

# St Padarn's Institute Academic Misconduct Policy and Procedure



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ST PADARN'S INSTITUTE

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# **St Padarn's Institute Academic Misconduct Policy and Procedure**

## **1. Contents of Policy**

1. Contents of Policy
  2. Policy Framework
  3. Introduction
  4. Mitigating Circumstances
  5. Definitions
  6. Avoiding Poor Academic Practice
  7. Detection of Academic Misconduct
  8. Procedure on Detection of Academic Misconduct
  9. Penalties for Academic Misconduct
  10. Appeals Procedure
  11. Appeal to External Bodies
  12. Equal Opportunities
  13. Data Protection
  14. Responsibilities, Policy Approval and Review
  15. Policy Communication
- Appendix 1?: Poor Academic Practice/Academic Misconduct Report Form

## **2. Policy Framework**

This policy has been developed in accordance with the following regulations, policies, and procedures. This list is not exhaustive:

- St Padarn's Institute Programme Handbooks
- St Padarn's Institute Learning Support Policy

- St Padarn's Institute Extenuating Circumstances Policy
- St Padarn's Institute Equality and Diversity Policy
- St Padarn's Institute Data Protection Policy
- St Padarn's Institute Marking and Moderation Policy
- QAA 'UK Quality Code for Higher Education – Assessment
- University of Wales, Trinity Saint David Academic Quality Handbook
- Cardiff University Academic Regulations Handbook

### **3. Introduction**

**3.1** St Padarn's Institute takes very seriously all cases of academic misconduct. Learners who gain improper advantage threaten the values and beliefs that underpin academic work and devalue the integrity of the awards that the Institute offers. Academic misconduct, whether discovered at any stage of a learner's programme of study, or following graduation, will be investigated and dealt with appropriately by the Institute. In proven cases, the penalties may extend to the deprivation of a qualification or termination of the programme.

**3.2** The Programme Leaders ensure that procedures for dealing with misconduct are applied consistently across the validated provision.

### **4. Mitigating Circumstances**

a. Personal, medical or family problems cannot excuse academic misconduct.

## 5. Definitions

**5.1.1** Academic integrity means acting with honesty to fulfil the requirements set for academic work by always attributing and acknowledging sources and by not relying on dishonest means to gain improper advantage. As a matter of course, learners at St Padarn's are expected to act honestly and in line with the Code of Conduct in regard to the work they submit for assessment.

**5.1.2** Academic misconduct means any improper activity or behaviour by a learner, whether intentional or not, which may give that learner, or another learner, an unpermitted advantage in a summative assessment. Academic misconduct can include plagiarism, cheating, collusion, contract cheating, inappropriate proof-reading and using translation services.

**5.1.3** Poor academic practice involves errors in the presentation of referencing and the quotation of material. Examples include where a quotation is indicated, but the wrong source has been given, or, where an assignment uses a 'quote within a quote' in a misleading way, or when a quote is inaccurate.

**5.1.4** Plagiarism is representing another person's work or ideas, including another learner's work, as one's own.

Examples of plagiarism include:

- The verbatim copying of another's work without acknowledgement.
- The close paraphrasing of another's work by simply changing a few words or altering the order of presentation, without acknowledgement.
- Unacknowledged quotation of phrases from another's work.
- The deliberate presentation of another's ideas as one's own.
- Copying or close paraphrasing with occasional acknowledgement of source may also be deemed to be plagiarism if the absence of quotation marks implies that the phraseology is the learner's own.
- Copying of data without appropriate acknowledgement, Using unacknowledged text downloaded from the internet.
- Copying answers from social networking sites, borrowing statistics or

assembled facts from another person or source.

- Copying or downloading figures, photographs, pictures or diagrams without acknowledging the sources;
- Copying from the notes or essays of a fellow learner;
- Recycling essays/assignments/material for assessment from the learner's own previously submitted work (this is self-plagiarisation). Depending on the source of the work re-used without reference, it may be considered poor academic practice or plagiarism.

## **5.2** Cheating means falsely inventing data or dishonest behaviour.

Examples include but are not limited to: Inventing of data for research purposes.

- Communicating with, or copying from, any other candidate during an examination (unless expressly permitted by the rules of the specific examination rubric).
- Making use of any written or printed materials in the examination room (unless expressly permitted by the specific examination rubric) or obtaining a copy of a closed written examination paper in advance of the time and date for its release (examination papers which are given to learners in advance are known as 'open' papers).

**5.3** Collusion is the unauthorised and unattributed collaboration of learners or other individuals in the composition of a piece of assessed work. For instance, two or more learners producing a piece of work together with the intention that at least one passes it off as their own work. Learners are encouraged to collaborate with others in studying, but submitted work copied from or written jointly with others is not acceptable, unless collaboration is required in the particular assignment. Programmes will ensure that when a module requires group work, clear guidance is given to learners about what is and is not an acceptable level of collaboration between learners in their assignments, regardless of whether those assignments are the product of a group, or the product of individuals within the group.

**5.4** Contract cheating is when a learner arranges for someone else to do an assessment for them and then submits it as their own work. This is intellectual dishonesty. Passing on your assignments to others, with the knowledge that

another learner may plagiarise the assignment will also lead to a penalty. Paying for work from other sources and submitting it as your own is also contract cheating. This may include the purchase of an assessment from an organisation or an individual. Learners who provide or sell assessments are equally guilty of academic misconduct and allegations of providing assessments for this purpose will be investigated and, where evidence is found, learners will be penalised under these procedures.

**5.5** Proof-reading occurs where work is reviewed, and its content or argument potentially changed by a third party so that it is no longer a true reflection of a learner's own work.

**5.6** Using Translation Services to translate work from a learner's first language into English is not permitted.

## **6. Avoiding Academic Misconduct**

- 6.1** Academic misconduct may occur whether by intention, unintentionally or due to inexperience. However, it is a learner's responsibility to understand the definition of academic misconduct and of manifestations of academic misconduct and to seek advice, where necessary.
- 6.2** Whilst the Institute appreciates that there are different cultural understandings of what constitutes unacceptable academic behaviour, nonetheless all learners receive the same instruction and guidance on avoiding academic misconduct and all learners are therefore judged by the same standard, as outlined in this policy.
- 6.3** Where a learner has an acknowledged learning difference, a proof-reader may be used to ensure that the learner's intended meaning is not misunderstood as a result of the quality and standard of writing. Where permitted, a proof-reader may identify spelling and basic grammatical errors. Inaccuracies in academic content should not be corrected nor should the structure of the piece of work be changed.
- 6.4** Learners with an acknowledged learning difference should discuss their proof-reading needs with the Tutor with responsibility for Learning Support.
- 6.5** Learners should make use of the study skills resources, specifically those relating to conventions for proper referencing, as well as those relating to academic misconduct posted on the VLE.
- 6.6** The temptation to plagiarise may arise from lack of self-confidence or from a lack of understanding about the aims of the assessment and about what is required of the learner. Assignments provide a vehicle for assessing performance and contribute to the overall result. However, they also assist learners in understanding their subject and aid a learner's learning. When learners attempt to use ideas and terms independently, learners learn more thoroughly and develop their own writing style. By submitting work that is not their own they are denying themselves the benefit of this valuable learning strategy. Copying the work of others would be counterproductive to the goal of understanding subject matter and to real achievement. Most learners will not wish to take such a negative approach to studying and St Padarn's does not tolerate it.

## **7. Detection of Academic Misconduct**

- 7.1** St Padarn's uses plagiarism detection software (Turnitin) to assist in the process of detecting academic misconduct, specifically, plagiarism.
- 7.2** Where plagiarised material is included in assignments, tutors are likely to notice the shifts in style and may be aware of the source. Poor citation is also easy to detect.
- 7.3** Most cases of plagiarism, once detected, are relatively easy to demonstrate by producing copies of the original printed or website material.

## **8. Procedure on Detection of Academic Misconduct**

- 8.1** If a Tutor considers or suspects that academic misconduct has occurred in relation to work submitted as a piece of coursework or a project, or any other work completed under non-examination conditions, they shall report the matter to the Registrar as soon as possible, with supporting evidence.
- 8.2** The Registrar shall review the issue with the appropriate Programme Leader to decide whether there is a *prima facie* case to answer and whether it should be treated as a case of poor academic practice or academic misconduct.
- 8.3** If the Programme Leader is of the opinion that poor academic practice has occurred, s/he will:
- Give the learner an informal warning, and
  - Instruct them on how to avoid the offence in the future
  - Complete the *Poor Academic Practice/Academic Misconduct report form* and retain a copy for future reference.
- 8.4** Poor academic practice is not considered to be academic misconduct. However, any subsequent offence of poor academic practice by the same learner may be considered as academic misconduct and treated accordingly.
- 8.5** Where the Programme Leader is of the view that there is a case of academic misconduct, specifically, plagiarism, they shall complete the Academic Misconduct Report form and will:

### **8.5.1 In the case of learners registered with the University of Wales, Trinity Saint David:**

- Inform the Partner Liaison Officer at UWTSD and provide them with a copy of the Academic Misconduct Report form and a copy of the assignment.
- Retain a copy of the assignment and completed report form in the learner's file.
- Report the matter to the Board of Study.
- The Programme Leader may investigate any previous pieces of work which have already been marked for inspection. If there is a suspicion that plagiarism had occurred in relation to one or more of these pieces of work, the Programme Leader will act as outlined above.
- The Partner Liaison Office will refer the case to the University's Unfair Practice Co-ordinator who will consider whether there is a *prima facie* case to answer. If the Unfair Practice Co-ordinator considers that an investigation is warranted, then they will follow the procedure outlined in Chapter 13 (Student Cases) of the Academic Quality Handbook.

### **8.5.2 In the case of learners registered with Cardiff University:**

- Inform the Unfair Practice Co-ordinator at Cardiff University and provide them with a copy of Academic Misconduct Report form and a copy of the assignment.
- Retain a copy of the assignment and completed report form in the learner's file.
- Report the matter to the Cardiff Management Group.
- The Unfair Practice Co-ordinator will institute an investigation following the procedure outlined in procedure outlined in Section 1.12 Unfair Practices Procedure of the Academic Regulations Handbook.

## **9. Penalties for Academic Misconduct**

**9.1** Penalties for proven academic misconduct will be applied by the appropriate University in accordance with their published sanctions.

**9.2** St Padarn's considers cases of proven academic misconduct to potentially be a breach of the Institute's Code of Conduct and may result in the initiation of the Institute's own Disciplinary Process and/or the Fitness to Practice Process

## **10. Appeals Procedure: Right to Appeal**

Learners may request a review of the decision reached by the University on the following grounds only.

### **10.1 For learners registered at the University of Wales, Trinity Saint David**

- Irregularities in the conduct of the unfair practice procedure, which are of such a nature as to cause reasonable doubt whether the same decision would have been reached and/or the same penalty would have been applied had they not occurred.
- Any appeal against an Unfair Practice decision and/or Unfair Practice penalty must be sent to the Academic Office on the University's Unfair Practice Appeal Form (Appendix GA7) normally not later than 15 clear working days after official notification of the decision and penalty applied.

### **10.2 For learners registered at Cardiff University**

- Procedural irregularities;
- Exceptional circumstances not brought to the attention of the Chair of the Examining Board which can be shown to be relevant to the unfair practice. In appeals based on these grounds, the appellant must show good reason why such extenuating circumstances were not made known to the Chair of the Examining Board;
- That the decision taken by the Chair of the Examining Board was unreasonable or could not be sustained by the facts of the case

Any request for a review of the decision must be sent in writing and must be received within ten working days of the date on which the letter informing the learner of the Chair's decision was sent.

### **11. Appeal to External Bodies: The Office of the Independent Adjudicator**

It is only possible to make an appeal about an academic complaint to an external body after all the internal appeal and review procedures have been exhausted. It will usually only be possible to appeal against the University's final decision if the University has either not followed its own procedures properly or it has not dealt with a complaint fairly.

#### **Appealing to The Office of The Independent Adjudicator:**

Once a learner has completed all the internal University procedures in relation to an Academic Appeal, if still they remain dissatisfied with how the appeal was handled, they may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) by contacting them at: [www.oiahe.org.uk](http://www.oiahe.org.uk). The OIA was set up under the Higher Education Act 2004 to provide 'an independent learner complaints scheme'. All Higher Education Institutions in England and Wales are required to comply with the scheme, which is free to learners. However, the OIA can only consider unresolved complaints from learners about academic matters *after* the University's own complaints and appeals procedure have concluded.

The complaints which the OIA will consider include, but are not limited to:

- Academic Appeals
- Extenuating Circumstances
- Teaching and Facilities
- Accommodation
- Research supervision
- Welfare
- Discrimination (but see \* below)
- Bullying and harassment
- Placements

- Procedural irregularities
- Unfair practices
- Disciplinary matters - including plagiarism

\* In considering issues related to discrimination the OIA does not act as a court. It does not investigate or make legal findings in the same manner as a court. However, it is appropriate for the OIA to refer to the law and guidance on discrimination to form an opinion as to good practice and to decide whether the provider has acted fairly.

The OIA cannot consider complaints/appeals concerning:

- Admissions
- Academic judgement
- Matters which are already are or have been the subject of Court or Tribunal proceedings, unless the proceedings have been 'stayed' or adjourned.

In order to appeal to the OIA, the learner will need to:**11.1** Request a 'Completion of Procedures Letter' from the University to submit with their appeal to the OIA. This must be requested within one month of the complaint or appeal being upheld. If their complaint or appeal is not upheld the completion of procedures letter will be issued automatically within 28 days of the completion of the internal processes.

**11.2** Complete the OIA's own complaint form, which is available from [www.oiahe.org.uk](http://www.oiahe.org.uk).

**11.3** Submit their appeal to the OIA within twelve months of the date of their Completion of Procedures letter.

## **12. Equal Opportunities**

Academic misconduct will be considered impartially. The Institute makes every effort, in accordance with its Equality and Diversity Policy to ensure that learners are not unlawfully discriminated against under the provisions of the Equality Act 2010. We believe that diversity is a positive contribution to the learning experience at St Padarn's.

### **13. Data Protection**

- 13.1** Records of any investigation into academic misconduct are kept in accordance with the General Data Protection Regulation. See the St Padarn's Data Protection Policy for details.
- 13.2** In line with the terms of the General Data Protection Regulation, learners are entitled to a copy of all their personal data held by us. All requests should be made to the Director of Operations.

### **14. Responsibilities, Policy Approval and Review**

- 14.1** This document, as well as all other policy, procedure and guidance documents relating to learners studying at St Padarn's, will be available to all, monitored regularly and reviewed and evaluated periodically.
- 14.2** The Principal and the Programme Leaders have overall responsibility for the academic misconduct policy, including its approval and annual review.

### **15. Policy Communication**

- 15.1** This document can be found on the Institute's VLE and on the St Padarn's website.
- 15.2** Every effort will be made to respond to any request to provide this policy in a different format.
- 15.3** This policy will be included in staff and learner induction.

Appendix 1- POOR ACADEMIC PRACTICE/ACADEMIC MISCONDUCT REPORT FORM

Learner Name:	Learner No.	
Module Title of work		
Nature of misconduct (tick)	<input type="checkbox"/> Poor Academic Practice <input type="checkbox"/> Plagiarism <input type="checkbox"/> Other (state)	
Tutor who identified misconduct:	Name: Date:	
ACTION TAKEN in the case of Poor Academic Practice: 1. Has the learner admitted the offence? 2. Is this the learner's first offence? 3. Has the learner been given an informal warning? 4. Has the learner been instructed on how to avoid the practice in future?		
ACTION TAKEN in the case of Academic Misconduct: 1 Does the Programme Leader consider there is a case to answer? 2 Has the Programme Leader informed the appropriate person at the University? 3 Has the assignment and report form been kept in the learner's file		
OUTCOME OF UNIVERSITY INVESTIGATION		
		Comments:
PENALTY AWARDED		
SIGNED (Signature followed by printed name):		DATE:
Programme Leader (obligatory):		
Module Leader (obligatory):		
Registrar (on completion of investigation and appeal if appropriate)		