



Union School of Theology Academic Misconduct Policy and Procedure

Approved by UST Academic Board 17-01-2018

Policy due for Academic Board Review – June 2019

1. CONTENTS OF POLICY

- 1 Contents of Policy
- 2 Policy Framework
- 3 Introduction
- 4 Mitigating Circumstances
- 5 Definitions
- 6 Avoiding Poor Academic Practice
- 7 Detection of Academic Misconduct
- 8 Procedure on Detection of Academic Misconduct
- 9 Penalties for Academic Misconduct
- 10 Appeals Procedure
 - 10.1. First Internal Appeals Procedure
 - 10.2 Second Internal Appeals Procedure
 - 10.3 Appeal to External Bodies
- 11 Equal Opportunities
- 12 Data Protection
- 13 Responsibilities, Policy Approval and Review
- 14 Policy Communication
 - Appendix 1: Plagiarism Reference or AMBeR Tariff
 - Appendix 2: Poor Academic Practice/Academic Misconduct Report Form

2. POLICY FRAMEWORK

This policy has been developed in accordance with the following regulations, policies and procedures. This list is not exhaustive:

- [Union School of Theology \(UST\) Programme Handbooks](#)
- [UST learning Support Policy](#)
- [UST Extenuating Circumstances Policy](#)
- [UST Equal Opportunities Policy](#)
- [UST Data Protection Policy](#)
- [QAA 'UK Quality Code for Higher Education – Chapter B6: Assessment of Students and Recognition of Prior Learning'](#) and B9 Academic Appeals and Student Complaints

- [Open University Handbook for Validated Awards](#)

3. INTRODUCTION

3.1 Union School of Theology takes very seriously all cases of academic misconduct. Students who gain improper advantage threaten the values and beliefs that underpin academic work and devalue the integrity of the School's awards. Academic misconduct, whether discovered at any stage of a student's programme of study, or following graduation, will be investigated and dealt with appropriately by the School. 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, students at UST are expected to act honestly in regards to the work they submit for assessment.

5.2 Academic misconduct means any improper activity or behaviour by a student, whether intentional or not, which may give that student, or another student, an unpermitted advantage in a summative assessment. Academic misconduct can include plagiarism, cheating, collusion, contract cheating. Inappropriate proof-reading, using translation services.

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 student'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 student's own;
- Copying of data.
- 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 student.
- Recycling essays/assignments/material for assessment from the student'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.

Within this definition, the School differentiates between 'initial plagiarism' and 'repeated plagiarism'

- a. Initial plagiarism normally refers to cases where a student is subject to these procedures for the first time. If a student has been accused of plagiarism, but the results of the investigation are not yet known or have not been communicated to the student, then each case will be dealt with as an act of initial plagiarism until the results of all investigations are known.
- b. Repeated plagiarism refers to cases where a student who has already been dealt with through these procedures and found guilty of plagiarism is found to have plagiarised at a later occasion. Persistent borrowing of other people's work without citation is obviously repeated plagiarism and is regarded as cheating.

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 students in advance are known as 'open' papers.)

5.6 Collusion is the unauthorised and unattributed collaboration of students or other individuals in the composition of a piece of assessed work. For instance two or more students producing a piece of work together with the intention that at least one passes it off as their own work. Students are encouraged at UST 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 students about what is and is not an acceptable level of collaboration between students 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 student 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 student 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. Students 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, students will be penalised under these procedures.

5.8 Proof-reading occurs where work is reviewed and its content or argument potentially changed by a third party so that it is no longer a true reflection of a student's own work.

5.9 Using Translation Services to translate work from a student's first language into English is not permitted

5.10 Other examples of academic misconduct include the use of inadmissible material and disruptive behaviour.

6. AVOIDING ACADEMIC MISCONDUCT

6.1 Academic misconduct may occur whether by intention, unintentionally or due to inexperience. However, it is a student'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 School appreciates that there are different cultural understandings of what constitutes unacceptable academic behaviour, nonetheless all students receive the same instruction and guidance on avoiding academic misconduct and all students are therefore judged by the same standard, as outlined in this policy.

6.3 Where a student has an acknowledged learning disability, a proof-reader may be used to ensure that the student'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.

6.4 Students with an acknowledged learning disability should discuss their proof reading needs with the Academic Registrar.

6.5 New students are required to attend the study skills sessions at the beginning of their programme of studies, which include guidance on proper referencing, as well as providing guidance on academic misconduct. (Students are required to sign a statement to confirm that they have understood the definition of academic misconduct and that all work which they will submit for assessment will be their own unaided work, observing the established expectations in submitting work for assessment.)

6.6 Students 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 School VLE.

6.7 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 student. Assignments provide a vehicle for assessing performance and contribute to the overall result. However they also assist students in understanding their subject and aid a student's learning. When students attempt to use ideas and terms independently, students learn more thoroughly and develop their own writing style. Students are likely to perform better in examinations if they have learned how to write their own answers to questions in assignments. 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 counter-productive to the goal of understanding subject matter and to real achievement. Most students will not wish to take such a negative approach to studying and UST does not tolerate it.

7. DETECTION OF ACADEMIC MISCONDUCT

7.1 The School uses plagiarism detection software to assist in the process of detecting academic misconduct, specifically, plagiarism.

7.2 Where plagiarised material is included in assignments, lecturers 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 lecturer 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 Academic Malpractice Assessor (AMA) as soon as possible, with supporting evidence. The AMA is normally the Programme Leader.

8.2 The AMA shall review the issue with a small panel 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 AMA is of the opinion that poor academic practice has occurred, s/he will:

- a. give the student an informal warning, and
- b. instruct them on how to avoid the offence in the future;
- c. complete the *Poor Academic Practice/Academic Misconduct report form* which must be signed by the AMA and Module Lecturer.

8.4 Poor academic practice is not considered to be academic misconduct. However, any subsequent offence of poor academic practice by the same student is likely to be considered as academic misconduct and treated accordingly.

8.5 Where the AMA is of the view that there is a case of academic misconduct, specifically, plagiarism, the AMA shall complete the Academic Misconduct Report form and will:

- a. meet with the student, presenting the evidence.
- b. outline the penalty, in accordance with the AMBeR Tariff.
- c. complete the Academic Misconduct report form which must be signed by the AMA and Module Lecturer.
- d. retain a copy of the assignment and completed report form in the student's file.
- e. report the matter to the Board of Examiners

8.6 The AMA has the right to summon a student to hand in any previous pieces of work which had 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 AMA will act as outlined above.

8.7 If the student denies committing plagiarism, the AMA shall report the case to the Provost who will be provided with all relevant documentations and supporting evidence.

8.8 The Provost may follow the procedures set out in the School [Code of Conduct and Disciplinary Process](#) in the following circumstances:

- a. in severe cases;
- b. in cases where the student is being accused of plagiarism for a second time;
- c. in all cases where, if proven, this could lead to the termination of a student's registration. In such cases reference will be made to the School's [Termination of a Student's Registration Policy](#).

8.9 In all of the above cases the AMA will keep copies of all relevant student work, correspondence and decisions made, so that these may be made available to the student concerned, the External Examiners and the relevant Programme Board of Examiners.

8.10 Where any other type of academic misconduct has been established, the Programme Leader should judge the significance of the academic misdemeanour and exercise its discretion as appropriate to the case when applying the penalties available to them in the AMBeR Tariff. If it is established that a student has attempted to gain an unfair advantage, the examiners have the authority to rule that the student has failed part or all of the assessments and determine whether or not the student should be permitted to be reassessed.

9. PENALTIES FOR ACADEMIC MISCONDUCT

9.1 All penalties for proven academic misconduct operate on the assumption that, in line with the School assessment guidance, all students have had the opportunity to acquire an understanding of academic misconduct as part of their Programme of study; this applies especially to plagiarism and inaccurate academic referencing.

9.2 Penalties for proven poor academic misconduct or plagiarism will be given in accordance with the AMBeR Tariff which is a points based penalty system for Higher Education institutions. The AMBeR Tariff is attached to this policy as an appendix. Misconduct at examinations will attract the same level of points as the highest level of plagiarism.

10. APPEALS PROCEDURE:

10.1 First Internal Appeals Procedure:

- a. Appeal grounds: A student may only appeal on the grounds that the School did not follow its own procedures correctly.
- b. If the student feels their appeal fulfils these grounds they must do so by completing the *Formal Academic Appeal Form* and submitting it to the Programme Leader of the relevant programme within 14 calendar days of receipt of the marks. The *Formal Academic Appeal Form* can be found as an appendix to the [Academic Appeals Policy](#) document on the UST website and Union Cloud VLE. This form should clearly set out the reasons for the appeal and include, where possible, documentary evidence.
- c. The Programme Leader shall, within 14 working days, consider the appeal, in consultation with the Academic Dean and determine whether there is a *prima facie* case. They may ask questions for clarification from various different parties. For example, they may invite the student to join the meeting to present his/her case. The student can choose to be accompanied by, or represented by a supportive friend at these meetings with the Programme Leader and Academic Dean. A formal detailed record will be kept of the proceedings.
- d. In the perceived absence of a valid case to answer, the Programme Leader and Academic Dean will explain fully to the student the reasons behind the original

decision and provide them with the reasons in writing. This response will include any actions required by the student or the School to follow up and implement that decision.

- e. If, conversely, there is a case to answer, the Programme Leader and Academic Dean will submit the appeal with all appropriate documentation to the members of the Programme Committee for discussion and final decision. The student will then be informed of the Programme Committee's decision in writing by the Programme Leader within one calendar month of receiving the completed appeal form.
- f. The student may withdraw a formal appeal in writing without prejudice at any time during the procedure. Any decision made by the School at the previous stage in the procedure will then be upheld and become the final outcome.

10.2 Internal Review Procedure:

- a. If the student believes that their academic appeal to the Programme Leader has not been dealt with fairly or in accordance with the School's published procedures, a request for a review may be directed to the Provost by:
 - Submitting a signed and completed *Formal Review of Appeal Decision Form* to the UST Complaints Officer within 14 calendar days of receiving the judgement of the appeal. The form can be found as an appendix to the [Academic Appeals Policy](#) document on the UST website and VLE. This form should clearly set out the reasons for the appeal and include, where possible, documentary evidence.
 - Explaining on the form how or why the School academic appeals processes failed to satisfy them, beyond a simple disagreement with the outcome.
 - Providing any additional supporting evidence with, where appropriate, an explanation of why this was not submitted with the original complaint. Without a reasonable explanation, further evidence will not be accepted.
 - The form should be submitted to the Complaints Officer, who is the Academic Registrar.
- b. The Provost will arrange for the Review of Appeal to be heard by someone who was not involved in the original investigation and this will occur within 30 days of receipt of your completed form and supporting evidence. You will be informed in the event that there is going to be any unavoidable delay.
- c. The Provost will inform the student of the outcome of the review in writing, and with the reasons given. They will also be informed of any further appeal process which may still be available to them.

10.3 Appeal to External Bodies

- a. 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 School's final decision if the School has either not followed its own procedures properly or it has not dealt with a complaint fairly.

b. The resolution of a complaint will include any options available for appealing to another body either within the School or externally. External options include appealing to the Open University and the Office of the Independent Adjudicator. However, none of these options are available to students until after they have first exhausted the School's own complaints or appeals procedures.

10.3.1 Appealing to the Open University:

a. The School is a partner of the Open University. As the body which validate our awards, the OU is interested in the concerns of all students undertaking those programmes. If, after going through our own internal procedures (which have been approved by the OU), the student still feels their concerns have not been properly addressed, they may approach the OU and make a formal appeal or complaint with them, if they have sufficient grounds according to the OU regulations. These can be found in the Open University Handbook for Validated awards on the Union Cloud VLE and also on the UST website. Alternatively the Open University can be contacted directly by email: OUVP-Director@open.ac.uk, by phone: 01908 332840 or by post: The Director, Centre for Inclusion and collaborative Partnerships, Walton Hall, Milton Keynes, MK7 6AA, UK.

b. In order to appeal to the Open University a student must:

i. Request a 'Completion of Procedures' letter from the School within one month of the conclusion of our internal processes if their complaint/appeal is upheld. If their complaint or appeal is not upheld the completion of procedures letter will be issued automatically within 28 days of the completion of the internal processes. This letter can be requested from the Academic Registrar of the relevant programme. Appeal within 3 months of the receipt of the Completion of Procedures letter.

ii. Follow the Open University's own procedures (see previous paragraph).

10.3.2 Appealing To The Office Of The Independent Adjudicator:

a. Once a student has completed all the internal UST and the OU procedures in relation to an Academic Appeal, if still they remain dissatisfied with how the appeal was handled, they may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) by contacting them at: www.oiahe.org.uk. The OIA was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme'. All Higher Education Institutions in England and Wales are required to comply with the scheme, which is free to students. However the OIA can only consider unresolved

complaints from students about academic matters *after* the School's own complaints and appeals procedure and that of the OU has been concluded.

b. The complaints which the OIA will consider include, but are not limited to:

- Academic Appeals
- Extenuating Circumstances
- Teaching and Facilities
- Accommodation
- Research supervision
- Welfare
- Discrimination (but see * below)
- Bullying and harassment
- Placements
- Procedural irregularities
- Unfair practices
- Disciplinary matters – including plagiarism.
-

* In considering issues related to discrimination the OIA does not act as a court. It does not investigate or make legal findings in the same manner as a court. However, it is appropriate for the OIA to refer to the law and guidance on discrimination to form an opinion as to good practice and to decide whether the provider has acted fairly.

c. The OIA cannot consider complaints/appeals concerning:

- Admissions
- Academic judgement
- Matters which are already are or have been the subject of Court or Tribunal proceedings, unless the proceedings have been 'stayed' or adjourned.

d. In order to appeal to the OIA, the student will need to:

- i. Request a 'Completion of Procedures Letter' from the School to submit with their appeal to the OIA. This must be requested within one month of the complaint or appeal being upheld. If their complaint or appeal is not upheld the completion of procedures letter will be issued automatically within 28 days of the completion of the internal processes. This letter can be requested from the Academic Registrar of the relevant programme after the complaints procedure has been completed.
- ii. Complete the OIA's own complaint form, which is available from www.oiahe.org.uk.
- iii. Submit their appeal to the OIA within twelve months of the date of their Completion of Procedures letter.

11. EQUAL OPPORTUNITIES

Academic misconduct will be considered impartially. The School makes every effort, in accordance with its '[Equal Opportunities Policy](#)' to ensure that students 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 UST.

12. DATA PROTECTION

- 12.1. Records of any investigation into academic misconduct are kept in accordance with the General Data Protection Regulation. See the [UST Data Protection Policy](#) for details.
- 12.2. In line with the terms of the General Data Protection Regulation, students are entitled to a copy of all their personal data held by us. All requests should be made to the Academic Registrar.

13. RESPONSIBILITIES, POLICY APPROVAL AND UPDATING

13.1 This document, as well as all other policy, procedure and guidance documents relating to students studying at UST, will be available to all, monitored regularly and reviewed and evaluated periodically.

13.2 The Provost and the Programme Leaders have overall responsibility for the academic misconduct policy, including its approval and annual review.

13.3 They also have responsibility for overseeing the academic misconduct process and ensuring that decision making complies with Open University regulations.

14. POLICY COMMUNICATION

14.1 This document can be found on the School VLE and on the School website.

14.2 Every effort will be made to respond to any request to provide this policy in a different format.

14.3 This policy will be included in staff and student induction.

15 APPENDICES:

- 1 Plagiarism reference or AMBer Tariff
- 2 Poor academic practice/academic misconduct report form:

APPENDIX 1 - THE PLAGIARISM REFERENCE TARIFF (ALSO KNOWN AS THE AMBER TARIFF)

PLAGIARISM REFERENCE OR AMBeR TARIFF
The AMBeR Tariff was devised in an effort to ensure that, all students, regardless of which university or other higher education establishment they attend, should receive the same penalty for the same academic misconduct offence.
Union School of Theology applies the AMBeR Tariff in accordance with Open University regulations and QAA Quality Code B6: Assessment of Students and the Recognition of Prior Learning
Plagiarism Reference Tariff Copyright © 2009-2010 learning LTD plagiarismadvice.org

THE PLAGIARISM REFERENCE OR AMBeR TARIFF

1. Assign points based on the following criteria

HISTORY	
1 st Time	100 points
2 nd Time	150 points
3 rd /+ Time	200 points

AMOUNT / EXTENT	
Below 5% AND less than two sentences	80 points
As above but with critical aspects* plagiarised	105 points
Between 5% and 20% OR more than two sentences but not more than two paragraphs	105 points
As above but with critical aspects* plagiarised	130 points
Between 20% and 50% OR more than two paragraphs but not more than five paragraphs	130 points
As above but with critical aspects* plagiarised	160 points
Above 50% OR more than five paragraphs	160 points
Submission purchased from essay mill or ghost writing service	225 points

* Critical aspects are key ideas central to the assignment

† Some institutions may consider this to be a separate form of academic malpractice

LEVEL / STAGE	
Level 1	70 points
Level 2	115 points
Level 3/Postgraduate	140 points

VALUE OF ASSIGNMENT	
Standard weighting	30 points
Large project (e.g. final year dissertation)	60 points

ADDITIONAL CHARACTERISTICS

Evidence of deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection 40 points

2. AWARD PENALTIES BASED ON THE POINTS

PENALTIES (Summative Work)

In all cases a formal warning is given and a record made contributing to the student's previous history

Points	Available Penalties
280 – 329	<ul style="list-style-type: none"> No further action beyond formal warning Assignment awarded 0% - resubmission required, with no penalty on mark
330 – 379	<ul style="list-style-type: none"> No further action beyond formal warning Assignment awarded 0% - resubmission required, with no penalty on mark Assignment awarded 0% - resubmission required but mark capped or reduced
380 – 479	<ul style="list-style-type: none"> Assignment awarded 0% - resubmission required but mark capped or reduced Assignment awarded 0% - no opportunity to resubmit
480 – 524	<ul style="list-style-type: none"> Assignment awarded 0% - no opportunity to resubmit Module awarded 0% - re-sit required, but mark capped or reduced Module awarded 0% - no opportunity to re-sit, but credit still awarded
525 – 559	<ul style="list-style-type: none"> Module awarded 0% - re-sit required, but mark capped or reduced Module awarded 0% - no opportunity to re-sit, but credit still awarded Module awarded 0% - no opportunity to re-sit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn
560+	<ul style="list-style-type: none"> Module awarded 0% - no opportunity to resit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn

PENALTIES (Formative Work)

280 – 379	Informal warning
380+	Formal warning, with record made contributing to the student's previous history

Appendix 2 - POOR ACADEMIC PRACTICE/ACADEMIC MISCONDUCT REPORT FORM

Student Name:		Student No.	
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 student admitted the offence?		YES/ NO	
2. Is this the student's first offence?		YES/ NO	
3. Has the student been given an informal warning?		YES/ NO	
4. Has the student been instructed on how to avoid the practice in future?		YES/ NO	
ACTION TAKEN in the case of Academic Misconduct:			
1 Does the AMA consider there is a case to answer?		YES/ NO	
2 Has the AMA met with the student and discussed the evidence?		YES/ NO	
3 Has the penalty been communicated to the student?		YES/ NO	
4 Has the student admitted the allegation?		YES/ NO	
5 Where the student denies the allegation has the case been referred to the Provost?		YES/ NO	
6 Has the assignment and report form been kept in the student's file		YES/NO	
PENALTY CALCULATION FOR ACADEMIC MISCONDUCT			
Points for History:		Comments:	
Points for Amount/Extent:			
Points for Level/Stage:			
Points for Value of Assignment:			
Points for Additional characteristics:			
Total Points:			
PENALTY AWARDED (as per AMBeR Tariff)			
SIGNED (Signature followed by printed name):			DATE:
AMA (obligatory):			
Module Tutor (obligatory):			
Provost (only required in cases referred to the Provost):			