Malpractice Policy

Assessment integrity, online assessment and the responsible use of AI

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Document owner	Academic Quality Lead	**Approved by**	Dean, Berkshire University
Status	Approved for use	**Applies to**	All learners, staff, agents and contractors

1. Purpose and scope

This policy protects the integrity of our assessments and certificates. It sets out what counts as malpractice, how we prevent and detect it, how we investigate it fairly, and the sanctions that apply. It covers learners, staff, assessors, agents and contractors, in online and in-person assessment.

Jurisdiction and interpretation

Berkshire University is a United States institution (Colorado) that delivers online education to learners in many countries. This document applies to every learner wherever they live. Where it refers to UK or EU law, that law is the standard we follow as good practice; it does not claim UK registration, UK regulatory status or UK degree-awarding powers. Where the law of a learner's country gives stronger rights, those rights prevail.

2. Roles

Role	Responsibility in this document
Dean	Accountable officer for this policy. Approves it, decides final-stage cases that the Dean was not involved in, and holds any role below that has not yet been separately assigned.
Academic Quality Lead	Oversees assessment standards, internal verification, course review and learner feedback. Appointed by the Dean (the Dean acts until an appointment is made).
Complaints and Appeals Officer	Receives, logs and allocates complaints and appeals, and tracks deadlines. Must not have been involved in the matter. Appointed by the Dean (a member of the Registrar's Office may act).
Registrar's Office	Keeps academic records, results and certificate verification data. Acts as the Data Protection Lead.
Independent Reviewer	A person with no earlier involvement in the matter, inside or outside Berkshire University, appointed by the Dean for review stages and for cases that involve the Dean or the Academic Quality Lead.

3. Definitions

- **Malpractice:** any act, or neglect of a duty, that threatens the validity of an assessment or the integrity of a result or certificate, whether deliberate or careless.
- **Maladministration:** a failure to follow procedures or an administrative error that affects an assessment or record.

4. Examples of learner malpractice

- plagiarism, collusion and copying;
- using a person or service to produce or complete work (contract cheating);
- impersonating a learner or allowing someone else to impersonate you;
- falsifying identity, evidence, records or documents;
- using unauthorised materials, devices or help during an assessment;
- **using artificial intelligence (AI) in a way the assessment does not permit**, or not declaring permitted use;
- sharing or obtaining assessment content in advance;

- disrupting an assessment or interfering with technology or recordings;
- making a false allegation of malpractice.

5. Examples of staff, assessor and agent malpractice

- leaking or sharing assessment content, or helping learners improperly;
- falsifying records, results or evidence;
- failing to follow assessment and verification procedures;
- a conflict of interest that is not declared;
- misleading learners or others about results, certificates or accreditation;
- putting pressure on, or retaliating against, someone who reports a concern.

6. Preventing malpractice in online learning

- **Identity:** we verify identity at registration and, where proportionate, before or during key assessments. Methods respect privacy and the Data Protection Policy.
- **Authenticity:** we may ask a learner to explain their work orally, to show drafts or version history, or to complete a short supervised task, to confirm that the work is their own.
- **Supervision:** for higher-risk assessments we may use live or recorded supervision. Learners are told in advance, adjustments are offered, and an alternative is available where possible.
- **Similarity checks:** software may highlight matching text. It is a prompt for review, never proof on its own.
- **Assessment design:** we use varied, applied and authentic tasks, and change questions regularly.

7. Use of artificial intelligence

Each assessment brief says which of these applies. If it does not say, AI is **not** permitted.

Level	What it means	What the learner must do
Not permitted	No AI tools may be used to create or change the work	Submit work that is entirely their own
Permitted for support	AI may be used for named support tasks, such as checking grammar or brainstorming	Declare the tool and how it was used; keep notes and drafts
Integrated	AI use is part of the task	Follow the brief, declare the tools, and show their own judgement and checking

Automated AI-detection tools are not reliable enough to be the only basis for a finding. A finding of AI misuse needs other evidence, such as version history, an oral explanation, comparison with earlier work or inconsistencies in the work, and the learner is always given a chance to respond.

8. Reporting

Any suspected malpractice must be reported as soon as possible and within **2 working days** of discovery to the Academic Quality Lead (email info@berkshireunv.us). If the Academic Quality Lead is involved, report to the Dean. Reports may be made in confidence, and nobody will be treated less favourably for reporting in good faith.

9. Investigation

(1) The Academic Quality Lead secures the evidence and, where needed, puts the result or certificate on hold. A person who is not involved investigates.

(2) The learner (or staff member) is told in writing within **5 working days**: what is alleged, the evidence, and how to respond.

(3) They have **7 working days** to respond and may be accompanied by a person of their choice. Adjustments to the process are available on request.

(4) The investigator decides on the balance of probabilities and writes a short report with reasons, within **15 working days** of the notice. If more time is needed, they explain why.

(5) The learner receives the decision and the sanction in writing, with details of how to appeal.

10. Sanctions

Sanctions are proportionate to the seriousness, the learner's intent and any earlier findings:

- advice and a written warning;
- resubmission or reassessment (which may be capped);
- a reduced mark, or a fail for the component;
- a fail for the course;
- suspension or withdrawal from the programme;
- withdrawal of a certificate that was issued on the basis of the malpractice;
- where lawful and necessary, informing an employer, a professional body, or the authorities.

For staff, assessors and agents, sanctions include retraining, removal from assessment duties, termination of the agreement and, where the law requires, reporting to the relevant authority.

11. Appeals and records

A learner may appeal a finding or a sanction under the Appeals Policy. The Registrar's Office records every case and outcome; the Academic Quality Lead analyses trends, reports to the Dean each year and updates assessment design and controls.

12. Related documents

Appeals Policy · Complaints Policy · Data Protection Policy · Reasonable Adjustments Policy · Course Content Review Policy.

13. Approval and review

This document was approved by the Dean of Berkshire University. It is reviewed at least once a year, and sooner if the law, our accreditation context or a serious incident requires it. The Academic Quality Lead keeps the change log.

Name	Mohammed Khalaf
Position	Dean, Berkshire University
Date	17 November 2026
Signature	
Next review date	17 November 2027

Change log: Version 2.0, 17 November 2026. Full revision following an external governance review (jurisdiction statement, unified roles, fair timelines, online-learning provisions, document control).