



LINCOLN COLLEGE (OPEN UNIVERSITY VALIDATED PROGRAMMES)

ACADEMIC MISCONDUCT AND MALADMINISTRATION POLICY

POLICY CQ/PO/20/B

**SPONSOR
Head of Quality Improvement**

EQUALITY AND DIVERSITY STATEMENT

Lincoln College strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

LINCOLN COLLEGE

ACADEMIC MISCONDUCT AND MALADMINISTRATION

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LINCOLN COLLEGE

ACADEMIC MISCONDUCT AND MALADMINISTRATION

Lincoln College considers all issues of academic misconduct and maladministration to be of a serious nature. This policy will allow both staff and students to be aware of how these issues will be dealt with.

1 PURPOSE

The intention of this document is to provide a standardised approach to Academic Misconduct and Maladministration across all students and staff at Lincoln College.

2 AIMS

- 2.1 Identify and minimise the risk of academic misconduct/maladministration by staff and students.
- 2.2 Enable a prompt and effective response to any incident of any alleged academic misconduct/maladministration.
- 2.3 Standardise and record any investigation to ensure openness and fairness and alert awarding organisations when relevant.
- 2.4 Decide on appropriate penalties and/or sanctions relating to students and staff where academic misconduct/maladministration is proven. See appendix A for sanctions.
- 2.5 Protect the integrity and reputation of Lincoln College and the qualifications delivered.

3 INTRODUCTION

Responsibilities

- 3.1 Lincoln College is proactive in promoting a positive culture to enable individuals to learn responsibly, fairly and show respect for the work of others.
- 3.2 It is the responsibility of all students and colleagues to fully support and implement this policy.
- 3.3 This policy should be actively integrated within the students' programmes of study. To ensure assessment opportunities limit academic misconduct opportunity and use programme materials to highlight the seriousness of academic misconduct and the outcomes.
- 3.4 It is the students' responsibility to ensure the submitted work is their own and fully acknowledges the sources of information used. It is the learners' responsibility to declare their own work and ensure they do not embark on any form of cheating or other ways to gain an unfair advantage.

- 3.5 It is the assessors' responsibility to ensure the submitted work is the actual work of the student. It is the assessors' role to be vigilant for academic misconduct and maladministration and to highlight to their IQA when these occur.
- 3.6 The Internal Quality Assurer (IQA) is responsible for checking student work (through the internal verification process) and bringing to the attention of the Lead for that area in any instances of suspected academic misconduct or maladministration. The Head of Quality Improvement shall also be informed.
- 3.7 Head of Quality Improvement is responsible for any investigation into allegations of academic misconduct and maladministration.
- 3.8 The Quality Co-ordinator (QC) is responsible for informing the awarding organisations of all acts of suspected academic misconduct and maladministration that warrant an investigation into the allegation, as requested by the Head of Quality Improvement.

4 Academic Misconduct

Academic misconduct covers any deliberate actions, neglect, default or other practice that comprises the integrity of the qualification/certificate. This could include (but is not limited to) the following:

- 4.1 Cheating is any irregular behaviour during examinations, such as:
 - Unauthorised possession of notes.
 - Communicating with, or copying from another candidate.
 - Using programmable calculators, mobile phones, pagers or other equipment when this has been forbidden.
 - Unauthorised obtaining of examination papers.
- 4.2 Plagiarism is the passing off of another person's thoughts, ideas, writings or images as one's own (see section 23 OU regulations)
- 4.3 Collusion is fraudulently conspiring to gain advantage (see section 23 OU regulations)
- 4.4 Impersonation where a learner pretends to be someone else.
- 4.5 False declaration of authenticity in relation to a students' portfolio or coursework.
- 4.6 Misleading material that includes presenting data which has been invented or obtained by unfair means and/or re-submission in whole or in part, without proper acknowledgement, of any work for which the student has already gained credit as part of the same or another award.

5 MALADMINISTRATION

Maladministration is defined as any activity, neglect, default or other practice

that results in non-compliance of specified requirements and regulations for delivery of the qualification set out by the awarding organisation. This could include (but is not limited to) the following:

- 5.1 Continual failure to adhere to student registration and certification procedures.
- 5.2 Continual failure to adhere to centre recognition/qualification requirements, and/or associates assigned to the course.
- 5.3 Continual late student registration.
- 5.4 Inaccurate claim for certification.
- 5.5 Failure to maintain appropriate auditable records – e.g. certificate claim and/or forgery of evidence.
- 5.6 Withholding or delaying of information by deliberate acts or omission required by awarding organisation.
- 5.7 Inappropriate administration arrangements and/or records.

6 IDENTIFYING AND ADDRESSING ACADEMIC MISCONDUCT/ MALADMINISTRATION

Academic misconduct and/or maladministration can be identified in a number of different ways including, but not limited to, plagiarism detection services (for example Turn It In), Internal Quality Assurance processes, External Quality Assurance scrutiny or student/staff complaints. In all cases, the allegations will be taken seriously and given full consideration.

Procedure

Allegations of academic misconduct and maladministration will be dealt with either via a full investigatory procedure, undertaken by the Quality Improvement Unit.

Full Investigatory Procedure

- 6.1 ~~Where the person elects not to attend the interview under the summary procedure, or in the case of 6.7 above, +~~The Head of Quality Improvement will appoint an Investigating Officer to enquire into the facts of the case as soon as is reasonably practicable. The Investigating Officer will not subsequently be either wholly or partly responsible for determining the sanction.
- 6.2 The Investigating Officer will determine whether the allegations potentially constitute academic misconduct malpractice or maladministration, and if so, an investigatory meeting chaired by the Head of Quality Improvement will be established (see appendix B). The Investigating Officer may decide that there is no need to proceed with the full investigatory procedure.

- 6.3 The investigatory meeting will normally be arranged within 14 working days of the appointment of the Investigating Officer and the person involved will be given at least 3 working days' notice of the meeting. He or she will have the right to attend, be heard and to be accompanied or represented by either a fellow student of Lincoln College or Student Executive official or parent/guardian/next of kin/Union rep. Failure of the person who has had the allegation made against them to attend the meeting will not delay or affect the hearing of the case.
- 6.4 The Head of Quality Improvement shall forward his/her findings and recommendations to the college's Academic Affairs Committee for final ratification to be made (see appendix A for procedure and sanctions).
- 6.5 The student will be informed in writing of the decision of the Academic Affairs Committee within five working days.

7 RIGHT TO APPEAL

- 7.1 The appellant will have the right to appeal against the outcome of the full investigatory procedure. Appeals must be made to the Director of Performance and Planning and received within 5 working days of the date of the letter advising the appellant of the decision resulting from the investigatory meeting.
- 7.2 The Appeal Hearing will be arranged within 14 working days of the receipt of the appeal and the staff member will be given at least 3 working days' notice. The appellant will have the right to attend and be heard and to be accompanied and/or represented by either a fellow student of Lincoln College or Student Executive official or parent/guardian/next of kin.
- 7.3 The decision of the Director of Performance and Planning at appeal will be final.

8 ANNUAL REVIEW OF THE ACADEMIC MISCONDUCT AND MALADMINISTRATION POLICY

The Quality Standards Committee will review the Academic Misconduct and Maladministration Policy on an annual basis and make recommendations for its development.

Appendix A

Procedure and sanctions for Higher Education courses validated by the Open University

The procedure for dealing with alleged cases of academic misconduct for Higher Education students on courses validated by the Open University shall follow the sequence of events noted in section 6 of this policy. In such cases, the Head of Quality Improvement shall chair an investigatory meeting to draw to a close the summary investigation and forward his/her findings and recommendations to the college's Academic Affairs Committee for final decision.

In considering cases of academic malpracticemisconduct, the Head of Quality Improvement and the college's Academic Affairs Committee will evaluate:

1. **Intention:** To what extent was the incident premeditated by the student involved?
2. **Recurrence:** To what extent is the incident an isolated case? Have previous offences taken place?
3. **Scope:** What is the extent of the offence within the piece of submitted work?
4. **Academic theft:** To what extent has the student stolen others' formative or summative assessment pieces?
5. **Impact on others:** To what extent have other students, staff or other members of the academic community been affected by the incident?

Should the college's Academic Affairs Committee uphold the alleged case of academic misconduct, it shall apply one of the following outcomes:

1. Dismiss the case and with no sanction applied.
2. Apply no sanction but provide warning and guidance as to the student's future academic conduct.
3. The assessment item in question to be resubmitted by the student and marked to a maximum of a pass standard.
4. The assessment item in question to be awarded a mark of zero and the incident reported to the Board of Examiners.
5. All assessment items in the module to be awarded a mark of zero and the incident reported to the Board of Examiners.
6. All assessment items in the modules sat during the semester concerned to be awarded a mark of zero and the incident reported to the Board of Examiners.
7. All assessment items in the academic year concerned to be awarded a mark of zero and the incident reported to the Board of Examiners.

8. All assessment items in the academic year concerned to be awarded a mark of zero and the incident reported to the Board of Examiners, with no opportunity for reassessment or reenrollment.
9. Reduce the final degree awarded to the student by a single classification.
10. A student who is found guilty of having committed academic misconduct / maladministration may also be subject to action under the college Disciplinary Procedure.

Right to appeal

Students studying Higher Education courses validated by The Open University, have the **same** rights of appeal as noted in section 7 of this policy.

Appendix B

Procedure for Investigatory Meetings considering cases of academic misconduct /maladministration

During the meeting, adjournments may be requested by either party or by the Chairperson (either Head of Quality Improvement or his/her nominee) conducting the Hearing and will not be refused unreasonably. Where such a request is denied, an explanation will be given.

The Chairperson conducting the hearing will ask whether any new evidence has been made available that could not be circulated prior to the hearing and will make a judgement as to whether an adjournment is necessary to allow consideration of such evidence.

The Chairperson will introduce all those present.

Order of the meeting

- 1 The Investigating Officer (IO) will present the details of the allegation and a report on the investigation undertaken.
- 2 The student and his/her representative may question the IO.
- 3 The Chairperson may question the IO.
- 4 The IO may call witnesses and ask questions of them.
- 5 The staff student or representative may question the witness.
- 6 The Chairperson may question the witness.
- 7 The student and/or representative will present the case against the allegations and explain any special circumstances that may exist.
- 8 The IO may question the student.
- 9 The Chairperson may question the student..
- 10 The student and/or representative may call witnesses and ask questions of them.
- 11 The IO may question the witnesses.
- 12 The Chairperson may question the witnesses.
- 13 Should the Chairperson wish to clarify any issue with the student, IO or the witnesses, they will do at this point.
- 14 The IO will summarise the case against the student without introducing any new factors.
- 15 The student and/or representative will summarise the case against the allegation.

- 16 The student and their representative, IO and any other management representative will withdraw and the Chairperson will decide whether or not malpracticeacademic misconduct/maladministration has been committed.
- 17 If, in the opinion of the Chairperson an offence has been committed, they will take into account the following before deciding upon an appropriate disciplinary sanction:
- any mitigating factors, e.g. health, domestic, bereavement;
 - current warnings of the staff member/learner;
 - time at the college;
 - nature of the offence;
 - evidence produced by either party at the hearing;
 - statements and answers provided by witnesses;
- 18 Once that decision is made, the two parties will be recalled and advised of the decision.
- 19 The student will be advised of their right to appeal against the decision and informed who the appeal should be lodged with and in what timescale.
- 20 Written confirmation of the decision will be sent to both parties within 7 working days of the hearing.

Appendix C
Academic Misconduct and Maladministration Flowchart

