



Concerns about standards and quality in higher education

University of Buckingham, December 2014

Introduction and background

1 This is a report on an investigation into the University of Buckingham's (the University's) adherence to its formal guidance for addressing suspected plagiarism, as set out in the University's regulations and procedures.¹ The report also comments on the Law School's developments of provision for the avoidance and detection of plagiarism, and the University's decision to review its regulations for the treatment of plagiarism, and the potential implications.

2 The investigation also considered the adequacy of the University's checks on the qualifications and status of academic staff.

3 The investigation was in response to a submission to the Quality Assurance Agency for Higher Education's (QAA's) Concerns about Academic Standards and Quality Procedure (Concerns Procedure).

4 The investigation was conducted under QAA's Concerns Procedure. It was undertaken by Prof David Timms and Dr Neil Casey (who served both as reviewer and QAA Coordinating Officer).

Findings

Failure to adhere to plagiarism regulations

5 The investigation considered the assessment, in October 2013, of a 15-credit, level 5 module, Legal Skills and Procedure (LSP) on the LLB course, and specifically whether the University adhered to its regulations and procedures for academic misconduct.

6 Documentation read by the reviewers revealed that the University had identified 'plagiarism' in at least 10 per cent of essays submitted and had asked tutors what should be done. The University had then reviewed the essays in question and applied the penalty of a reduction of between 10 and 20 marks. This aspect of the investigation focused on whether the University had followed regulations in handling an apparent case of plagiarism.

7 The section of the University's 2013 Handbook on academic misconduct sets out procedures for dealing with plagiarised coursework.

8 The University argued that its procedures for addressing plagiarism were followed. The University, in making its decision, had taken into account that students had not been subject to rigorous training on avoiding plagiarism, and that students had not committed any action to deceive. The University moved to the conclusion that the problem was poor referencing and thus poor academic performance, rather than plagiarism. Accordingly, it determined upon a mark reduction for over-reliance on 'one or two articles' and a subsequent interview with the students to explain why their marks had been reduced.

¹ Academic Misconduct, Including Unfair Practice, Cheating and Plagiarism: Policy, Procedures and Sanctions.

The University's explanation was that, having first entertained the possibility that the students in question had plagiarised, it then discounted it following consultation with the co-marker; that is, it did not judge it to be plagiarism as defined in the University's regulations.

9 This course of action was supported by an internal report which had concluded that, while the University had realised that a number of scripts had sections from articles, there was no evidence of corruption and suppression of plagiarism contrary to University procedures. The report noted that the (internal) assessment team agreed that there may have been 'a technical breach' of University regulations that required a sanction to be applied to the students' marks. However, the breach had not been deliberate and was partly owing to the lack of guidance provided to students on plagiarism in the module information. This technical breach of the regulations was deemed not sufficiently serious in nature for it to be recorded on the students' records, which would have required it to be reported to the Joint Academic Stage Board of the Bar Standards Board.

10 However, the concerns team noted that the University had referred to the work in question as 'plagiarised' both on first asking the advice of colleagues and when announcing its conclusions, referring to sections of the work as having been 'lifted'. The reference to the students' lack of training, and the view that it was not done to deceive appear to be mitigations of plagiarism, rather than rejections of the possibility of plagiarised work. Further, it was unclear to the team why 'poor academic performance', if it took the form of 'over-reliance on one or two articles', was not evident from the start of the marking process.

11 The concerns team also noted that once the University determined to treat the matter as 'poor academic performance', it instigated a reduction in marks, in some cases a significant reduction. This decision did not follow the University's regulations where deduction of marks is listed as the penalty for cases of proven academic misconduct of a relatively serious kind. Moreover, the regulations include precisely the fault described by the University; that is, 'quoting directly from a source and failing to insert quotation marks around the quoted passages'.

12 The evidence therefore appears to show that the level of 'suspicion' involved in the work in question met the criteria that should have triggered formal procedure. The concerns team concluded that the University had substituted its investigation and imposition of penalties for due process, and thus was in breach of University regulations on academic misconduct.

The University's current management of plagiarism

13 The account above refers to the University's current arrangements, established in 2009, for dealing with academic misconduct. In the opinion of the concerns team, the procedures conform to the expectations of the UK Quality Code for Higher Education, and appear fit for purpose.

14 The concerns team noted the significant effort being put into helping students understand academic misconduct. Students were aware and appreciative of the University's efforts to inform them about the nature of plagiarism, the means of detection and the penalties. At registration they had signed to acknowledge that they had read and received a copy of the University's policy on plagiarism. Similarly, when they submitted course work they were required to sign cover sheets declaring that each piece of assessed work was entirely their own. The University had also recently introduced a quiz, as yet optional, designed to test and educate students about plagiarism.

15 The concerns team was able to conclude that the University is taking positive steps to help students avoid plagiarism and to detect academic misconduct. However, the team

noted that while the use of plagiarism-detection software is widespread in the University, it is compulsory in only some Schools.

16 The concerns team also noted that the University does not routinely collect data regarding academic misconduct and nor is there any regular report to Senate or other University committee, analysing incidence of, and patterns in, academic misconduct. The team therefore concluded that the University is currently not yet in a position to identify trends and emerging risks.

17 The key forum for the development of University policy in respect of academic misconduct is the Academic Misconduct Working Party (AMWP), an informal group which reports to the University's Learning and Teaching Committee (ULTC).

18 At its meeting in October 2014, AMWP discussed a new proposal for a two-stage process with an 'initial inquiry', to be conducted by the 'marking team'. They would undertake the investigation and determine the outcome, which, where 'no serious action has been committed', might be: no further action where there is no offence; an explanatory discussion with the Personal Tutor, with no reduction in marks, and a record kept only by the Personal Tutor; or for infringements 'not considered minor but not so serious as to warrant greater penalty and further investigation' deduction of marks for inadequate referencing or poor presentation of sources, an explanatory discussion with the Personal Tutor, and a record kept by a proposed new Registry Academic Misconduct Officer, who would maintain an institutional 'Formal Warnings file'.

19 Under the University's 2009 arrangement, the Course Leader communicates a suspicion of plagiarism to the Chairman of the Board of Examiners, makes an investigation, and reports findings to the Chairman, who determines the outcome in all cases. There is, therefore, an element of independence bestowed by the Chairman's role.

20 The concerns team noted that the move to a 'two stage process' would remove the external element from the determination of procedure and outcomes and place authority with the marking team. With no reference to officers external to the marking team, there would be no guarantee that a marking team would have experience of making judgements in respect to complex issues around intentionality and repeat offending, and therefore that different students with similar failings would be treated consistently across the University. Further, with no formal record of the first offence except for the files of Personal Tutors, there would be less likelihood of clarity as to whether an offence might be a first or subsequent case. The proposal for some records to be held by a Registry-based Academic Misconduct Officer could mitigate the risk of inconsistency but there was no indication that the Officer would record first offences.

21 The concerns team noted that the University's revised proposals were at the time of the investigation, still being discussed. However, the possibility that marking teams would have the authority to make decisions in isolation from a more institutionally objective voice opens the University up to a less consistent approach to its management of academic misconduct. In fact, it could institutionalise the situation whereby, in 2013, the University determined the outcome of specific cases of potential academic misconduct independent of the regulations.

Recommendations

The University should:

- clarify its policy on the use of plagiarism-detection software
- develop a means of collecting, analysing and responding to management information on cases of academic misconduct
- implement regulations for the management of academic misconduct which preserve the element of objectivity, and thus consistency, in the consideration of all cases.

Checking of staff qualifications

22 In March 2013, following an internal investigation, the University had been made aware that a lecturer in the Law School did not have a particular qualification as had been claimed on the University's public website. The University suspended the member of staff, who subsequently resigned. This aspect of the investigation reports on the adequacy of the University's checks on the qualifications and status of academic staff.

23 The University explained that in the specific case, the falsified qualification was not a requirement for the lecturing role within the Law School and therefore the University would not necessarily have been informed that the staff member had attained this qualification or otherwise, and on that basis would not have checked subsequently. Nevertheless, as a consequence of the identified falsification of qualifications, the University undertook an exercise to check every staff member's qualifications to ensure that this could not happen again.

24 The concerns team was able to confirm that, at the time, academic staff in the Law School were asked to check their claimed qualifications on the University website and elsewhere to ensure their accuracy. However, responses related only to teaching, rather than professional, qualifications, for only four of 20 staff, and for only CVs rather than professional certification.

25 The concerns team heard that the University now assures itself of the veracity of staff qualifications in a number of ways. New academic staff must supply a minimum of four references and appointments can be withdrawn should there be an unsatisfactory reference. For existing members of staff, any newly achieved qualifications must be proven before websites and other sources of information are published. Monitoring of qualifications is undertaken by Human Resources. The University also has to submit data on the highest qualification of staff members for its annual return to the Higher Education Statistics Agency.

26 The concerns team formed the view that, at the time at which it became apparent that a member of academic staff had misrepresented their qualifications, the University's Law School did not have a systematic means of verifying and monitoring the qualifications of new and current academic staff. Further, the team could find no comprehensive evidence demonstrating how the University, at that time, collected such data. However, the team was able to conclude, via consideration of the measures outlined in paragraph 25, that the University now has in place thorough methods for checking the qualifications of new and existing staff.

Conclusions and recommendations

27 In terms of the investigation of the University's adherence to its regulations and formal procedures for addressing suspected plagiarism, as set out in its regulations and procedures for academic misconduct, the concerns team concluded that the University substituted its investigation and imposition of penalties for due process, and thus were in breach of University regulations.

28 The concerns team judged that the University's extant regulations on academic misconduct conform to the expectations of the UK Quality Code for Higher Education. The team noted that the University is making positive efforts to detect academic misconduct and to help students understand and forestall it. An Academic Misconduct Working Party is currently reviewing the University's approach to plagiarism and its prevention, and while it is making positive contributions to the University's efforts in this area, the team concluded that its current proposals could give course teams the authority to make decisions in isolation from a more institutionally objective voice, and leave the University with a less consistent approach to its management of academic misconduct (see paragraph 21).

29 Following consideration of the University's current review of its procedures, the concerns team recommended that the University should:

- clarify its policy on the use of plagiarism-detection software
- develop a means of collecting, analysing and responding to management information on cases of academic misconduct
- implement regulations for the management of academic misconduct which preserve the element of objectivity, and thus consistency, in the consideration of all cases.

30 In its investigation of the adequacy of the University's checks on the qualifications and status of academic staff, the concerns team reached the conclusion that in 2013, the Law School did not have a systematic means of verifying and monitoring the qualifications of new and current academic staff. Neither could the team find evidence demonstrating how the University, at that time, collected such data. However, the team concluded that the University now has a formal policy for checking the qualifications of new and existing staff.

31 The University should within six weeks of the publication of this report on the findings of the investigation, draw up and submit to QAA an action plan to address the issues identified herein.

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