



## Academic Malpractice Policy

<b>Policy no:</b>	3.00	<b>Version number</b>	V2.2
Version date	May 2024	Next review	May 2025
Produced by	Compliance Team	Approved by	Academic and Quality Board
<b>External reference points</b>	UK Quality Code for Higher Education 2024 Principle 10 - Supporting students to achieve their potential Principle 11 - Teaching, learning and assessment		

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## **1. Background and Purpose**

This policy describes the Academy's approach to complaints about academic misconduct. Concerns about non-academic student conduct shall be considered under the Student Disciplinary Policy, the Fitness to Study and Practice Policy, or any other relevant policies and procedures as applicable. The Academy reserves the right, for justice or public health and safety, to modify its policies on academic misconduct. The Academy will fulfil its legal obligations during this process, which includes its duty of care, following the Equality Act of 2010, making reasonable accommodation for students with disabilities, and abiding by the Data Protection Act of 1998.

The Academic Malpractice Policy and Procedures offer students and staff clear guidelines on identifying, avoiding, and addressing academic malpractice. It outlines the actions students and staff should take when academic malpractice is suspected or confirmed.

## **2. Aims and Objectives**

This policy aims to ensure that students and faculty understand academic malpractice and how to avoid it. The objectives specifically include:

- Define various types of academic misconduct.
- Explain the process of raising concerns regarding academic misconduct.
- Outline the steps involved in investigating concerns of academic misconduct.
- Identify potential consequences or penalties for academic misconduct.

## **3. Application**

The Academic Malpractice Policy applies to every student upon their acceptance into a programme at LCK Academy. A student, in this context, refers to anyone who has signed a Student Declaration with LCK Academy, including full-time, part-time, and short-course attendees across all Academy locations. This policy is applicable at all times and is not restricted to events that take place on Academy property, during term time or those that are only associated with Academy operations. It is expected of students associated with LCK Academy to abstain from any academic misconduct as defined by this policy.

The Academy differentiates between poor academic practice, which is usually ascribed to inexperience or a lack of knowledge, and academic malpractice. The Academy regards this distinction as one of academic judgement. Academic staff members will provide assistance and feedback to students who have demonstrated poor academic practice. This policy will address issues related to academic misconduct.

## 4. Definition of Academic Malpractice

The actions below are examples of conduct that, if proven, would usually be considered academic misconduct:

- a) Plagiarism is described as the deliberate or careless presentation of another person's words or ideas as one's own. It also involves paraphrasing or using direct citations of written or unwritten material without giving due credit to the original author. Please note that you can also plagiarise yourself, which means copying something you have written and submitted before as if you had written it for the first time.
- b) Submitting written assignments generated by Artificial Intelligence software under the pretense that it is the student's own work.
- c) Cheating is described as dishonest or deceptive behaviour intended to gain an academic advantage. It includes falsifying information and cheating in examinations.
- d) Collusion is defined as assisting or attempting to aid another student of the Academy in obtaining an undue academic advantage.
- e) Impersonation refers to a situation where an individual takes an exam or assessment on behalf of another person by falsely claiming to be that person.
- f) Acquiring or buying work from a different individual or organization and submitting it under one's own name.
- g) Violations of any norms, procedures, rules, or guidelines of the Academy pertaining to academic work or evaluation.

Failure to comply with a decision taken under this procedure may constitute Malpractice and may be referred for consideration under the Student Disciplinary Procedure.

## 5. Artificial Intelligence (AI)

The Academy applies the following principles in relation to Artificial Intelligence (AI).

- Students and staff may use AI as a tool to support learning, but they must use it appropriately and ethically. Students should follow the guidance of their Tutor when using AI for specific tasks.
- When using AI, the user must take responsibility for checking that all the information is accurate.
- If a Tutor permits a student to use AI for a specific task or activity, the student must never present the work generated by AI as if it were their own. This would be treated as Academic Malpractice and penalised in the same way as Plagiarism. Students must clearly state where they have used AI to support their work.
- If a Tutor or Assessor believes that a student may have presented work generated by AI as if it were their own work, the Tutor or Assessor may ask the student to attend a Viva.

During the Viva, the Tutor or Assessor will ask the student questions to determine if they understand the content and whether the work presented is the student's own work or not. If the Tutor/Assessor believes that the student has presented work generated by AI as their own, they may refer the student to the Academic Malpractice Board below.

## **6. Academic Malpractice Board (AMB)**

The Academic Malpractice Board reports to the Academic Board and consists of the following members:

- Head of Exams and Assessments (Chair)
- Head of Programme(s)
- Unit or Module Leader
- Registry Officer (Secretary)

The Secretary to the Academic Malpractice Board will maintain records of the proceedings and the conclusions of any cases handled under this procedure.

The AMB convenes exclusively in response to accusations of academic misconduct. The AMB is responsible for the following:

- a. Assessing the evidence to decide whether an accusation needs to be investigated.
- b. Making sure that an accusation of academic malpractice is investigated if necessary.
- c. Deciding whether a student has committed academic malpractice and what if any penalties should be issued.

## **7. Reporting of Concerns**

A report of suspected Academic Malpractice, as described earlier, should initially be brought to the attention of the Academic Malpractice Board (AMB) by a lecturer or tutor. The AMB appoints an Investigating Officer (IO) to assess if the concern falls within the boundaries of this procedure and may collect additional information to prepare a report for the AMB. The IO will usually be a member of the AMB and must not be the lecturer or tutor who reported the suspected Academic Malpractice to the AMB.

## 8. Initial Decision of the AMB

- a) If the issue falls outside the parameters of this procedure, the AMB can choose to dismiss it or refer it for review under any other applicable policy or procedure of the Academy.
- b) If a student's initial submission shows a high level of similarity, the AMB might consider it as **poor academic practice** instead of plagiarism. In such instances, the AMB might issue a warning to the student. Students who meet the **learning outcomes** will not have to resubmit their work or have their result capped at a **Pass** just because there are examples of poor academic practice in their work. No further action will be taken apart from a warning. However, students who meet the learning outcomes but were found to have committed **academic malpractice** as opposed to **poor academic practice** may have their work capped at a pass of face some other penalty.
- c) If the issue falls under this procedure's purview, the AMB will determine the appropriate action based on the Directory of Academic Malpractice Penalties provided below.
- d) If the issue is considered too complex to make a prompt decision, AMB may assign one of its members to be an Investigating Officer (IO) and investigate the matter in more depth.

## 9. Investigation

The Investigating Officer (IO) will initially contact the student(s) involved via email to inform them about the investigation and will typically proceed with one of the following actions:

- a) Notify the student about the specific issue raised, explain the purpose of the investigation, and furnish them with a copy of this procedure.
- b) Notify the student that if they fail to participate in the investigation, which includes attending requested meetings, the investigation may proceed without their presence.
- c) Send a copy of this message to the student's Head of Programme(s) as well.

The inquiry may involve collecting written, verbal, and other information from relevant sources. The Investigating Officer might ask to meet with the student multiple times during the investigation process, usually to:

- a) Let the student know ahead of time why they will be attending any such meetings.
- b) Notify the student of any such meetings at least **five working days** in advance.
- c) Notify the student of their right to be accompanied and/or represented at any meetings of this nature.

During the investigation, records will typically be maintained of any meetings conducted with the student. The student will have access to a copy of these notes.

If deemed suitable, the Investigating Officer might ask the student to submit a written response addressing the concerns and providing supporting evidence. The student is usually given a period of ten working days to do this.

Once the investigation is complete, the Investigating Officer will prepare a report along with any pertinent information for review by the Academic Malpractice Board (AMB). A copy of the report will be shared with the student as well.

## **10. Referral to the Academic Malpractice Board (AMB)**

The AMB will do one of the following after receiving the report from the Investigating Officer:

- a) Issue a penalty following the Directory of Academic Malpractice Penalties.
- b) Disregard the concern and refrain from proceeding with any additional actions.
- c) If the concern is related to poor academic practice, it will be disregarded, and the student will be warned about future practice and given sources of guidance and information.
- d) Refer the issue to the Investigating Officer so that they can investigate it further.
- e) Forward the issue to another Academy policy or procedure for review.
- f) Give the student a warning and take no further action if it is deemed to be less serious, which may include situations in which the student has no prior history of academic misconduct.
- g) Refer the matter for consideration to an Academic Malpractice Hearing if it is deemed to be more serious, which may include situations in which a student has engaged in academic misconduct in the past.

## 11. Academic Malpractice Hearings

The AMB may need to hold an Academic Malpractice Hearing. When more than one student is involved in a case, the AMB will decide whether the cases of all the students should be heard by the same panel or by separate panels, and during separate panel sessions.

The Chair of the AMB will reach final decisions regarding the admissibility of evidence presented during a hearing and all procedural matters related to the conduct of the hearing.

The Secretary to the AMB will notify the student at least **5 working days** before the date of the Academic Malpractice Hearing and state in writing (email) the following:

- a) The hearing's date, time, and location as well as the AMB members' names.
- b) The right of the student to be represented and/or to be accompanied at the hearing.
- c) A copy of this procedure.
- d) An official declaration outlining the Academy's position and the student's alleged academic misconduct, citing this policy and procedure.
- e) A copy of the evidence and paperwork in support of the allegation is to be provided to the AMB.
- f) The right of the student to invite witnesses to testify at the hearing.

The student will be asked to submit a written response to the Academy about their case and the accusation of Academic Malpractice before the hearing. This submission should be sent to the Secretary of the AMB no later than five working days before the scheduled hearing date, along with information about any witnesses they intend to call.

If a student chooses not to acknowledge the hearing date or submit a written response in advance, the hearing may still proceed as scheduled.

A student can request to the Secretary of the AMB that the hearing be postponed, provided they have a valid reason supported by evidence. The Chair of the AMB may also decide to postpone the hearing based on the Secretary's recommendation or other factors. The final decision to postpone a Hearing, rests with the Chair of the AMB.



After completing its review of the case, the AMB often does one or more of the following:

- a) Dismiss one or more of the accusations, either because the accusation had no merit or that the claim was unfounded and decide that no other action is necessary.
- b) Determine if the student engaged in academic misconduct and whether one or more of the accusations have been proven.
- c) Determine whether the accusation is related to poor academic practice; if so, it will be rejected, and the student will receive a warning about their future behaviour as well as guidance to resources for advice and information.
- d) Communicate the case to another Academy policy or procedure for review.
- e) Revert the case to a previous phase of the process.

If the AMB finds the allegation to be true, it will decide on the appropriate penalty from the Directory of Academic Malpractice Penalties below. The AMB Secretary will send a written notification to the student, typically within 5 working days after the decision, detailing the outcome, and explaining the reasons for the AMB's decision.

The Head of Programme(s) will also be notified of the outcome of the Academic Malpractice Hearing.

If the AMB imposes a penalty, the student may use the appeals process outlined below to request an appeal of the ruling.

## 12. Directory for Academic Malpractice Penalties

The AMB may select one of the following penalties depending on the severity of the Academic Malpractice

<b>Academic Malpractice</b>	<b>Examples</b>	<b>Penalty</b>
The first minor offence*	Evidence of plagiarism or AI for 30% of work	An informal warning supported with development activity and additional support for the student
The second minor offence	Evidence of plagiarism or AI for 30% of work	Assignment awarded 0% - resubmission required with mark capped at a Pass
The first medium offence	Evidence of plagiarism or AI for 31%-50% of work	Assignment awarded 0% - resubmission required with mark capped at a Pass
A second medium offence	Evidence of plagiarism or AI for 31%-50% of work	Assignment awarded 0% - resubmission required, mark capped at a Pass and possible suspension from Academy
A first major offence	Evidence of plagiarism or AI for 50% - 100% of work  Evidence of paying an Essay Mill  Submitting someone else's work as your own	Suspension from the Academy. Assignment awarded 0% - resubmission required, with mark capped at a Pass
A second major offence	Evidence of plagiarism or AI for 50% - 100% of work  Evidence of paying an Essay Mill  Submitting someone else's work as your own	Expulsion from the Academy

\*Minor offences may be defined as poor academic practice, such as unintentionally incorrectly describing methods, data collection and/or analysis, poor referencing, uncredited quotations, inappropriate paraphrasing and incorrect or incomplete citations, particularly if there is reason to believe that the student has not yet fully grasped the normal academic practices in these fields. In these cases, the AMB may dismiss the misconduct while issuing a warning to the students.

### 13. Appeals

A student may file an appeal for one or more of the reasons listed below:

- a) If the student believes that a procedural irregularity has occurred.
- b) If the student believes there was bias on the part of the decision-maker or decision-making body.
- c) If the student believes that the decision or penalty is disproportionate and/or unreasonable.
- d) If the student can show there is new evidence that was previously unavailable for a valid cause.

The student must submit their appeal in writing to the **Appeals Panel** within **10 working days** from the date they receive the written notification of the decision they wish to appeal against. In the appeal, the student should clearly state the reasons or grounds on which they are basing their appeal. The Appeals Panel includes the following members:

Academic Dean (Chair)  
Head of Academy Advancement  
Head of Quality

If an appeal is submitted after the 10-day period and no valid reason for the delay is provided by the student, the Appeals Panel may reject the appeal and issue a Completion of Procedures Letter.

The Appeals Panel will review the appeal and may refer to additional relevant documents as needed. The Appeals Panel may also seek advice from a designated staff member who has not been previously involved in the case.

The Appeals Panel will take one of the following actions:

- a) The student may be invited to a meeting to discuss the appeal if the Appeals Panel deems it suitable.
- b) Reject the appeal in full or in part.
- c) Maintain the appeal, in part or whole.

The Appeals Panel will do one or more of the following when an appeal is upheld, either in full or in part:

- a) Decide that the student does not need to face any more penalties.
- b) Choose an alternative penalty from those listed in the penalties table below.

When imposing any of the penalties listed in the Directory of Academic Malpractice Penalties above, the Appeals Panel may consider any mitigating factors that the student may have provided. The penalty that is imposed will be appropriate in relation to the circumstances.

The Appeals Panel will give the student written notice of the case's conclusion and the rationale for its decision, usually within five working days after the decision. A Letter of Completion of Procedures will be sent out as needed. Note that the Appeal Panel's decision is final.

#### **14. Office of the Independent Adjudicator**

Decisions made under this policy can be reviewed by the Office of the Independent Adjudicator for Higher Education (OIA), an independent organization dedicated to examining student complaints and appeals. Further details about the OIA can be found at <http://www.oiahe.org.uk/>. The OIA can be reached at 0118 959 9813 or [enquires@oiahe.org.uk](mailto:enquires@oiahe.org.uk). If relevant, students will receive a Completion of Procedures Letter along with instructions on how to request a review from the OIA regarding a decision made under this procedure.

## Appendix 1: Academic Malpractice Flow Chart

