

St Padarn's Institute Academic Misconduct Policy and Procedure



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ST PADARN'S INSTITUTE

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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 Equality and Diversity Policy
- St Padarn's Institute Data Protection Policy
- QAA UK Quality Code for Higher Education Advice and Guidance – Assessment. November 2018
- University of Wales, Trinity Saint David Academic Quality Handbook
- Cardiff University Academic Regulations Handbook
- Durham University Learning and Teaching 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

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

5. Definitions

- 5.1** 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.

5.2 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, using translation services, impersonation, and facilitation.

5.3 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.

5.4 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.

5.5 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).

5.6 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.

5.7 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.

- 5.8** Proof-reading is permitted except where the work's content and argument is changed by a third party so that it is no longer a true reflection of a learner's own work. Further guidance is provided by the validating universities and should be consulted prior to proof-reading taking place. For further information please contact your Personal Tutor or Registry.
- 5.9** Using Translation Services to translate work from a learner's first language into English is not permitted.
- 5.10** Impersonation is presenting work on behalf of someone else as if it were the work of the other individual.
- 5.11** Facilitation occurs when a learner provides [copies of their own](#) work, such as essays, to [intentionally](#) facilitate another learner's plagiarism, for example, by providing it to a peer [so that it can be copied](#).

6. Avoiding Poor Academic Practice

- 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. Further information on the role of the proof-reader can be found in definitive documentation provided by the validating university.

- 6.4** Learners with an acknowledged learning difference should discuss their proof-reading needs with the Tutor with responsibility for Learning Support or the Programme Leader.
- 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, they 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** (see [Appendix](#)) 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.
- 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.
- 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.

8.5.3 In the case of learners registered on programmes validated through Common Awards (Durham University):

- If it is suspected that a learner has breached the Academic Misconduct Policy, then a report detailing the evidence should be made immediately to the Chair of the St Padarn's Institute Board of Examiners (MA Programmes). The Chair will authorise a check of all the learner's work for the year, to see whether there is other evidence for similar behaviour. Where two examiners have been appointed to examine a piece of work the examiners should consult over the matter before the submission of a report. In the event of one of the examiners being the Chair then the Vice-Chair of the Board of Examiners should act in his/her place.
- If an external examiner suspects that a learner has breached the policy, they should consult with the internal examiner(s). The internal examiner should then prepare a preliminary report detailing the evidence; the report should be submitted immediately to the Chair of the Board of Examiners.

- If, in the view of the Chair of the Board of examiners (or their nominee), the report of the examiner(s) provides sufficient detailed evidence of an offence, a sub-group panel of the Board of Examiners, appointed by the Chair (or their nominee), shall be formed comprising the Chair (or their nominee) and two other members of the Board (but excluding the reporting examiner(s)) to consider the case.
- The learner(s) concerned are required to meet the panel together with the reporting examiner(s). The learner should normally receive at least **5 working days'** notice of the date of the meeting and should be told of its purpose. They should be offered the opportunity to be accompanied at the panel by a member of staff (for example, the learner's Personal Tutor). The learner may also be accompanied by a non-staff member for the purpose of providing support to the learner, at the discretion of the panel Chair.
- If the allegation is collusion both learners should normally be seen together, to enable them to hear the other learner's evidence against him/herself. Each learner may say his/her mitigation in private before the panel, with the proviso that the other learner will be given the opportunity to respond to any reference to him/her in the mitigation statement. In the case of final year learner where the case of alleged plagiarism or collusion is brought to light at the end of the degree programme it may be necessary to hold a meeting without the 5 days' notice, provided that the learner concerned agrees in writing to this procedure. This course of action may be necessary in order to permit the Board of Examiners the opportunity of considering the case without necessarily causing any delay to the normal process of consideration for the award of a degree to the learner concerned.
- Following the meeting, a written record of the meeting must be made immediately. A copy of the report will be sent electronically to the Common Awards Team as soon as possible. The Common Awards Team will forward the report to the relevant University Liaison Officer.

9. Penalties for Academic Misconduct

9.1 Penalties for proven academic misconduct for learners registered with the **University of Wales, Trinity Saint David or Cardiff University** will be applied by the appropriate University in accordance with their published sanctions.

9.2 Penalties for proven academic misconduct for learners registered on programmes validated through **Common Awards (Durham University)** will be decided using the following procedure.

9.2.1 At the end of the investigation meeting, the panel - excluding the reporting examiner(s) - must decide upon the quantitative and qualitative extent of alleged plagiarism or collusion.

9.2.2 The decision must be made in the light of: **(a)** the evidence presented; and **(b)** the account given by the learner including any mitigation offered. Based on this decision, the panel must agree on the appropriate action to be taken.

9.2.3 The panel's recommendation must be communicated to the learner in writing by the Chair of the Board of Examiners (or their nominee).

9.2.4 The panel's recommendation may be as follows:

- that no further action be taken, because, on the balance of probabilities, plagiarism or collusion or multiple submission had not taken place.
- that the Board apply for a concession or grace period on the learner's behalf, because, whilst there is clear evidence of plagiarism/collusion/multiple submission, due to exceptional mitigating factors, a punishment is inappropriate.
- that there is clear evidence of plagiarism/collusion/multiple submission and that the Board apply one of the following punishments (outcomes A to D):

- **A:** mark only the learner's own contribution to the work, or in the case of multiple submission, mark only the proportion of the work which complies with the Institute's guidance. (This may be most appropriate where the plagiarism /collusion /multiple submission is not extensive or it is a first-offence, or a first-year learner; or the Board accepts the learner's mitigation).
- **B:** award a mark of 0 for the work (this may be appropriate where the plagiarism /collusion /multiple submission is more extensive, the work makes a significant contribution to the module/programme as a whole, or it is a repeat offence or there is clear evidence of dishonesty) and permit the learner to resit/resubmit the piece of work with a mark capped at the pass mark (within the resit limitations set out in the Core Regulations for the Common Awards programmes).
- **C:** award a mark of 0 for the entire module in which the plagiarism/collusion/multiple submission occurred (this is the most severe punishment open to the Board of Examiners). The learner will be required to resit the entire module with a mark capped at the pass mark (within the resit limitations set out in the Core Regulations for the Common Awards programmes). The punishment should be used only in the most serious cases.
- **D:** that the level of misconduct goes beyond the examples cited in A-C and, therefore, it should be referred to Durham University as a possible major offence under the University's discipline regulations. In this case, the plagiarism panel should choose an academic outcome from A-C (above) and should contact the Common Awards Team as soon as possible to receive advice on progressing the case under the University's discipline regulations.

- Where one of the above recommendations is applied, a written report of the work submitted together with the learner's explanation and the Panel's recommendation should be presented to a meeting of the Board of Examiners for consideration. The Board should consult the external examiner(s) before making a decision about cases involving work submitted for final honours. The report should also be sent electronically to the Common Awards Team as soon as possible; the report will be forwarded to the relevant University Liaison Officer for review.
- In all cases in which the learner is not in the final Level of their programme of study or has other summatively assessed work to complete, an appropriate member of teaching staff must arrange a meeting, preferably in person, to counsel the learner on how to avoid infringing the assessment regulations in future. A note of the date and time of the meeting is to be kept in the learner's file.

9.3 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 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 **10 working days** of the date on which the letter informing the learner of the Chair's decision was sent.

10.3 For learners registered on programmes validated through Common Awards (Durham University):

- That the decision was not made in accordance with correct procedures as detailed in this policy.
- That there exists or existed, adverse circumstances affecting your academic performance and those making the decision were not aware of these adverse circumstances at the time the decision was made. There must be a good reason why these circumstances were not made known at the time that the decision was made.

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:

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. St Padarn's is a member of this scheme. If you are unhappy with the outcome, you may be able to ask the OIA to review your case. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong here: <https://www.oiahe.org.uk/students/>

You normally need to have completed the Academic Appeals procedure before you complain to the OIA. We will send you a letter called a "**Completion of Procedures Letter**" when you have reached the end of our processes and there are no further steps you can take internally. If your case is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your case is upheld or partly upheld, you can ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters/>

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.

15. Policy Communication

15.1 This document can be found on the Institute's website www.stpadarns.ac.uk and Moodle site.

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)		