards Agency for Scotland, Health & Safety Executive, HM Revenue & Customs, or others.

4. Centre Malpractice

Cases of malpractice by staff arise for a variety of reasons:

Any incidents that are intentional and aim to give an unfair advantage in an examination or assessment or other academic misconduct (non-compliance). Any cases of centre malpractice regarding SQA programmes must be reported to SQA.

This includes cases of:

- Knowingly allowing an individual to impersonate a student or staff;
- Allowing a student to copy another student's assignment work, or allowing a student to let their own work be copied;
- Allowing students to work collaboratively during an assignment assessment, unless specified in the assignment brief;
- Allowing a student to possess and/or use material or electronic devices that are not permitted in the examination room;
- Completing an assessed assignment for a student or providing them with assistance beyond 'normally' expected;
- Damaging a student's work;
- Exposing any information to anyone other than the student; and
- Failing to report a suspected case of student malpractice, including plagiarism.

Scottish Qualifications Authority

Any incidents that arise due to ignorance of SQA requirements, carelessness or forgetfulness in applying the requirements (maladministration). This includes:

- Maladministration and the failure to maintain appropriate records or systems;
- The deliberate falsification of records or documents for any reason connected to the award of any qualification;
- Failure to keep examination question papers, examination scripts or other assessment materials secure, before during or after an examination; and
- Leaving students unsupervised during an examination.

5. Procedures of reporting a suspected case of malpractice

This process applies to, lecturers, including visiting lecturers, invigilators, students and administration staff.

Any case of suspected malpractice should be reported in the first instance to the Programme Lead for the specific programmes, though for programmes awarded by the SQA, the SQA Coordinator also needs to be informed.

1. Depending on the seriousness of the malpractice:
 - Suspected malpractice must be reported as soon as possible to the person identified, and at the latest within two working days from its discovery. Where the suspected malpractice has taken place in an examination, the incident be reported urgently, and the appropriate steps taken as specified by the awarding University or SQA.
 - A written report to be sent to the person identified, clearly identifying the factual information, including statements from other individuals involved and / or affected, any evidence obtained, and the actions that have been taken in relation to the incident.

- Wherever possible other students are not disrupted by actions to be taken.
2. The individual suspected of malpractice should be warned immediately that their actions may constitute malpractice, and that a report will be made to the College and ultimately to the awarding University or the SQA.
 3. In cases of suspected malpractice by the College academic staff, invigilators and administration staff, the report should include as much information as possible, including the following:
 - a) the date time and place the alleged malpractice took place,
 - b) the name of the centre teacher/tutor, invigilator or other person(s) involved,
 - c) a description of the suspected malpractice, and
 - d) any available supporting evidence.

In cases of suspected malpractice reported by a third party, or an individual who wishes to remain anonymous, the College will take all reasonable steps to authenticate the reported information and to investigate the alleged malpractice.

6. Reporting suspected malpractice to the awarding University or SQA

All cases of suspected malpractice must be reported to the awarding University or SQA:

Any suspected cases of centre malpractice must be reported to awarding University or the SQA as soon as we have carried out an initial screening exercise to establish the nature of the concern. This includes any concerns where we take the view that no further action is necessary.

Scottish Qualifications Authority (SQA): We must inform SQA of any investigation carried out by an awarding body, industry body, funding agency or regulator which may or may not affect the delivery of SQA qualifications. We must also promptly bring to SQA's attention any findings of centre malpractice or maladministration communicated to us by another awarding or industry body. We must notify SQA promptly if another awarding body removes approval from our centre, regardless of the reason given for this withdrawal.

The awarding University or SQA expects centres to bring candidate malpractice concerns for internal assessments to their attention only if:

- the concern came to our centre's attention after submission of internal assessment marks
- the concern relates to candidate malpractice for a qualification regulated by the awarding University or SQA Accreditation, Ofqual or Qualifications Wales
- a candidate affected by a malpractice decision, who has exhausted their right of appeal within our centre, wishes to exercise their right of appeal to the awarding University or SQA; or
- there are other exceptional circumstances, e.g. we believe that the malpractice case involves a criminal act (if the malpractice involves a criminal act the matter must also be reported to the police)

7. Investigating suspected cases of malpractice

- Al-Maktoum College of Higher Education will investigate each case of suspected or reported malpractice to ascertain whether malpractice has occurred. The investigation will aim to establish the full facts and circumstances. Any suspected cases of malpractice must be reported to SQA or awarding University (see above).
- The College will promptly take all reasonable steps to prevent any adverse effect that may arise as a result of the malpractice, or to mitigate any adverse effect, as far as possible, and to correct it to make sure that any action necessary to maintain the integrity of the awarding university or SQA accredited qualifications and reputation is taken.
- The College will acknowledge all reports of suspected malpractice within five working days. All the parties involved in the case will then be contacted within 10 working days of receipt of the report detailing the suspected malpractice. The College may also contact other individuals who may be able to provide evidence relevant to the case.
- The individual(s) concerned will be informed of the following:
 - that an investigation is going to take place, and the grounds for that investigation;
 - details of all the relevant timescales, and dates, where known;
 - the individual will be invited to a meeting with the unit coordinator and the Academic Registrar to discuss the concern
 - that, if malpractice is considered proven, sanctions may be imposed either by Al-Maktoum College, awarding university or by SQA, reflecting the seriousness of the case;
 - the individual will have a right to respond by providing a personal written response relating to the suspected malpractice (within 10 working days of the date of that letter);
 - that, if they are found guilty, they have the right to appeal against a malpractice outcome if they believe that the policy or procedure has not been followed properly or has been implemented to their detriment.

Al-Maktoum College of Higher Education has a duty to inform the awarding university or SQA and other relevant authorities/regulators. The SQA are informed once the process has been completed. Abertay University must be informed at the point of the investigation and advised of outcomes. Abertay University will manage all decision related appeals. All evidence must be collated and sent to the awarding body (Abertay University or SQA) for their records. This may also include informing the police if the law has been broken and to comply with any other appropriate legislation.

Where more than one individual is contacted regarding a case of suspected malpractice, for example in a case involving suspected collusion, we will contact each individual separately, and will not reveal personal data to any third party unless necessary for the purpose of the investigation.

Records of all malpractice cases and their outcomes are maintained by the College for a period of at least six years and are subject to regular monitoring and review. Retention of records of all investigations of malpractice to be provided to the awarding university or SQA on request.

8. Actions and Sanctions if malpractice is proven

Following an investigation, if a case of malpractice is upheld, Al-Maktoum College of Higher Education may impose sanctions or other penalties on the individual(s) concerned in line with the seriousness of the malpractice that has occurred. Where relevant we will report the matter to the

awarding university or the SQA, and they may impose one or more sanctions upon the individual(s) concerned.

At any stage of the procedure the outcome of the investigation will be one of the following:

- **Case dismissed**, as there is insufficient evidence to substantiate the allegation(s), or
- **Sanctions** to be applied.

Sanctions listed below may be applied to a student, to a lecturer, tutor, invigilator or other staff who has had a case of malpractice upheld against them on a case-by-case basis. This is when there is evidence to support the allegation(s) with the result that an appropriate type of sanction is recommended.

If the allegation is upheld, then at any stage of the procedure the person(s) investigating the alleged offence can recommend one or more of the following sanctions (in order of severity) as deemed appropriate to the gravity of the offence, the context of the malpractice, and whether the allegation is a first or repeated malpractice.

- a) The outcome of any disciplinary or appeal hearing will be based on the balance of probability after considering all the evidence.
- b) At the end of each stage the student should be informed of the outcome of the procedure and should agree to any recommendations for sanctions. In relation to verbal warnings a note is made on the student's file, which they signs.
- c) Written warnings are also signed by the student or staff and remain on their file for a specified period of time, normally one year and usually state the consequences if the offence is repeated.
- d) Fines and compensation payments should pay due regard to the means of the student and may allow time for the payment to be made or to be discharged in instalments. If the recommendation involves suspension, fines, dismissal, expulsion and/or cancellation of the award, then verification must be sought from the Principal or their nominee.
- e) At any stage in the malpractice procedure the College reserves the right to recover any damages that it has incurred as a result of action by the individual concerned.
- f) The individual charged with the allegation of misconduct has the right of appeal at any stage of the procedure and against any form of recommended sanction as well as against a suspension while an investigation is being carried out. If an appeal is upheld, then the process moves automatically to a higher stage or the suspension is removed.

8. 1 Students and Staff at Al-Maktoum College

- **Informal verbal warning**, the matter to be resolved through counselling, advice, apology or a compromise agreement.
- **Formal verbal warning**, the verbal warning will be recorded in the personnel file for future reference. The note/record to be signed by the concerned individual suspected with malpractice.
- **A written warning** - Warning given to student or staff will be taken into account should there be any future breach of the College or SQA rules and malpractice cases.
- **Warning with Revision of Marks** - Marks awarded will be revised in cases of collusion and plagiarism.

- **Notification** to any other organisation, employer, regulator or the police depending on the severity of the malpractice.
- **Suspension** while an investigation is being carried out.
- **Removal/expulsion** from the programme.
- **Fines and compensation payments**, this would mainly be applied to the students receiving financial support (full or partial bursary for their study).
- **Cancellation** of the award.
- **Imposition of special conditions** for the future involvement of the individual(s) in the conduct, teaching, supervision or administration of students and/or examinations.
- **Dismissal** from employment.

8.2 Students registered on programmes awarded by Abertay University

- A bad academic practice warning
- A written reprimand or severe reprimand
- Grade of F awarded for the unit of assessment with an opportunity for reassessment capped at Grade D (if misconduct occurred during the first attempt)
- Grade F awarded for the unit of assessment with no opportunity for re-assessment and a recommendation to the Programme Assessment Board that the student may be permitted to progress and carry the associated module if sufficient credit has been accumulated.
- Grade of F awarded for the module with no opportunity for re-assessment and a recommendation to the Programme Assessment Board that the student is unable to progress to the next stage and instead is required to re-enrol to repeat the stage of study if sufficient credit has been accumulated.
- Discontinuation of studies.

The level of penalty or sanction imposed will depend upon the nature of the misconduct and whether it is persistent or particularly severe.

The Disciplinary Panel (Abertay University for franchised awards, and Al-Maktoum College for Validated awards) will communicate its decision to the student in writing normally within five working days of the date of the Disciplinary Panel meeting. The notice confirming the decision will give details of the right of appeal. The decision will also be communicated to the School and to Academic Services (Abertay University), in order to be lodged in the student's record.

9. Appeal against alleged malpractice cases and sanctions

Individuals, who have valid grounds on which to report a malpractice or to appeal against a malpractice decision, should raise the matter promptly. Where an appeal arises from a communication of the College's decision, this must be submitted within 28 days following receipt by the candidate of the formal feedback. An appeal should be submitted in writing to the Academic Registrar, providing the following information:

- Candidate's name and address;
- The programme of study the candidate is undertaking;
- Specific details of the ground(s) for the appeal;
- Any other information which the applicant feels is relevant. All relevant information should be submitted at one time and that the College will not consider information which is submitted later in the process without good reason; and
- An indication of the outcome being sought (without prejudice to the final outcome).

9.1 SQA Programmes:

After the candidate has received formal written feedback of the decision from the investigation into the suspected malpractice by the College with regard to the appeal.

We have the right to appeal a decision where a case of reported malpractice by our centre has been confirmed through investigation by SQA. We also have the right to appeal a decision in the case of suspected malpractice by a candidate reported by our centre to SQA/University.

Candidates have the right to appeal to SQA where:

- SQA has conducted an investigation and the candidate disagrees with the decision
- our centre has conducted an investigation, the candidate disagrees with the outcome and has exhausted our centre's appeals process
- SQA has asked our centre to conduct an investigation and the candidate disagrees with the outcome and has exhausted our centre's appeals process,

and For regulated qualifications only:

- Our centre and our candidates have the right to request a review by the appropriate regulator (SQA Accreditation, Ofqual or Qualifications Wales) of the awarding body's process in reaching a decision in an appeal of a malpractice decision.

Appeals will be investigated by the College and the outcomes will be communicated promptly to the candidate. The College aims to thoroughly and fairly investigate all appeals and resolve such matters during this initial investigation. As such, the decisions taken following completion of this process will be considered as final and the College does not operate a further appeal system. The College will aim to respond to the appeal/complaint within 28 days of receipt.

Individuals lodging malpractice case(s) and those against whom appeals are made can expect the information to be dealt with confidentially and with due regard for their privacy. It may be disclosed to those members of the College who have a need to see it in order to investigate the malpractice case or the appeal. This disclosure will be undertaken solely to expedite the thorough investigation of the case and will not be undertaken to disadvantage any party.

9.2 Programmes awarded by Abertay University

RIGHT OF APPEAL

A student may appeal against the decision of an Academic Disciplinary Officer (ADO) at Abertay University for franchised awards or the Investigating Officer Al-Maktoum College for validated awards, but only if there are valid grounds to appeal. The only valid grounds for appeal are:

An appeal against a decision of an ADO, Investigating Officer or Disciplinary Panel must be made in writing to Academic Services (StudentConduct@abertay.ac.uk), stating clearly the grounds of appeal, not more than 10 working days after the date on the ADO or Disciplinary Panel's decision letter.

On receipt of the appeal, the Director of Student and Academic Services (or nominee) will review the case to determine whether there are grounds for the appeal to proceed.

If the appeal or complaint is deemed not to contain grounds to proceed, the student will be advised of this normally within 5 working days of receipt of the appeal. The student will be

informed of their right to seek an independent review of the University's decision by the Scottish Public Services Ombudsman (SPSO).

If the Director of Student and Academic Services (or nominee) considers that the appeal should proceed, the matter will be referred to a Disciplinary Appeal Panel ('Appeal Panel'), comprising the Deputy Principal as Chair and a Dean of School. The Dean of School will not be the same as on the original Disciplinary Panel, or the School in which the student is registered.

Where an appeal is upheld, the Appeal Panel can remove the sanction and/or apply a different sanction. If the appeal is rejected, the Appeal Panel will review the level of penalty imposed and may confirm it, reduce it or increase it. The decision will also be communicated to the School and to Academic Services, in order to be lodged in the student's record.

The decision of the Appeal Panel is final and concludes the University's internal procedures.

A student who remains dissatisfied with the outcome of the University's internal processes may seek an independent review by the Scottish Public Services Ombudsman.

COMPLAINTS

A student who remains dissatisfied with the operation of the University's internal processes may have grounds to complain under the University's Complaints Handling Procedure. Following internal processes, students have the right to seek an independent review of the University's process by the Scottish Public Services Ombudsman.

The SPSO's contact details are:

SPSO

Bridgeside House

99 McDonald Road

Edinburgh

EH7 4NS

(if you would like to visit in person, you must make an appointment first)

Their freepost address is:

FREEPOST SPSO

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

10. Record Retention

10.1 In the case of reporting malpractice, the College will retain records, including all materials and candidate evidence, until the issue has been resolved. Thereafter, malpractice records and appeal records must be retained for several years.

10.2 Where an investigation of suspected malpractice is carried out, the College will retain related records and documentation for a period of six years.

Records must include any work of the candidate and assessment or verification records relevant to the investigation.

10.3 In an investigation involving a criminal prosecution or civil claim, records and documentation will be retained for six years after the case has been heard.

10.4 In the case of an appeal to SQA against the outcome of a malpractice investigation, assessment records must be retained for six years.

10.5 The personalised records and any supporting papers will be destroyed one year following resolution of the case. Anonymised data may be kept longer in order to facilitate monitoring and review of the College's admissions process.

11. Monitoring and review

The Malpractice Policy and Procedures and the reporting forms (for student and staff) will be reviewed regularly. This is the responsibility of the Academic Registrar. Monitoring of the process is undertaken by:

- Maintaining a complete tracking system and record of each malpractice case;
- Ensuring all staff responsible for dealing with cases of malpractice are aware of the procedure; and
- Establishing a rigorous and effective system of dealing with any proven liability or risks to prevent the same situation happening again.

12. Student support:

Student Society (or equivalent) will assist the students in explaining the regulations, explain potential penalties and advise students on evidence they can submit.