

# Academic Malpractice

Policy and procedure

A blue-tinted photograph of two young women sitting together, looking at a tablet computer. The woman on the left is smiling slightly, and the woman on the right is looking down at the screen. The background is blurred, suggesting an indoor setting like a library or study area.

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# 1 Introduction

## Scope and interpretation

- 1.1 This Academic Malpractice Policy defines the College's approach to preventing, detecting, investigating and adjudicating upon academic malpractice by students. 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<sup>1</sup>. Advice can be sought from the College's Quality Assurance Office.
- 1.2 It is recognised that staff as well as students may commit Academic Malpractice. Any allegations of staff involvement in Academic Malpractice will be investigated and dealt with under the Pearson staff disciplinary procedures.

## Aims and principles

- 1.3 The primary dual purpose of this Policy is to promote ethical academic practice by all members of the College and to ensure the integrity of awards made by the College, its validating partners and awarding bodies.
- 1.4 The College aims to achieve this purpose by:
- (a) Educating students about the principles of good academic practice from the induction period onwards;
  - (b) Providing support to students to behave ethically;
  - (c) Minimising the risk of malpractice through education and the use of transparent methods of detection and prevention;
  - (d) Responding to any incident of alleged malpractice promptly, objectively and proportionately;
  - (e) Standardising and recording any investigation of malpractice to ensure openness, fairness and consistency;
  - (f) Imposing appropriate penalties where malpractice is proven.
- 1.5 This Policy is guided by the College's Values, which include a commitment to act with integrity and to embed this approach into all its activities. An understanding of ethics is included as part of the Learning Outcomes of all College undergraduate and postgraduate programmes.

# 2 Definitions

- 2.1 Academic Malpractice can take many forms. This Policy lists examples of types of Academic Malpractice but the list is not exhaustive, and the College may, at its discretion, conclude that other behaviour constitutes Academic Malpractice provided it falls within the overall definition. 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.

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<sup>1</sup> <https://www.kent.ac.uk/teaching/qa/credit-framework/index.html>

2.2 The following is a non-exhaustive list of types of Academic Malpractice, some of which are defined as follows:

- a. **Plagiarism:** reproducing in any work submitted for assessment or review (for example, examination answers, essays, project reports, presentations, dissertations or theses) any material derived from work authored by another without clearly acknowledging the source. Presenting work copied directly from another student without their knowledge.
- b. **Duplication of material (self-plagiarism):** reproducing in any submitted work any material used by that student in other work for assessment, either at this University or elsewhere.
- c. **Collusion:** conspiring with others to reproduce the work of others, including knowingly permitting work to be copied by another student. Collusion is distinct from contract cheating as it does not depend on a payment or payment in kind being made for the work.
- d. **Contract Cheating:** where a student (or a number of students collectively) pay a third party for services that result in the submission of work for assessment that is, either wholly or in part, not the student's own work. The payment may be financial or involve payments in kind. Where no payment is made the alleged offence should be treated as the offences of plagiarism, collusion or impersonation, as appropriate and as set out above.
- e. **Fabrication:** the falsification of data, evidence, quotations, citations or other information in any assessed work.
- f. **Impersonation:** allowing an individual or individuals to impersonate the student in an examination or other assessment event/activity.
- g. **Failure to obtain Ethical/Research Approval:** the failure to obtain ethical approval where there is a requirement to do so. Carrying out research without appropriate permission.
- h. **Misconduct in examinations and In-Course Tests:** including the use of unauthorised materials, mobile phones and other prohibited electronic devices, obtaining or offering improper assistance to another candidate.
- i. **Attempting to influence a member of staff:** seeking to gain an advantage with regard to work submitted for assessment by offering an examiner or teacher any inducement to treat that work more favourably.

2.3 Attempting to commit Academic Malpractice and assisting another to commit Academic Malpractice are also, in themselves, Academic Malpractice.

### 3 Good Academic Practice

3.1 The College introduces students to the principles of good academic practice during the induction period, shortly after they have registered on their Programme. Each School is responsible for ensuring that all students attend a specific session on good academic practice during the induction period, which is supported in context within each module. In addition to this, students will be offered a 'Good Academic Practice' Session each term.

3.2 The College's online library contains extensive materials to support students in their understanding of good academic practice and to develop their study skills. Students' attention is drawn to these materials during their library induction at the start of their Programme and

during their induction session on good academic practice. Tutors are also encouraged to remind students of this material at appropriate points in context within each module.

- 3.3 The College Handbook includes information about good academic practice, this Policy and the possible consequences of Academic Malpractice. Students are introduced to the College Handbook during the induction period.
- 3.4 In addition, the College employs Study Skills tutors who support students in good academic practice.
- 3.5 The College will deliver a session on how to spot academic malpractice to tutors during tutor training prior to an assessment period and at least once in an academic year.
- 3.6 Prior to submitting any item of Coursework, students are required to make a declaration that they are aware of the College's policies on good academic practice and referencing and that the work which they are submitting is their own.
- 3.7 The purpose of the measures described in this section of the Policy is to educate students about the importance of good academic practice, the practicalities of referencing and the potential consequences of Malpractice. It is intended that this should support students to behave ethically and comply with the norms of good academic practice.

## 4 Categories of Academic Malpractice

- 4.1 Within the Academic Regulations and this Policy, a distinction is made between minor, significant, and serious offences.
- 4.2 A minor offence is one in which:
  - (a) The student is unaware of the requirements of good academic practice or did not fully understand the type of behaviour which could be regarded as Academic Malpractice. This would, normally, be an acceptable consideration only for students in their first term of study – whether undergraduate or post-graduate; *and*
  - (b) There is evidence that it is a case of poor academic practice and there is no deliberate attempt to deceive or gain advantage; *and*
  - (c) The student has not committed a previous<sup>2</sup> act of Academic Malpractice
- 4.3 Significant or serious offences are acts of Academic Malpractice which do not fall within the definition of a minor offence. Whether an offence is significant or serious is determined by the scope of the offence and whether there was a deliberate attempt to deceive or gain advantage.

## 5 Procedure

### General

- 5.1 All summative written Coursework or take-home exams submitted by students for Assessment shall be submitted online and analysed by suitable plagiarism detection software, such as Turnitin.

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<sup>2</sup> Students must receive a formal written warning for a first offence, prior to a second offence being established.

- 5.2 If a member of staff suspects that a student has committed an act of Academic Malpractice, or receives a report of a suspected act of Academic Malpractice (for example, from another student) they shall report it promptly to the Academic Quality Officer and Student Services using the Academic Malpractice Report Form.
- 5.3 The College is responsible for ensuring that a central record is kept of all reports of Academic Malpractice and their outcomes (“the Malpractice Log”). This is important to ensure consistency of decision-making and so that it can be determined whether a student has committed a previous offence.
- 5.4 In the determination of outcomes under this process, the College is required to prove any allegation of Academic Malpractice on the balance of probabilities.
- 5.5 While an investigation of Academic Malpractice is pending, no results for the relevant Module will be released to the student and, if necessary, the Board of Examiners will be informed of the pending investigation so that it does not agree any provisional marks.

### Disciplinary Committee

- 5.6 Academic malpractice cases are investigated and determined by the College Disciplinary Committee. The Dean of each School can nominate up to six members of the academic staff to sit on the Disciplinary Committee. These will then be approved by the Review and Enhancement Committee as permanent members of the Disciplinary Committee.
- 5.7 The Review and Enhancement Committee will choose the Chair of the Disciplinary Committee from the members of the Disciplinary Committee. The Disciplinary Committee members will be set out in Annex 2 of this policy and will be reviewed annually together with this policy.
- 5.8 The PCL Student Association, in consultation with the Schools, will recommend a pool of four students, two from each School, towards the Disciplinary Committee. These will be approved by the Review and Enhancement Committee and will receive training organised by the Quality Office. Only one student from a different school to the student being investigated will sit on a Panel at any time.
- 5.9 An Academic Quality Officer shall act as Secretary and maintain appropriate records of all academic malpractice referrals.

### Formal procedure

- 5.10 The Academic Quality Officer, upon received the academic malpractice form from the tutor, will conduct initial checks, log the referral and forward the case to the Chair of the Disciplinary Committee for formal investigation.
- 5.11 Minor offences, unless contested, are reviewed and determined by the Chair of the College Disciplinary Committee. The Chair shall convene a Panel of the College Disciplinary Committee, as necessary, to hear and make determination on individual cases, normally of significant or major offences, e.g. collusion, impersonation, fabrication, contract cheating; or where the student contests a penalty.

### Case dismissed

- 5.12 If the allegation is found to be without foundation, no further action shall be taken and the incident will be recorded as such on the Malpractice Log so that it does not count as an offence for that student and is not referred to in any reporting or references. The student will be

informed about the outcome of the investigation in cases where a formal investigation has been launched.

### Treat as a Minor Offence

5.13 If the alleged offence is proven and is categorised as a minor offence by the Chair of the Disciplinary Committee, the Chair will determine an appropriate penalty, taking into account:

- (a) the seriousness of the offence;
- (b) any mitigating factors;
- (c) any aggravating factors, e.g. premeditation, recklessness, financial gain, influence of drugs or alcohol;
- (d) whether the student has previously been found to have committed any act of Academic Malpractice (whether a minor or major offence);
- (e) the principle that the student should not gain any benefit from Academic Malpractice, even if found to be unintentional;
- (f) whether the student is Level 4 and would benefit from education and support.

5.14 Typical penalties for minor offence are:

- (a) Attendance at a coaching session on good academic practice;
- (b) Re-attempt the relevant Assessment/s without penalty;
- (c) A formal warning;
- (d) A mark reduction to be applied for the Assessment affected;
- (e) A mark of zero to be awarded for the Assessment affected;
- (f) Re-attempt at the relevant Assessment/s for a capped mark.

These penalties may be applied in combination. A full list of available penalties can be found in Appendices A and B<sup>3</sup> of University of Kent's full regulations and credit framework document concerning academic malpractice and the Chair should determine the penalty in line with these.

5.15 The Secretary to the Disciplinary Committee will write to the student and set out the details of the allegation, the nature of the evidence, the proposed penalty and state that the proposed penalty 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 10 working 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).

5.16 Should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline of 10 working days, the penalty will be applied automatically and a formal warning issued. The Secretary will inform the Chair of the relevant

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<sup>3</sup> <https://www.kent.ac.uk/teaching/qa/credit-framework/index.html>

Board of Examiners of the decision. Students may appeal against this outcome in line with the grounds set out at section 6 below.

### Treat as a Significant/Serious Offence

- 5.17 If the Chair of the Disciplinary Committee determines that the offence should be treated as a significant or a serious offence, or a minor offence has been contested, a Panel of the Disciplinary Committee should be convened to consider the case.
- 5.18 When a Panel of the Disciplinary Committee is convened, the Chair will choose two further academic members and one student member, from the ones approved by the Review and Enhancement Committee, to sit on the Panel to hear the case, according to their suitability and availability. The Chair will ensure that Panel members are independent of the case and impartial towards the student.
- 5.19 The Academic Quality Officer, serving as a Secretary to the Disciplinary Committee, will inform the student about the academic malpractice investigation and will provide the student with any relevant evidence, this Policy and any relevant regulations. The student will be invited to respond to the allegations in writing by a set date.
- 5.20 The Panel may call witnesses, request additional evidence and, if appropriate, request a viva voce interview, as provided in Paragraphs 5.32 –5.42 below. The student is entitled to see all evidence available to the Panel and question any witnesses called. The student may also call witnesses and submit any evidence they wish to be considered at the hearing.
- 5.21 The Chair of the Disciplinary Committee might decide to invite the student for a Panel hearing to present their evidence. A date for the Panel hearing will be arranged and the student notified, with at least five working days' notice. The student will be invited to attend and told that they are entitled to be accompanied by one person of their choosing if they wish. As the hearing is not a legal proceeding, students are not allowed to be accompanied by a legal representative. At the hearing, the Panel will:
- (a) Decide whether the alleged offence is proven on a balance of probabilities;
  - (b) Categorise the offence;
  - (c) If proven, decide on an appropriate penalty;
  - (d) Give their reasons for each decision.
- 5.22 At the hearing, the Chair shall take steps to ensure that the student understands the allegation, is aware of this Policy and the relevant Academic Regulations and has a fair opportunity to put their case. The Chair will seek to ensure that the hearing is conducted in a professional and collegiate manner.
- 5.23 If the student does not attend the hearing without good cause, or waives the right to attend, the Panel may consider and conclude the case on the basis of the evidence.
- 5.24 If the alleged offence is not proven, the case will be dismissed and paragraph 5.12 will apply.
- 5.25 If the alleged offence is proven and it is categorised as a minor offence, the penalty shall be determined as per the provisions in, paragraphs 5.13- 5.16.



- 5.26 If the offence is categorised as significant or serious, the potential penalties set out in, paragraphs 5.27-5.28 shall be available to the Panel, which will determine the appropriate penalty, taking into account:
- (a) The seriousness of the offence;
  - (b) Any mitigation, e.g. early admission of the offence, cooperation with the investigation;
  - (c) Any aggravating factors;
  - (d) Whether the student has previously been found to have committed any act of Academic Malpractice (whether a minor or major offence);
  - (e) Whether the student is in their first term of study at the College;
  - (f) The principle that the student should not gain any benefit from Academic Malpractice, even if found to be unintentional.
- 5.27 Typical penalties are:
- (a) A formal warning;
  - (b) Attendance at a coaching session on good academic practice;
  - (c) A mark reduction to be applied for the Assessment or Module affected;
  - (d) A mark of zero to be awarded for the Assessment affected;
  - (e) A mark of zero to be awarded for the whole module;
  - (f) Re-attempt at the relevant Assessment/s with mark to be capped;
  - (g) Re-attempt the relevant Assessment/s without penalty;
  - (h) Reduce overall Stage mark by 10 percentage;
  - (i) Reduce classification by one or more class.
- 5.28 A full list of available penalties can be found in Appendices A and B<sup>4</sup> of University of Kent's regulations and credit framework document concerning academic malpractice and the Panel should determine the penalty in line with these. Where the Panel decides that the offence is very serious and/or has significant aggravating factors (e.g. offences like contract cheating, impersonation) and/or is a second or subsequent offence, it should ensure that the penalty or penalties which are applied create a less favourable outcome for the student concerned than would apply if the student had merely failed the Assessment or Module. Where the student is required to re-attempt Coursework, consideration should be given to issuing the student with a new Assessment Brief, so that the student is required to submit an entirely new piece of work, rather than having the option to revise the original piece of work which was found to be affected by Academic Malpractice.

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<sup>4</sup> <https://www.kent.ac.uk/teaching/qa/credit-framework/index.html>

- 5.29 After the Panel has met, the Chair will ensure that an accurate record of the hearing is produced which will include an account of the evidence presented, the student's response, the decision and the reasons for the decision.
- 5.30 The Secretary to the Disciplinary Committee will communicate the decision to the student and Student Services, including sending the student the record of the hearing. The Secretary will also inform the student about the appeal process.
- 5.31 Some Programmes of Study are accredited by Professional, Statutory or Regulatory Bodies ("PSRBs") or provide exemptions towards qualifications awarded by PSRBs or other awarding bodies. In some cases, the PSRBs require the College to notify them of any finding of Academic Malpractice against a student on the Programme. Such a notification can impact upon the student's ability to gain the accreditation or exemption or to achieve professional registration in due course. Where this is the case, students will be informed in their Programme Handbook.

### Viva Voce Interviews

- 5.32 The College recognises the threat from contract cheating to the integrity of higher education assessments and is committed to tackling this form of malpractice through *viva voce* interviews.
- 5.33 *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 Panel of the Disciplinary Committee for final decision;
- 5.34 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.
- 5.35 The Viva Voce Interview Panel will comprise:
- (a) the module leader for the module in question;
  - (b) another member of academic staff from the relevant subject area;
  - (c) 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, subsequently, be involved in the Panel of the Disciplinary Committee, and at least one of the two members must be independent of the student's case. The student may be accompanied by a friend or relative. A legal representative would not be permitted.

- 5.36 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.
- 5.37 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 the Panel of the Disciplinary Committee.

- 5.38** 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.
- 5.39** 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 5.41(c)). In such circumstances, the *viva voce* interview will only be re-scheduled if the student expresses a wish to proceed with the meeting.
- 5.40** 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.
- 5.41** A *viva voce* interview may not change a student's assessment mark. Following the meeting, the Panel may determine one of three outcomes:
- (a) 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,
  - (b) 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 Disciplinary 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 Panel of the Disciplinary Committee. The report may be used by the Panel of the Disciplinary Committee as evidence in their investigation. If the Panel decides to invite the student for an oral hearing, the Panel might decide to further question the student on the content of their submitted work.
  - (c) as provided in paragraph 5.36, issue an *inconclusive* outcome due to inability to conclude the *viva voce* interview. In such circumstances, the Panel of the Disciplinary Committee will make a determination on the case as if the *viva voce* interview never took place and without prejudice.
- 5.42** 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 Disciplinary Committee no later than 5 working days following the *viva voce* interview.

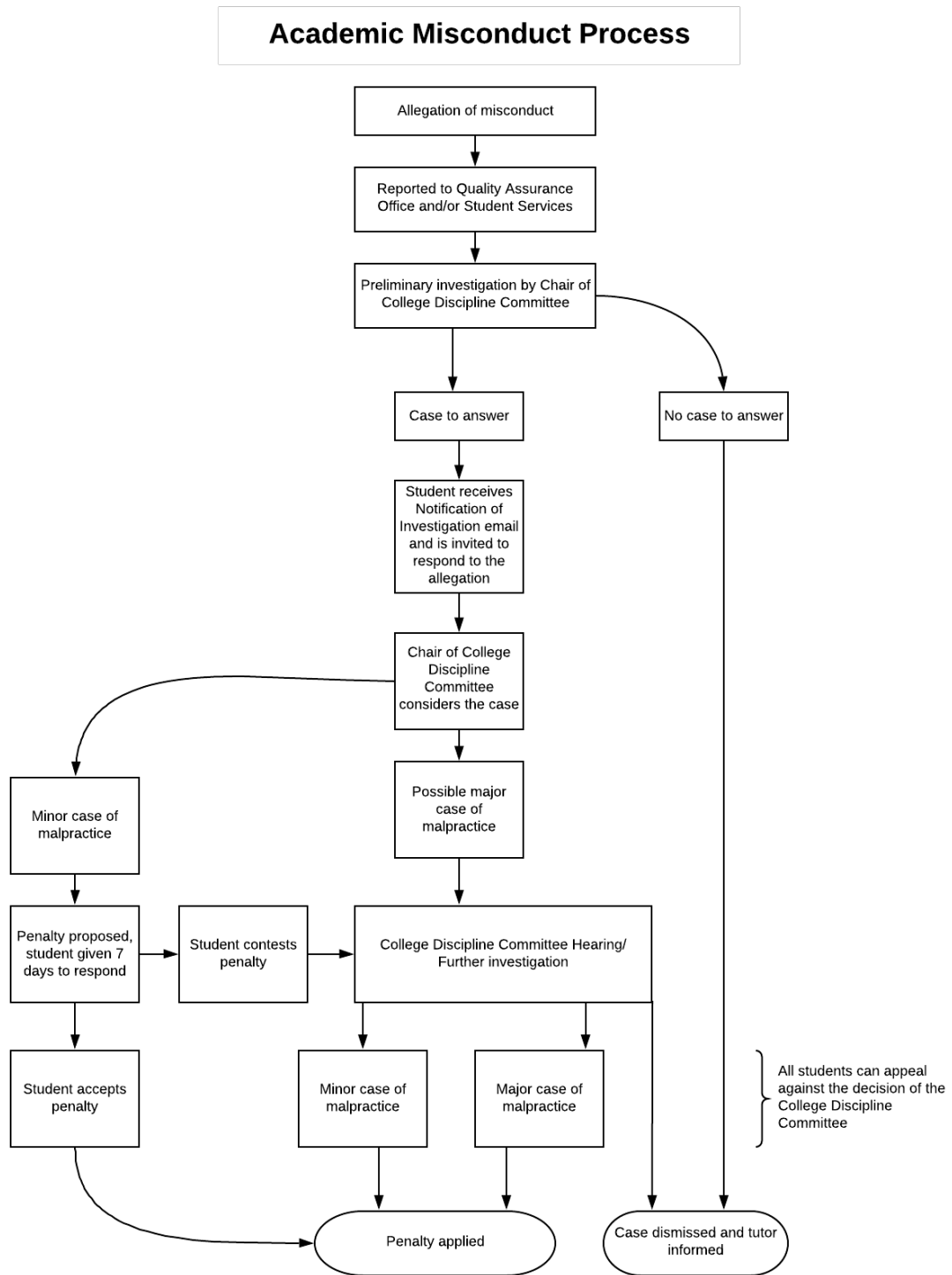
## 6 Appeals

- 6.1 A student has the right to appeal against a decision taken by the Disciplinary Committee under the College's Appeals Policy and Procedure<sup>5</sup>.

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<sup>5</sup> [https://www.pearsoncollegelondon.ac.uk/content/dam/region-core/uk/pearson-college/clean-up/documents-and-forms/Policy%20Documents/Academic\\_Appeals\\_Procedure.pdf](https://www.pearsoncollegelondon.ac.uk/content/dam/region-core/uk/pearson-college/clean-up/documents-and-forms/Policy%20Documents/Academic_Appeals_Procedure.pdf)

## Appendix 1



## Appendix 2

### Members of the Disciplinary Committee

Academic Members:

Student members:

Person responsible	Deputy Vice-Principal (Academic Affairs)
Approval date	March 2022
Version Number	V7
Effective from	Immediately
Approved by	Review and Enhancement Committee
Date of next formal review	June/July 2023
Status (Current or Post DAP)	Pre-DAP