



.....

# ACADEMIC

## MISCONDUCT POLICY

.....

This policy will be kept up to date and will be reviewed once per year as part of the company's Quality Assurance arrangements.

**Review Period**  
1 Year

**Approved by**  
Directors/Governors

**Review Carried Out By**  
Quality Team

**Date of Approval**  
November 2020

## **1: Introduction**

Academic misconduct includes an allegation of either plagiarism or cheating during any assessment activity. These guidelines ensure that investigations of academic misconduct protect the rights of those involved, follow best-practice and adhere to published principles.

Once academic misconduct is alleged to have taken place, Orion is obligated to investigate the matter.

## **2: Making Allegations**

Allegations of plagiarism can originate from a variety of sources including other students or staff. Cheating in an examination would normally come from an examination invigilator.

## **3: Degrees of Misconduct and the Delegation to Conduct Investigations**

There are varying degrees of academic misconduct. These are described in the table in the following procedure on the graduated scale as minor cases, misdemeanours, or serious misconduct.

The Head of school is responsible for managing the disciplinary process relating to allegations of academic misconduct within their respective teams, for both minor cases and misdemeanours.

Notes:

- Minor cases of academic misconduct are normally resolved by teachers
- Misdemeanours should be resolved at Curriculum Manager level
- Serious misconduct allegations should be referred to the Head of School
- Cheating in examinations is managed by the Internal Quality Insurer (IQA) for the appropriate awarding body.

## **4: Penalties**

Penalties that can be imposed range from no action through to zero assessment for that portion of the assessment.

## **5: Annotation in Academic Misconduct Database**

Details of proven cases of plagiarism or assessment cheating, when the penalty is a 'Zero for that portion of Assessment' or when a more severe penalty is imposed, are to be forwarded to the Head of School to be recorded on a central database (see the form provided in the following procedures). This record will be retained for at least the duration of the academic programme for which the student is enrolled. Instances resulting in exclusion will be held on the database indefinitely.

This information is primarily to assist in the identification of repeat offenders and is only available to those who have reviewed an allegation and determined that academic misconduct has occurred.

## **6: Retention of Evidence**

Orion reserves the right to retain evidence pertaining to allegations of Academic Misconduct for as long as the record is held on the academic misconduct database.

## **7: Appeal Procedures**

Any student has the right to appeal against any decision in relation to academic misconduct in accordance with Orion's policy.

## **8: Timelines**

Any allegation of academic misconduct should normally be resolved with the student within 35 days of the submission date of the assessment material. This allows for 21 days for marking the assessment, followed by a further 7 days during which time notification to the student would normally occur, followed by a further 7 days to take any action.

## **9: Definitions**

### **Plagiarism**

Presenting as one's own work the work of another including the copying or paraphrasing of another's work without acknowledging it as another person's work through full and accurate referencing. Plagiarism applies to material so presented through written, spoken, electronic, broadcasting, visual, performance or other medium.

### **Cheating During Assessment**

Obtaining credit for one's own academic work in any assessment activity by fraudulent or dishonest means. Examples of such dishonesty are described but not confined to: the use of crib cards or notes in examinations or tests (unless they are open book examinations); the use of mobile phones or other electronic data storage implements during an examination; substitution of one student for another at an examination, test or assessment; obtaining unauthorized knowledge of the detail of a pending assessment from other students or other source prior to the commencement of the assessment.

### *Minor Academic Misconduct*

Instances of academic misconduct of a trivial nature that do not require formal notification and are normally dealt with by the teacher.

### *Misdemeanour*

An act of academic misconduct of a level that is not in the most serious category level of misconduct. Such academic misconduct should be managed at Curriculum Manger level. See the table in the following procedures.

### *Serious Misconduct*

The most serious instances of academic misconduct normally handled by the Head of School. The range of penalties for serious misconduct includes those for misdemeanours plus the additional penalty of exclusion. See the table in the following procedures.

## **Procedure for the Management of Academic Misconduct Allegations**

### **1a. Notification - Minor Incidents of Plagiarism**

The teacher normally handles minor instances of plagiarism without a formal investigation. Notification to the student can be verbal and informal. A record in the student file needs to be completed and notification to the academic misconduct database held by the examinations officer.

### **1b. Notification - Misdemeanours or Serious Misconduct**

The student involved must receive notification of an allegation of this nature against him/her. For allegations described in the following table as misdemeanours or serious misconduct, notification must be in writing. This would normally be within 35 days of the submission date of the assessment material. (This allows for 21 days for marking the assessment, followed by a further 7 days during which time notification to the student would normally occur, followed by a further 7 days to take any action).

Note: There may be instances, for example if students are difficult to contact or there are large number of students involved, when this time line cannot be achieved. In these instances the process should be conducted as expeditiously as possible.

Serious misconduct allegations requiring in-depth investigations may take some time to resolve (longer than 35 days) and should follow the principles of natural justice, including: notice given to student as soon as reasonably possible, the student given the opportunity to respond, the process conducted fairly and the avoidance of bias throughout.

The notification to the student should include:

- a. A summary of the allegation indicating the seriousness of the allegation
- b. An indication of the range of penalties that can be imposed if they are found guilty
- c. A copy of any evidence collected or description of the evidence in the case of cheating in an examination.
- d. Notification that Orion will conduct a review into the allegation
- e. Acknowledgement that student has the right to contest the allegation at a meeting
- f. That the student is entitled to have a support person present during any meeting and one will be provided if requested
- g. That the allegation can be heard in the student's absence if he/she fails to respond to the initial letter or does not wish to contest the allegation

## **2. Conduct a Meeting**

The staff member who has been delegated the authority in the case of examination cheating; to manage the academic misconduct disciplinary process will convene a meeting at the pre-arranged time and review the evidence and any mitigation offered by the student. They may impose the appropriate penalty at the meeting but will also respond later to the student in writing with the outcome.

### **3. Imposing a Penalty**

Taking all the evidence and mitigation into account the delegated authority has the option of a range of different penalties as described in the following table. Evidence of a previous offence held on the academic misconduct database may influence the penalty for subsequent offences.

Therefore a check of the database is prudent prior to arriving at any decision regarding the penalty. Also if a student has received a penalty of zero assessment on a previous occasion, the second penalty should be determined delegated authority.

### **4. Adjustment to the Assessment Record**

The Head of school or other delegated authority is responsible to ensure that the assessment record is altered in line with the penalty imposed.

### **5. Record on Central Database**

If the penalty imposed is a "Zero for the portion of assessment" or more severe, the student should be told that the outcome will be held on a central database and that information regarding the penalty for this allegation will be made available should there be the need to determine penalties for any subsequent instances of academic misconduct.

### **6. Notification of the Outcome to the Student**

Students should be notified of the outcome of the meeting into the allegation in writing if the outcome is a reduction in mark or a more severe penalty (a photocopy of the form for investigation of the allegation with a covering note would suffice).

### **7. Copy Evidence**

Orion should hold a copy of any evidence that might be required as evidence for any subsequent grievance hearing.

### **8. Appeal Procedure**

The student should be informed that if he/she considers that the outcome is unfair they have the right to appeal. The timeline for such a submission is three months from the date of imposition of the penalty.

Categories of Academic Misconduct with examples and possible penalties are described in, **but not limited to**, the table below.

**Examples of plagiarism, the authority to resolve the allegation and possible range of penalties**

<b>Category</b>	<b>Authority to discipline</b>	<b>Example of plagiarism</b>	<b>Possible range of Penalties</b>
Minor	Teachers	<ul style="list-style-type: none"> <li>Paraphrasing material without adequate acknowledgement of the source</li> <li>Copying verbatim from books, journals, or internet sources without acknowledgement of the source</li> <li>Submission of work overly reliant on model answers or sample solutions provided in the study guide</li> </ul>	<ul style="list-style-type: none"> <li>No formal penalty</li> <li>Review of a mark</li> <li>Resubmission of material</li> </ul> <p>Note: repeat offences may escalate the penalty and the level at which the allegation is handled</p>
Misdemeanour	Resolved by Curriculum Managers	<ul style="list-style-type: none"> <li>Submission of the same assessment material for more than one assessment requirement or paper</li> <li>Substitution of one student's material by another student (collusion)</li> <li>Work developed collaboratively but submitted as student's own work</li> <li>Substituting as one's own material obtained from internet based essay depositories (paper mills) or any other cheat site on the internet</li> </ul>	<ul style="list-style-type: none"> <li>No formal penalty</li> <li>Review of a mark</li> <li>Resubmission of material</li> <li>Zero Assessment of that portion of assessment material</li> </ul> <p>Note: repeat offences may escalate the penalty and the level at which the allegation is handled</p>
Serious Misconduct	HOS	<ul style="list-style-type: none"> <li>Ghost writing (having a third party write an assignment)</li> <li>Assisting others to be dishonest or fraudulent with academic assessment</li> <li>Any instance when a repeat offence has occurred and or a "zero for assessment" penalty has been imposed previously</li> <li>Cheating in examinations</li> </ul>	<ul style="list-style-type: none"> <li>No formal penalty</li> <li>Review of a mark</li> <li>Resubmission of material</li> <li>Zero Assessment of that portion of assessment material</li> <li>Fail for the paper</li> <li>Exclusion from enrolment in the paper, programme, or university</li> </ul>

Academic Misconduct Report	
<b>Name:</b>	<b>Student Ref Number:</b>
<b>Date reported to Head of school/IQA:</b>	<b>Academic Staff Signature:</b>
<b>Paper number:</b>	<b>Programme:</b>
<b>Assessment task:</b> (e.g. assignment 1)	<b>Detail of alleged academic misconduct:</b> (tick or describe) <i>Paraphrasing</i> <i>Copying</i> <i>Other</i>
<b>Student informed by:</b> (tick which) <i>Email</i> <i>Post</i> <b>Date:</b>	<b>Discussed by:</b> (tick which) <i>Phone</i> <i>In person</i> <b>Date:</b>
<b>Comments/Process:</b>	
<b>Student informed of penalty, their right to register a grievance and the process:</b> (initial & date) <i>Email</i> <i>Post</i> <b>Date:</b>	<b>Penalty:</b>
<b>Delegated Authority Signature:</b>	<b>Delegated Authority Name:</b>
<b>Student Signature:</b>	
<b>Copy to:</b> 1 Student <input type="checkbox"/> 2. HOS <input type="checkbox"/> Detail and number of attached pages	