

CONTENTS

1. AIM OF THE POLICY.....	1
2. DEFINITIONS OF ACADEMIC MALPRACTICE.....	2
3. ACADEMIC MALPRACTICE REFERRALS.....	
4. MONITORING AND REVIEW.....	

1. Aims of the Policy

1.1. The aims of this policy are as follows:

- a) to identify and minimise the risk of student malpractice;
- b) to respond to any incident of alleged malpractice promptly and objectively;
- c) to standardise and record any investigation of malpractice to ensure openness and fairness;
- d) to impose appropriate penalties and/or sanctions on students where incidents (or attempted incidents) of malpractice are proven;
- e) to protect the integrity of Pearson College, its validating partners and degree qualifications.

1.2. In furtherance to these aims, Pearson College will:

- a) seek to avoid potential malpractice by using the induction period, the student virtual learning environment and the student handbook to inform students of the Pearson College's policy on academic malpractice and the penalties for attempted and actual incidents of malpractice;
- b) ensure that all students attend an appropriate taught session (either face-to-face or on-line) on good academic practice during their first term;
- c) offer students 'Good Academic Practice' session each term;

- d) deliver a session on how to spot plagiarism to tutors during tutor training prior to an assessment period and at least once in an academic year;
- e) educate students in the appropriate formats to record cited texts and other materials or information sources;
- f) ask students to declare that their work is their own;
- g) ask students to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used;
- h) conduct an investigation in a form commensurate with the nature of the malpractice allegation;
- i) make the individual fully aware at the earliest opportunity of the nature of the alleged malpractice and of the possible consequences should malpractice be proven;
- j) give the individual the opportunity to respond to the allegations made;
- k) inform the individual of the avenues for appealing against any judgment made;
- l) document all stages of any investigation.

2. Definitions of Academic Malpractice

- 2.1. **Academic malpractice** describes the act(s) or attempted act(s) by a student to gain or aid others in gaining an unpermitted or unfair advantage in an assessment or a result, thereby undermining the integrity of the assessment process, academic standards and the reputation of the College.
- 2.2. In determining academic malpractice, Pearson College London shall draw on the definitions of its validating partner, the University of Kent, which provide as follows:

“1.2 Regulation V.3 of the General Regulations for Students^{2[3]} states:

Students are required to act with honesty and integrity in fulfilling requirements in relation to assessment of their academic progress.

Note: *The following are some examples of conduct which will be regarded as a breach of this regulation:*

- **Cheating in examinations:** *including the use of unauthorised materials, mobile phones and other prohibited electronic devices.*
- **Attempting to influence an examiner or teacher improperly**
- **Plagiarism:** *reproducing in any work submitted for assessment or review (for example, examination answers, essays, project reports, dissertations or theses) any material derived from work authored by another without clearly acknowledging the source.*

It should be noted that the University regards plagiarism a strict liability offence and

so does not require evidence of intent to commit plagiarism in order to determine that an offence has occurred. However, where it is determined that the act of plagiarism has occurred as a result of poor academic practice, it is open to the Chair to interpret the matter as constituting a minor offence.

The University makes information about the definition and seriousness of plagiarism offences available to students and it is the responsibility of the student to consider this carefully. Lack of understanding on behalf of the student will not be considered acceptable grounds in response to an allegation of plagiarism or when appealing a penalty imposed under the academic discipline procedures.

The identification of plagiarism is an academic judgement, based on a comparison across the student's work in general, and/or on knowledge of the sources, of practice in the discipline and of expectations for professional conduct. The Chair of the School Disciplinary Committee, or the Committee itself, may therefore determine that plagiarism has taken place even if the source has not been identified.

- **Duplication of material:** reproducing in any submitted work any substantial amount of material used by that student in other work for assessment, either at this University or elsewhere, without acknowledging that such work has been so submitted^{3[4]}.
- **Conspiring with others** to reproduce the work of others without proper acknowledgement, including knowingly permitting work to be copied by another student.
- **Falsification of data/evidence.**"

2.3. In furtherance to the regulatory provisions of its validating partner¹, the College distinguishes between deliberate intention to gain unpermitted advantage and poor academic practice, or major and minor infringements. Poor academic practice is defined as the unintentional breach of the rubrics of assessment or the academic practice regulations, due to defensible ignorance (e.g. during the first term of study).

3. Academic Malpractice Referrals

- 3.1. Pearson College London shall investigate and determine academic malpractice cases in accordance with the relevant academic discipline policy and procedures of its validating partner, the University of Kent. Students and staff should consult the full regulations and credit framework document concerning academic malpractice on the University of Kent website <https://www.kent.ac.uk/teaching/ga/credit-framework/creditinfoannex10.html> Advice can be sought from the College's Quality Assurance Office.
- 3.2. All College staff and students have a duty to uphold the academic integrity of the College's qualifications and must report suspected academic malpractice, whether it be plagiarism, collusion or an examination offence, to the Quality Office without delay. Academic colleagues are encouraged to submit a formal Assessment Malpractice Report Form, available from the Quality Office.
- 3.3. Individual students will be notified of any allegations of academic malpractice and invited to respond.

¹ For students on Ashridge validated programmes, the Ashridge assessment malpractice regulations would apply. For students enrolled on University of Kent programmes, the University of Kent academic discipline policy would apply.

- 3.4. Academic malpractice cases are investigated and determined by the College Disciplinary Committee. The Deputy Vice-Principal (Academic Affairs) is the Chair of the College Disciplinary Committee². Minor offences, unless contested, are reviewed and determined by the Chair of the College Disciplinary Committee. The Chair shall convene the College Disciplinary Committee, as necessary, to hear and make determination on individual cases, normally of major offences, e.g. collusion, impersonation, fabrication, contract cheating. In addition to the Chair, the College Disciplinary Committee comprises two further senior academic members of the College. The Chair shall appoint a Secretary and maintain appropriate records of all academic malpractice referrals.
- 3.5. In determining cases, the College Disciplinary Committee shall take into consideration:
- a) the nature severity of the offence;
 - b) whether it is a first or repeated offence;
 - c) the potential advantage gained, e.g. by remarking the work disregarding the plagiarised sections;
 - d) the degree of intent;
 - e) whether the student admits to the offence and cooperates with the investigation;
 - f) the student's year of study and programme. For example, cases may be treated with greater leniency for students in their first term of study and more harshly for students in their final year/ stage of the programme, and/or where a professional or regulatory body requirements apply to the programme and the integrity of student conduct, e.g. Law.
- 3.6. Penalties for academic malpractice are determined with reference to the University of Kent academic discipline regulations and the considerations set out at 3.5 above. Acts of academic malpractice compromise the integrity of the assessment and the student's mark for the assessment under investigation is normally affected.
- 3.7. Students will receive formal notification of the outcome of their academic malpractice investigation. Students have the right to appeal the decisions of the Chair of the College Disciplinary Committee or the College Disciplinary Committee, as provided in the University of Kent Academic Discipline Policy.
- 3.8. For students on certain programmes, and as governed by formal agreements, the College may be obliged to report proven major academic malpractice offences to a sponsoring employer (e.g. for degree apprenticeships), or to a professional, regulatory or statutory body (e.g. for post-graduate Law programmes). Unproven allegations will not be reported.
- 3.9. A diagrammatic representation of the academic malpractice processes and outcomes is included at Appendix 1.

4. Viva Voce Interviews

² In the University of Kent academic discipline policy, this is described as School Disciplinary Committee.

- 4.1. The College recognises the threat from contract cheating ³ to the integrity of higher education assessments and is committed to tackling this form of malpractice through *viva voce* interviews.
 - a) *Viva voce* interviews will form part of an investigation into academic malpractice where students are suspected to have commissioned an assessment from a third party or to have had significant assistance from a third party, with the outcome reported to the College Disciplinary Committee for final decision;
- 4.2. The purpose of a *viva voce* interview would be to confirm that a piece of coursework is the student's own authentic work, and to provide the student with the opportunity to demonstrate their authorship of the work.
- 4.3. The Viva Voce Interview Panel will comprise:
 - (i) the module leader for the module in question;
 - (ii) another member of academic staff from the relevant subject area;
 - (iii) an Academic Quality Officer shall act as secretary to the Panel but will not take part in deliberations or decisions.

To ensure impartiality and independence, Panel members must not be involved in the College Disciplinary Committee, and at least one of the two members must be independent of the student's case.
- 4.4. The student may be accompanied by a friend or relative. A legal representative would not be permitted.
- 4.5. The Quality Office will write to the student, inviting them to a *viva voce* interview as part of a malpractice investigation and explaining the purpose of the *viva voce* interview. The student would be advised to bring with them evidence of the preparatory work completed for the assessment in question, which may include earlier drafts, notes, sources, tutor comments, formative feedback. Students will be given a minimum of 3 days' notice to attend a *viva voce* interview and a reasonable accommodation would be made to facilitate their attendance.
- 4.6. Students who do not engage with the *viva voce* interview notice, decline to attend or repeatedly postpone the meeting, without good reason, may be referred directly to a College Disciplinary Committee.
- 4.7. It is intended that the *viva voce* interview will be conducted in a collegiate and supportive manner, focussing on enabling the student to demonstrate that the work is their own. Questioning will invite the student to describe the process of completing their assessments, drawing on the evidence of their preparatory work, and to explain the key concepts of their assignment and findings. Panel members may ask additional questions in order to ascertain whether the work submitted is a true representation of the student's ability to meet the learning outcomes, as appropriate to the subject matter and assessment in question. Students may also be asked directly about any help or support they have received from others.
- 4.8. It is recognised that a *viva voce* interview may be a stressful process and the Panel may halt proceedings if there is evidence of distress or undue pressure on the student. This would not prejudice the Panel's recommendation, and the outcome may be reported as inconclusive (see Paragraph 4.10(iii)). In such circumstances, the *viva voce* interview will only be re-scheduled if the student expresses a wish to proceed with the meeting.
- 4.9. It is recognised that some students may perform better in coursework assessments than in oral questioning. The Panel will keep an open mind with regards to a disparity between a student's oral and written performance, and focus on ascertaining the authenticity of the student's work.

³ **Contract cheating** describes engaging a third party, e.g. a colleague, friend, relative or essay sharing banks (essay mills) to contribute to a student's assignments.

- 4.10. A *viva voce* interview may not change a student's assessment mark. Following the meeting, the Panel may determine one of three outcomes:
- (i) confirm that, in their academic judgement, the student has demonstrated that the assessment is their own work and recommend that their assessment mark is confirmed; or,
 - (ii) confirm that, in their academic judgement, the student has **not** definitively demonstrated that they have completed their assessment unaided. This decision will be referred to the Chair of the College Discipline Committee for further action. It is emphasised that the *viva voce* interview outcome does not confirm whether a student is guilty of contract cheating. It merely provides a judgement for the attention of the College Disciplinary Committee. The report may be used by the College Disciplinary Committee as evidence in their investigation. If the College Disciplinary Committee decides to invite the student for an oral hearing in accordance with the University of Kent Academic Discipline Policy, the Committee might decide to further question the student on the content of their submitted work.
 - (iii) as provided in 4.8, issue an *inconclusive* outcome due to inability to conclude the *viva voce* interview. In such circumstances, the College Discipline Committee will make a determination on the case as if the *viva voce* interview never took place and without prejudice.
- 4.11. The Secretary to the Panel will provide a detailed record of the meeting, with a copy sent to the student and the Chair of the College Discipline Committee, no later than 5 working days following the *viva voce* interview.

5. Monitoring and Review

- 5.1. Academic malpractice cases will be analysed annually and reported formally to the College's senior committees, with a view to identifying trends and implementing measures to reduce instances of academic malpractice among students.
- 5.2. This policy will be reviewed annually by the Admissions Progression and Retention Committee.

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Appendix 1

Academic Misconduct Process

