1. AIM OF THE POLICY

To identify and minimise the risk of student malpractice.

To respond to any incident of alleged malpractice promptly and objectively.

To standardise and record any investigation of malpractice to ensure openness and fairness.

To impose appropriate penalties and/or sanctions on students where incidents (or attempted incidents) of malpractice are proven.

To protect the integrity of Pearson College, its validating partners and degree qualifications.

In order to do this, Pearson College will:

- seek to avoid potential malpractice by using the induction period and the student handbook to inform Students of the Pearson College’s policy on malpractice and the penalties for attempted and actual incidents of malpractice.

- ensure that all students attend an appropriate taught session (either face-to-face or on-line) on good academic practice during their first term.

- offer students ‘Good Academic Practice’ session each term.
• deliver a session on how to spot plagiarism to tutors during tutor training prior to assessment period at least once in an academic year

• show students the appropriate formats to record cited texts and other materials or information sources

• ask students to declare that their work is their own

• ask students to provide evidence that they have interpreted and synthesised appropriate information and acknowledged any sources used

• conduct an investigation in a form commensurate with the nature of the malpractice allegation.

• 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

• give the individual the opportunity to respond to the allegations made

• inform the individual of the avenues for appealing against any judgment made

• document all stages of any investigation.

2. GENERAL DEFINITIONS

Definition of Malpractice by Students

This list is not exhaustive and other instances of malpractice may be considered by Pearson College at its discretion and in collaboration with the College's validating partners:

• plagiarism of any nature
• duplication of a student’s own work without acknowledgement (this doesn’t apply to resubmissions as students can resubmit an improved version of the same assignment)
• collusion by working collaboratively with other students to produce work that is submitted as individual student’s work
• copying (including the use of ICT to aid copying)
• deliberate destruction of another’s work
• fabrication of results or evidence
• contract cheating
• false declaration of authenticity in relation to the contents of a portfolio or coursework
• impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one’s place in an assessment/examination/test.

This policy will be reviewed every 12 months by the Admissions Progression and Retention Committee.
The procedure to be used will vary according to the validating body. Students and staff should use the relevant academic regulations from the validating body, available on the College’s website. Advice on the policy and procedures may be obtained from Student Services.
3. PROCEDURE FOR DEALING WITH SUSPECTED ASSESSMENT MALPRACTICE

3.1 BA(Hons) Business Management (Ashridge)

Please Refer to section 17 of the Ashridge academic regulations. This includes the Ashridge definitions of different types of academic misconduct. The details below are extracts from the Ashridge Regulations.

Definitions:

The list below is not exhaustive:

Cheating

Any student who in any Mode of Assessment, copies, steals or appropriates the work of other(s), or who introduces into the Examination Room, or includes in his/her work which is submitted for assessment, any materials or aids not explicitly permitted under the rubric of the Examination or the assessment; or who uses any other unfair method to gain advantage in an assessment. This interpretation shall apply to any work submitted as part of any of the required assessments for a programme in any year or cohort.

Plagiarism

The submission by the student or groups of students as their own work of a body of material or knowledge (written/visual/oral and/or materials or information from Internet sources or other sources/or of any other form of presentation or sourced materials) which is wholly or partly the work of another. This definition of plagiarism shall apply equally to the work of other current or previously registered students on Qualification Programmes, to the work of Ashridge Faculty or Associates, and to externally published sources or references irrespective of the mode or means of publication within or outside the public domain.

The Use of Un-attributable Sources or Un-attributable Academic Content

Submitting work for assessment, which is un-attributable in its sources or its origins, and which is an attempt to enhance the apparent performance of the student.

Falsification of work submitted for assessment

Falsifying data or other forms of evidence that is contained in work submitted for assessment, and which is an attempt to enhance the apparent performance of the student(s) in the assessment of that work.

The presentation of data in assessment, based on work purported to have been carried out by the student, but which has been invented, altered, copied or obtained by unfair means.

Copying

Deliberate copying of the work of another current or previous student(s) and submitting it for assessment as if it were the original work of the student who has engaged in the copying.
Collusion

Assisting other student(s) to gain an advantage in assessment by unfair means, or receiving such assistance from other student(s). Collusion may be deemed to have occurred when two or more students submit work, which is so alike in content, wording, structure, discursive arguments, sources, data of any form or conclusions presented, that the similarity goes beyond what might be reasonably interpreted as mere coincidence. Being party to an arrangement intending to break or avoid the Ashridge Academic Regulations or stated requirements of any assessment also constitutes collusion.

Assessment Fraud

Being party to an arrangement whereby a person other than the student would fraudulently represent them in the assessment or any other fraudulent form of misrepresentation. Making false declarations in order to receive special consideration by Assessment Boards. This includes the fraudulent presentation of Extenuating Circumstances that is designed to gain unfair advantage, providing fraudulent evidence associated with requests for Extensions to Applicable Deadlines, and other requests associated with assessment.

Misrepresentation

The presentation by the student(s) as their own work of a body of material (written, visual or oral) which is wholly or partially the work of another, either in concept or expression, or which is a direct copy.

Group Work

The presentation of group work as being the work of a single student or vice versa.

Minor Academic Misconduct (17.4 in Ashridge regs)

This should be used when:
- It is the students first offence and
- where it appears that the student has failed to understand the regulations and has offended unintentionally or in error.

This procedure may be applied in the case of an individual student on one occasion only.

Where a member of staff believes there to have been a suspected incident of misconduct then it should be referred to the Registry who will liaise with the Programme Director. The Programme Director or their nominee will discuss the matter with the student(s), providing advice and guidance on academic misconduct and appropriate referencing. Where it is clear that an offence has occurred but has been undertaken by mistake or misunderstanding, a penalty will be imposed which will involve a reduction of marks using the following procedure:
- The student will be informed that there will be a reduction of the mark for the assessment concerned.
- The Programme Director will propose a percentage of reduction of marks which will be provided with the rationale to the Assessment Board.
• The matter will be determined by the Assessment Board

Should the Assessment Board decide that there are no reasonable grounds for confirming the suspicion of an offence, it shall consider the work on its academic merits and all record of the alleged misconduct will be removed from the Student Record(s).

**Serious or Repeated Academic Misconduct (17.5 in Ashridge regulations)**

The procedures in Sections 17.5 to 17.8 of the Ashridge regulations shall be used for all cases of Serious Academic Misconduct, as well as for repeated cases of Minor Academic Misconduct.

Serious Academic Misconduct includes all cases where Academic Misconduct was intentional and/or deliberate. It also includes any repeated suspected offences.

Any case of suspected Serious Academic Misconduct, as well as Repeated Academic Misconduct, must be formally reported with full particulars, to the Programme Director and the Pearson College Registry.

Pearson College Registry shall liaise with the Ashridge Business School.

The formal Ashridge procedure for the handling of Serious or Repeated Academic Misconduct will culminate in a formal Investigation Panel (see below).

Disciplinary Hearings (see Section 20 of the Ashridge Business School regulations) will be reserved for cases of suspected serious and blatant cheating, plagiarism or collusion. These may be identified at any time during the programme.

Where more than one student is involved in a case of Serious or Repeated Academic Misconduct, each student shall be treated in the same way. Where appropriate, the Chair of the Panel may use a joint process for more than one student, such as a joint meeting. In such cases, the term “the student” shall refer to all the students involved in the procedures below.

**Investigation by the Programme Director**

The Programme Director (supported by the Registry) will assess whether there is sufficient evidence to suggest that the student has committed an offence using the initial checks stated in the Ashridge regulations (section 17, 1181 to 1185).

Where Serious (or Repeated) Academic Misconduct is suspected or alleged, the Programme Director will clarify the suspicion or allegation and determine whether a prima facia case can be established:

- The allegation fits the definitions of Academic Misconduct identified in the *Ashridge Academic Regulations* or any other form of Academic Misconduct that has subsequently been identified
- The assessed work of the student can be produced in evidence
- The evidence for the Academic Misconduct can be identified and highlighted
- The individual student’s understanding of the assessment is consistent with the allegation or suspicion. This shall be tested by arranging and holding an oral interview with the student in the presence of another member of Ashridge or Approved Partner (Pearson College) Faculty
• The performance of the student in other assessments is comparable with, or is markedly worse than for the assessment in question
• In cases of suspected or alleged collusion, that the assessed work actually supports an allegation of collusion; whether all students were involved in the collusion; or whether some student(s) used the work of other(s) unknown to the other(s).

The Programme Director will inform the Chair of the Quality Committee of the results of the investigation. Should there be a prima facia case to be considered, the Chair of the Quality Committee will establish an Investigating Panel.

The Investigating Panel

Membership

Subject to a prima facia case being established, an Investigating Panel will be formed. The Panel will comprise three members of the academic Faculty nominated by the Chair of the Ashridge Academic Board, and a secretary to the Panel who will also be nominated by the Chair of Academic Board. The Chair of Academic Board will nominate the Chair of the Investigating Panel. The Investigating Panel will hold a formal meeting to consider the case.

No member of staff who has been involved in teaching or assessing the student shall be a member of the Panel.

Faculty or other staff who have been involved in the assessment of the student, detected the incident, or made the allegation shall attend if requested to do so by the Investigating Panel. If attendance is not feasible, the student and panel members may ask written questions to be answered in advance of the panel meeting.

Notice and conduct of the formal Panel meeting

The Ashridge Business School regulations (1190-1207) provide the detail of the process of arranging and conducting the Investigating Panel. However in summary:

The student will be notified in writing of the date of the panel meeting, the members, a statement of the allegation(s) and provided with copies of any evidence.

The student is entitled:
• To be present during the hearing of evidence unless the Chair of the Panel requests them to withdraw temporarily when the Panel wishes to have a private discussion
• To comment on, and question the accuracy and relevance of, the evidence before the Panel
• To be accompanied by a companion who may not take part in the proceedings.

Decision of the Investigating Panel

The Panel shall consider its decision in private after the evidence has been heard and shall reach a decision by majority vote, in the light of the evidence presented. It will decide whether the student has infringed the Ashridge Academic Regulations. If the Panel is tied in voting equal, the Chair shall have a second and casting vote.

The student and their companion (where appropriate) shall normally be recalled for the Chair to inform them of the decision of the Panel which will be in the form of a recommendation to the Assessment Board. If the offence is severe, it will also make recommendations to Academic Board.
The recommendation will be sent in writing to the student, normally within five working days of the Panel meeting.

**Penalties for Serious or Repeated Academic Misconduct**

If the student is found to have committed academic misconduct then penalties are imposed at the discretion of the Assessment Board, following the recommendation of the Investigation Panel. Where the offences are judged to be severe, the Investigation Panel will also submit its report and recommendation to the Academic Board who may take any additional action that it believes to be necessary in order to fully deal with the offence. This may include any option open to Academic Board including the recommendation of expulsion from Ashridge.

The penalty recommended shall be no less than the penalty which would follow if the student had merely failed the assessment.

If the student is found guilty but the offence is found to be a first offence of Minor Academic Misconduct, the Panel will recommend that an assessment penalty be applied to the Assessment Element in question.

If the student is found guilty of Serious or Repeated Minor Academic Misconduct, the Panel may recommend that they be required to re-attempt the whole of the relevant Subject(s)/Module(s).

The subsequent mark available for the Subject(s)/Module(s) will be capped at the pass mark. In such cases of a required re-attempt of Subject(s)/Module(s), any work that has been previously submitted for assessment for the first attempt of the Subject(s)/Module(s) may not be submitted for assessment in the re-attempt. In exceptional circumstances, the Panel may recommend that the student be deemed to have failed only that Assessment Element in which the offence has been committed.

If the student is found guilty of deliberate and/or intentional cheating or any other severe form of Serious Academic Misconduct identified by the Investigation Panel, the Panel will recommend to Academic Board that the student be expelled from the programme. The Chair of Academic Board may suspend the student with immediate effect pending confirmation of the expulsion by Academic Board. The student will not be eligible for any Award (including an Exit Award). In exceptional circumstances, the Panel may recommend a lesser penalty.

There may be circumstances in which none of the above are deemed appropriate. In such cases, the penalty that is recommended will be at the discretion of the Panel, according to the severity and circumstances of the offence. There must always and without exception be a less favourable outcome for any student found guilty of Serious Academic Misconduct than for the student who did not commit Academic Misconduct.

**Appeals**

The student is entitled to appeal against any decision made by an Investigation Panel using the Academic Appeals procedure in Section 18 of the Ashridge Business School regulations.

Such an appeal may only be made on the following grounds:
• That there is new and relevant evidence which the student was for exceptional reasons unable to present to the Investigating Panel formal meeting. This may include evidence in mitigation
• That the procedures in this Section were not complied with in such a way that it might cause reasonable doubt as to whether the result would have been different had they been complied with
• That there is documented evidence of prejudice or bias on the part of one or more members of the Investigating Panel
• That the penalty imposed exceeds the penalties listed in the Ashridge Academic Regulations.

3.2 University of Kent Validated Programmes

Students and staff should consult the full regulations and credit framework document concerning academic malpractice on the University of Kent website. The document can be found here: https://www.kent.ac.uk/teaching/qa/credit-framework/creditinfoannex10.html#plagiarism
Advice can be sought from the College’s Quality Assurance Office.

Staff in suspecting any case of academic malpractice whether it be plagiarism, collusion or an examination offence should refer the matter immediately to the Quality Assurance Office. The details below are extracts from the University of Kent regulations.

Plagiarism First Offence – Determining Formal Warnings and Minor Penalties

The University acknowledges that at the start of a student’s career, plagiarism may be inadvertent and a result of inexperience or poor academic practice. In recognition of this fact, the following procedures have been developed.

1.5.1 Where a first offence of plagiarism is suspected in a piece of work submitted by a stage 1 undergraduate student, discretion is afforded the Chair to treat the case as warranting only a formal warning. Where a first offence of plagiarism is suspected in a piece of work submitted by a student other than a Stage 1 undergraduate student, the Chair has discretion to treat the case as warranting a formal warning and a minor penalty. In either case this is provided that:
• The Chair is satisfied that the incidence of plagiarism is a result of poor academic practice;
• There is, therefore, no evidence of any intent to deceive;
• The piece of work in question constitutes the first such incidence of plagiarism for that student.

1.5.2 Such cases, as described in 1.5.1, will be conducted as per the procedures for uncontested minor offences and, if proven, will result in the Chair issuing a formal warning letter to the. The formal warning letter will set out the possible consequences of any further cases of plagiarism and will provide direction to sources of advice and guidance to prevent any future breaches.

1.5.3 In the case of a Stage 1 undergraduate student, the Chair, in consultation with the module convenor, will determine if a mark may be returned for the piece of work based on the portion which is not plagiarised or whether the student should be permitted to resubmit the piece of work without penalty by an agreed deadline. Where, subsequent to the discounting of the plagiarised portion, the mark awarded is lower than the pass mark, the student may be given the opportunity to resubmit the work where it is considered appropriate to do so, by an agreed deadline. In the case of a student other than a Stage 1 undergraduate student, the Chair, in consultation with the module convenor, will
determine if a mark may be returned for the piece of work based on the portion that is not plagiarised. If the mark which is given is below the pass mark, then the student may be permitted to re-submit the work where it is considered appropriate to do so, by an agreed deadline for a maximum of a pass mark.

1.5.4 Such cases, as described in 1.5.3, will not - in isolation - be regarded as constituting a breach of academic discipline and will not be recorded on the student’s transcript or academic reference. However, when considering any subsequent cases of plagiarism, the Chair will take into account whether a formal warning has earlier been issued to the offender.

1.6 Determining Minor Offences/Serious Offences
Whether for a first or subsequent offence, where the Chair considers the evidence is substantive he/she will determine if the breach should be regarded as constituting a minor or a more serious offence. In reaching this determination, the Chair will take into account such factors as the following:
- The contribution to the overall mark for a module made by the piece of work in which the instance of alleged plagiarism has been detected;
- The proportion of the piece of work that is plagiarised;
- Whether the student is in receipt of a formal warning, issued under section 1.5 of this Annex;
- The number of previous or contemporaneous offences, if any, with any instances of repeat offending normally to be regarded as constituting a more serious offence;
- Evidence of intent to deceive, with any such evidence normally to be regarded as requiring the treatment of the case as per a more serious offence; The Chair may consult other members of the Disciplinary Committee about how to proceed with the case if he/she considers this appropriate.

1.7. Minor Offences

1.7.1 Where the Chair determines on the basis of the available evidence that the case should be treated as per a minor offence the Secretary will write to the student and set out the details of the allegation and the nature of the evidence against the student. The Chair will also propose a penalty for the offence; the Secretary will inform the student of the proposed penalty and that it will be automatically applied should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline (normally 14 days, though this may be a shorter period if this is necessary to ensure that the outcome can be made available to a meeting of the Board of Examiners).

1.7.2 If the student contests the allegation and/or the proposed penalty, the Chair will refer the case to the School Disciplinary Committee. The student will be invited to submit representations in writing. An oral hearing will be convened where the Chair considers that there are sound reasons for doing so.

1.7.3 If the student does not contest the allegation and/or proposed penalty by the prescribed deadline, the Secretary will inform the Chair of the relevant Board of Examiners of the decision of the Chair and confirm the outcome of the case to the student. The maximum penalty that may be applied by a Chair for an uncontested minor offence will be a mark of zero for the piece of work in question. The student shall be informed of his/her right to appeal against this decision as per the procedure set out at section 4 below. Please refer to the regulations in section 3 of this Annex.
1.8 Serious Offences
Where the Chair determines on the basis of the available evidence that the case should be treated as per a serious offence the Chair will ask the Secretary to convene the School Disciplinary Committee to hear the case.

1.8.1 The student shall be informed by the Secretary of the date on which the School Disciplinary Committee will consider the case; that they may submit evidence to the Committee in writing or, where the Chair considers an oral hearing appropriate, in person; that, except where the Chair decides that evidence provided by either party should be confidential to the Committee, they will each be provided with copies of the written evidence submitted by the other and, where an oral hearing is held, that they will both be permitted to hear the other’s verbal evidence.

1.8.2 Where a student attends a hearing of the School Disciplinary Committee, he/she may be accompanied by a member of staff or a student of the University or a member of staff of the Students' Union or a relative. Such hearings are not legal proceedings and a student may not be accompanied by a legal representative, even if the legal representative is a member of staff or a student of the University or a member of staff of the Students' Union or a relative.

1.8.3 A student who, where the opportunity is offered, does not attend a School Disciplinary Committee hearing will have no further right of redress within the University’s appeals procedures. Where non-attendance is thought to be for reasons beyond the student’s control, the Chair of the School Disciplinary Committee will have discretion to proceed with the hearing in the student’s absence or to reconvene the Committee at a later date.

1.8.4 The Chair of the School Disciplinary Committee shall have the right to decide that evidence submitted verbally or in writing should be ignored by the Committee on the grounds that it is irrelevant or inappropriate and shall give reasons for doing so.

1.8.5 The School Disciplinary Committee will meet privately to determine whether, in its view, there has been a breach of Regulation V.3 and, if so, impose an appropriate penalty;

1.8.6 The Secretary shall inform the student and the Chair of the relevant Board of Examiners of the decision of the School Disciplinary Committee. The student shall be informed of his/her right to appeal against this decision as per the procedure set out in section 4 below.

1.8.7 The Secretary shall be responsible for ensuring that a confidential record is kept of all cases notified under 1.7 and 1.8 above. The University is obliged to release details relating to academic discipline offences if these are explicitly requested by prospective employers as part of an academic reference or where disclosure is an obligatory professional requirement.

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<th>Deputy Vice Principal (Academic Affairs)</th>
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