



Academic Malpractice Policy and Procedure (Theology)

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055/22	Extensively rewritten and updated. Incorporates 'Academic Misconduct Protocol and Guide for staff'. Name change to relate to Theology programmes only.	5/9/22	



Academic Malpractice Policy and Procedure (Theology)

Introduction

1. The purpose of this document is to state Spurgeon's College (the College) policy on academic malpractice for students on theological programmes and courses. It sets out the procedures staff should follow if they suspect a theology student has committed academic malpractice.

Section 1 Policy Statement

2. The College values a culture of honesty and mutual trust in its academic endeavours (academic integrity) and expects all members of the College, staff and students, to respect and uphold these core values
3. Students at the College are part of an academic community that values integrity, honesty, fairness, respect and trust and are expected to take personal responsibility for their work and its academic integrity.
4. The College takes academic malpractice very seriously and regards the use or attempted use of unfair means to enhance performance or to influence the standard of award obtained as a serious disciplinary matter that may incur a range of penalties, including exclusion.
5. The College aims to educate students on how to develop good academic writing skills.
6. Ignorance of College procedures or guidelines on referencing will not of itself constitute a defence to an accusation of infringement.
7. It is the responsibility of the student to take reasonable precautions to guard against unauthorised access by others to their work, both before and after assessment.
8. The College will act fairly in all its malpractice procedures. In practice this means that the student should receive full information of the case against them and adequate warning of the date of any hearing so the student can prepare. All parties should hear each other's perspectives and clear reasons for decisions taken will be communicated promptly. Those making the decision must be unbiased and decisions taken must be demonstrably reasonable and not irrational.

Scope

9. This document applies to all student assessments which must be completed in order to receive an award for a theology course offered by the College. Work submitted for formative assessment is expressly excluded from its provisions.
10. These procedures are applicable to the preparation and presentation of all assessed work irrespective of the form that assessment takes.
11. The College's Fitness to Practise procedures may also be applied to students who are on professional courses whose actions are considered under this policy. There are significant risks to the public if students graduate into some professions with inadequate professional skills. The College has a responsibility to ensure that individuals admitted into professions on the basis of their degree qualifications have the levels of honesty and integrity that the public expect of that profession.

Definitions

12. Academic malpractice is any activity – intentional or otherwise - that is likely to undermine the integrity essential to scholarship and research. It includes plagiarism, collusion, contract cheating, fabrication or falsification of results, and anything else that could result in unearned or undeserved credit for those committing it. Academic malpractice can result from a deliberate act of cheating or may be committed unintentionally. Whether intended or not, all incidents of academic malpractice will be treated seriously.

Plagiarism

13. Plagiarism is the presentation, intentionally or unwittingly, of the ideas, work or words of other people without proper, clear and unambiguous acknowledgement. It includes the copying of the work of any other person, including another student, and the submission, in whole or in part, of a student's own work.
14. Self-Plagiarism is the submission, in whole or in part, of a student's own work, where that work has been submitted for a different assessment, either at the College or at a different institution. Students who use a previous piece of work or publication in a future piece of work should ensure that they properly reference themselves. As students cannot be awarded credit for the same work twice, the extent of referencing one's own work should be minimal.

Collusion

15. Collusion may include instances where a student:
 - knowingly submits as entirely their own work that was undertaken in collaboration with another person without official approval;
 - collaborates with another student in the completion of work which they know is intended to be submitted as the other student's own unaided work;

- knowingly permits another student to copy all or part of their own work and to submit it as that student's own unaided work. Both the copier and the provider of the work are liable to be penalised.
16. The College does, however, allow collaboration where students work in groups as part of their programme of research or in the preparation of projects and similar assessments. The expectations and marking of the work should be made clear by the person setting the work and students should ensure that they are able to identify their contribution to the piece of work in group submissions.

Contract cheating

17. Contract Cheating is a specific form of academic malpractice, where a student submits work for assessment having used one or more of a range of services provided by a third party where such input is not permitted. Such services are often paid for by the student as part of a contract with a third party.
18. Contract Cheating may include the use of essay writing services or essay mills, but also covers the provision of material that is non-essay based such as portfolios, wikis or blogs. Such material may be provided by a professional service or by a person known to the student and may be a paid or unpaid service. The receipt of, purchase or intention to purchase, material from a third party to use in full or in part in any form of assessed work is always considered malpractice.
19. Contract cheating includes *Ghost Writing*. Ghost Writing by another person is when someone else writes or produces any work (paid or unpaid) that a student submits for their assessment, either fully or partially. This is fraudulent behaviour and is serious academic misconduct.

Fabrication

20. Fabrication or falsification of data or results by individual students or groups of students is the presentation or inclusion in a piece of work of figures or data which have been made up or altered and which have no basis in verifiable sources; this may or may not involve other instances of academic malpractice.
21. Falsifying data or material includes:
- falsifying the data or material presented in reports or any other assessment.
 - falsely purporting to have undertaken experimental or experiential work or to have obtained data about such work undertaken by others.
 - the fabrication of references or a bibliography.

Impersonation

22. Impersonation is the assumption by one person of the identity of another person with intent to deceive, either in an examination or other forms of assessment.

Cheating in exams

23. Cheating in exams or other time-constrained assessment is another form of academic malpractice. It entails the possession of unauthorised material or the use or attempted use of unauthorised or unfair means. Specifically, it is an offence to:

- copy from the work of another candidate, or allow copying from one's own work;
- obtain assistance from another candidate, or provide assistance to them, by whatever means;
- impersonate another candidate, or allow oneself to be impersonated;
- introduce any written or printed material into an examination room (unless expressly permitted by the regulations for that assessment);
- introduce any electronically stored information into an examination room (unless expressly permitted by the regulations for that assessment);
- use a mobile phone or similar electronic device;
- disrupt the examination room by causing undue noise or disturbance;
- talk, pass written communication or make social media contact with any person other than a properly authorised invigilator or another authorised member of staff during the examination;
- deliberately destroy any notes or rough working which you make during the course of the examination;
- gain access to any unauthorised material relating to an examination during or before the specified time.

24. For those taking examinations online, it is an offence to:

- Confer with anyone during the examination
- Take copies of the test questions (written or screenshot)
- Share details of the examination with anyone
- Ask for support to complete the examination
- Work with others to complete the exam
- Share their work
- Post exam questions to a model answer site (even if the answers provided are not used)
- Respond positively to a request for help with questions, even if the questions are not seen.
- Be an observer to a group chat about the exam whilst it is ongoing

By submitting their answers, students are confirming that it is their own work.

Proof reading and copyediting services

25. While using proof reading and copyediting services, paid or unpaid, may not always constitute a form of cheating, it depends on the scale of the work undertaken. For example, major changes by a third party which lead to students submitting work which is substantially different from what they originally wrote is not legitimate. While students may ask someone to read through their work and

suggest changes, such changes must be implemented by the student to ensure that the submitted work is the student's own.

Indicators of types of academic malpractice

26. Indicators of types of academic malpractice may include (but are not limited to) the following:

- A significant block or numerous blocks of material or copied text expressing ideas or concepts taken from the work of others without appropriate acknowledgement or citation. This can include material which is:
 - not appropriately contained in quotation marks;
 - referenced in a bibliography but not cited properly;
 - copied from others and which has been subjected to minor or superficial linguistic changes and presented as the student's own work, with or without citation.
- Collusion between students as evidenced by structure, sources, a significant block or numerous blocks of copied text (including copied text subjected to minor or superficial linguistic changes).
- Blocks of copied illustrations, computer code, graph, diagrams or other resource taken from another student or the work of others without appropriate referencing.
- Results or data which cannot be substantiated on the basis of the material submitted by the student.

Poor academic practice

27. Poor academic practice involves poor citation practice, where there is evidence that the student did not apply the appropriate rules of academic writing and/or where the extent of copied material is so limited that it does not meet the level of significance such that it can be considered academic malpractice. Instances of poor academic practice normally stem from a misunderstanding of academic conventions or sloppiness in presentation.

Institutional responsibilities

28. The College will endeavour to design and structure assignments to reduce the likelihood of academic malpractice. This may include:

- Making assignments interesting and defining and explaining them clearly.
- Making assignments unique and using specific, narrow topics.
- Revisiting and revising assignment topics regularly, and ensuring that they are current (i.e., they require the use of newer resources).
- Setting varied assessments where students are asked questions on their understanding e.g., presentations or group work
- Emphasising that assignments must move beyond the presentation of facts to reflection, discussion and evaluation.
- Setting a series of due dates for the various steps of the assignment, for example, outline, rough draft, annotated bibliography, final paper.

- Having students submit a research diary or reflection piece for the assignment. For example, including all information resources consulted, what was learned from doing that section of the assignment.
29. The College will take reasonable steps to ensure that all students, whatever their level or mode of study, understand the academic standards and requirements they must follow. This may be through study skills sessions, induction sessions, within programme handbooks, on the College website and on Moodle. It is the student's responsibility to engage with the advice provided by reading the information and attending induction sessions
30. The College will always make clear that:
- acts of academic malpractice are not acceptable in any circumstances; and
 - where such acts are shown to have occurred, an appropriate penalty will always be applied.
31. Although students may present evidence of mitigating circumstances (which may be taken into account when determining the penalty to be applied) students should bring such circumstances to the attention of the College at the earliest possible opportunity so that the College can consider offering appropriate help. Lack of time, or too much work, do not constitute mitigating circumstances.
32. The College will, when determining a penalty to be imposed as a consequence of academic malpractice, take account of the consequences which the penalty will have for the academic progression of the student concerned.

Section 2 Procedure

Introduction

33. Cases of poor academic practice are dealt with by individual tutors.
34. All suspected cases of malpractice are referred by tutors to the Academic Malpractice Officer, who is designated by the Principal to ensure that the process of dealing with academic malpractice within the College is correctly managed and consistent.
35. The College's malpractice procedure is conducted through Malpractice Panels, Malpractice Tribunals and Malpractice Appeals Boards:
- Malpractice Panels normally hear first-time cases;
 - Malpractice Tribunals hear first-time cases that appear serious and all subsequent cases and appeals lodged against decisions made by a Malpractice Panel;
 - Malpractice Appeals Boards hear appeals lodged against decisions made by a Malpractice Tribunal (except where the Malpractice Tribunal was convened to consider an appeal).

36. On the recommendation of the Academic Malpractice Officer, and in exceptional circumstances, serious first offences may be referred directly to a Malpractice Tribunal.

Distinguishing between poor academic practice and academic malpractice

37. Poor academic practice includes:

- inadequate referencing, e.g., failure to repeat footnote references each time a text is drawn on
- an incomplete bibliography, which as a result of carelessness fails to include sources mentioned in the main text and references, or gives inadequate or inaccurate information about them
- isolated examples of the omission of quotation marks from quotations (i.e., cases where it is clear that sloppiness or a misunderstanding of academic conventions is to blame)
- close paraphrasing of a phrase or sentence of someone else's material without direct and immediate acknowledgement (again, brief and isolated examples, where the source is referenced properly elsewhere in the work)
- limited collusion between students as evidenced by structure, source or copied text; this includes cases where the written work is original throughout
- failure to give a complete record of the sources drawn on (e.g., omitting reference to the secondary source when using secondary quotations).

38. Academic malpractice includes:

- Referencing, where that inadequacy vitiates the integrity of the work
- a bibliography that omits texts drawn on in the main body of the work (compounding the failure to cite them in the main text and/or references)
- more than isolated examples of the omission of quotation marks from quotations
- close paraphrasing of phrases or sentences of someone else's material without direct and immediate acknowledgement (anything more than isolated examples where the source is referenced properly elsewhere)
- extensive misuse of secondary quotations
- copying the work of another student, or submitting material from 'essay banks/mills' (contract cheating)
- collusion, impersonation, fabrication and cheating in exams.

Instances of malpractice will always be referred to the Academic Malpractice Officer.

Detecting Academic Malpractice

39. The onus is on the College to establish that malpractice has occurred. The standard of proof is the balance of probabilities. This means that, for a finding of malpractice to be supported, based on the information presented, it is more likely than not that the student engaged in academic malpractice.

40. Tutors can employ various detection methods to gather evidence of suspected academic malpractice. These include:

- Turnitin reports
- Use of internet search engines or electronic databases
- Searching essay mills or file sharing sites
- Use of online reference sources
- Metadata captured from within a submitted document or file.
- Consulting hard copy textbooks.
- Other detection software (for example, those that employ stylometry and linguistic analysis).

41. While some cases of plagiarism are easy to detect, others are more difficult to identify. The following are clues that may signal that the student's work should be examined closely or investigated further:

- Citation styles and bibliographic citations are inconsistent and mixed or non-existent. The College referencing guidelines have not been used.
- The work is clearly written, or in the case of non-written work, produced, at a level beyond the student's usual abilities and may include advanced vocabulary, jargon or combined formal and informal language.
- The document/submission contains a mix of spellings or regionalisms.
- Inconsistencies from one submitted assignment to another, for example, one piece of work being far superior.
- The references used throughout the document/submission are dated (e.g., all more than five years old). Such cases may indicate that the work was purchased through an essay writing service or written by another student. An excessive number of inactive websites may also indicate that the paper is old.
- References are made to tables, diagrams, pieces of text or citations when none of this content is reflected in the document/submission.
- References are made to obscure journals or books to which the tutor believes the student may not have had access
- The topic of the submission is inconsistent with the one assigned, or with the learned course content.
- Parts of the document/submission are inconsistent with each other, and the writing style changes from section to section.
- When asked, the student cannot produce any research notes for their work or summarise the main points in the document/submission.

42. Students submit written summative assignments as Word documents through the College's Moodle platform. All submissions are subject to checking by Turnitin, a web-based text-matching tool, which is widely used in UK universities. Turnitin searches the current and archived internet, and papers submitted by other students, to identify similarities between online text and the assignment submission. It produces an "originality report" expressed in percentage terms, identifying suspected sources. This report is examined by tutors.

43. All Turnitin reports require interpretation by tutors concerned. For example, there may be a high similarity rating in the report, but no malpractice has been committed because all quotations have been correctly marked as such. Tutors do not rely solely on the Turnitin report, but also employ other detection methods as outlined above.
44. If appropriate, and with the agreement of the Academic Malpractice Officer, tutors can interview students about their assignment submissions in order to gather information to evidence suspected academic malpractice. This is particularly appropriate when tutors notice a sudden change or improvement in a student's submission and wish to establish that the student has a good grasp of the work that they submitted. If tutors are not satisfied with the student's responses, they will complete the Academic Malpractice Tutor Report Form and record the interview findings as evidence for the Academic Malpractice Officer to consider in line with the normal processes.

Process when poor academic practice is evident

45. When poor academic practice is evident in written assessments, the marking tutor will mark the piece of work as normal but will forward to the Registrar a Poor Academic Practice Feedback Form which will be sent to the student by registry on mark release day. In cases of doubt, where the piece of work lies on the border of poor practice and malpractice, the tutor will consult with the Academic Malpractice Officer. The awarded mark will reflect the poor practice elements as the assessment marking criteria explicitly include marks for presentational elements (e.g., the use of quotation marks, adequate referencing, and the provision of a complete bibliography).
46. A completed Poor Academic Practice Feedback Form provides the student with information about the nature of their poor practice, and they are given the opportunity to arrange a meeting (face to face or online as appropriate) to discuss the piece of work with their unit tutor. The student may also be referred to the Learning Enhancement Department for additional advice and support.
47. It is usually helpful for tutors to include in their feedback comments a statement that indicates that the mark awarded has taken into consideration the poor practice contained within the essay.
48. All marking is undertaken anonymously but the Registrar will lift anonymity when Poor Academic Practice Feedback Forms are received so that students can be sent the forms on mark release day. Tutors can lift anonymity once they have uploaded the mark and their comments onto Moodle; this enables them to offer appointments to students to discuss the poor practice.
49. The Registrar will save issued Poor Academic Practice Feedback Forms on Sharepoint. This will alert staff to continued poor practice cases.

Referral process when academic malpractice has been detected

Essay based summative assessment

50. Tutors should save a copy of the essay showing the TurnItIn originality report and print it out.¹ They can then highlight the sections of the essay which contain examples of malpractice and annotate the script as appropriate. It may be necessary to copy and annotate pages from textbooks, course notes and other sources not detected by Turnitin to supplement the case for malpractice.
51. Tutors will write up a report of their findings using the 'Academic Malpractice Tutor Report Form', providing supporting evidence that has been discovered and indicating the location of suspected instances of malpractice. The tutor will then pass their evidence and completed form to the Academic Malpractice Officer.
52. Tutors should use the following abbreviations when they mark-up essays:
- WFW for word for word plagiarised text
 - LR for lightly reworded sections
 - P for paraphrased sections not referenced
53. Examples of documents that may constitute evidence are:
- an annotated copy of the assignment (showing Turnitin report, other plagiarised text and tutor feedback on the assignment if appropriate)
 - a printout of the annotated plagiarised source(s)
 - a printed textbook, course notes or source material
 - other electronic sources detected
 - metadata captured from within a submitted document
 - the Academic Malpractice Tutor Report Form
 - examples of the student's normal writing style
 - evidence of submission to an essay mill or similar
 - evidence of third party editing
 - report on any interview which has been held (if appropriate)
54. Tutors should normally record a pre-penalty mark at the conclusion of their feedback comments in cases where malpractice is localized and restricted to one portion of the assignment. This would indicate the notional mark that the portions of the work uncontaminated by malpractice would have received. This pre-penalty mark can sometimes guide members of Panels/Tribunals when they wish to impose a penalty of mark reduction rather than a mark of zero in relatively minor cases of malpractice.

¹ This can be done by selecting the print icon (normally at bottom left of the screen) and download/save the file. If working from an iPad the file must be saved and emailed to a computer with a printer in order to print it. It is not possible, at present, to print from a College issued iPad unless the user has Airprint. The document should be saved in the format in which the essay was submitted (not the PDF version) if a tutor wants to make additional comments/highlight text electronically.

Dissertations/Long Essays/Project Reports/Theses

55. If academic malpractice is suspected in a thesis, dissertation or similar piece of work, the work should continue to be marked or assessed to gather evidence of the extent of the alleged malpractice. The formal examination process should then be suspended, and the result withheld pending an investigation.
56. The examiner(s) should refer the case to the Academic Malpractice Officer using the Academic Malpractice Referral Form and accompanying it by the evidence collated.

Other Summative Assessment

57. If academic malpractice is first suspected during a viva, then the examination should continue, as this will allow discussion that may evidence the extent to which the work is that of the student. The examiners should thereafter produce a statement, cross referring to the viva and written work, in keeping with the above procedure for written assessment.
58. Academic malpractice in non-essay assignments should follow the process for essay-based assessment as far as possible (without the use of Turnitin if irrelevant). The evidence submitted will vary according to the type of assessment.
59. If malpractice appears in a group submission, then the group will normally be expected to take collective responsibility for the work and will be called to the same disciplinary hearing, unless individual members are able to:
 - identify who contributed the element containing malpractice and/or
 - distinguish their contribution from that of other members of the group.

Examinations

60. Students are informed prior to the start of examinations that they should not have any unauthorised materials on their person. This might include any electronic device, revision notes or anything else which could give them an unfair advantage in the examination compared to their fellow students. The material need not be pertinent to the examination for it to be unauthorised.
61. Some material may be permitted for an examination, but this will have been confirmed to the student in advance of the examination.
62. Invigilators monitor the conditions of an examination, including the detection of unauthorised material or devices, impersonation, and copying work of other candidates.
63. Where any cheating is detected, the preliminary details of this should be recorded, including the time and nature of the cheating. Where unauthorised material is detected, the invigilator should include the type and content of the material, the time it was found, the examination title and start time etc. Often

students are asked to leave the examination at the point unauthorised material is detected whilst the above details are obtained and the material is confiscated, but they may later be allowed to return to complete the examination in the time remaining.

64. Invigilators who suspect cheating or impersonation should complete the Academic Malpractice Report Form and refer it to the Academic Malpractice Officer as soon as possible.
65. The student will then be asked to attend a post-examination interview with the Academic Director or other senior member of staff. At the interview additional information will be sought from the student.
66. If it is agreed that it is likely that an offence has been committed, then the case will be referred to a Malpractice Tribunal for appropriate consideration and disciplinary action.

Contract cheating

67. If there is a reasonable suspicion that a student may have commissioned a piece of work from a third party, but there is no direct evidence of this, then in agreement with the Academic Director a *viva voce* can be arranged to give the student the opportunity to demonstrate that they:
 - Produced the work;
 - Undertook the reading and research themselves;
 - Undertook the preparatory work themselves; and
 - Understand what they have written.
68. If a *viva voce* is to be conducted it should normally take place within 30 days after the assessment feedback deadline.
69. The student should be given at least five working days' notice of the requirement to attend the *viva voce*. An explanation of what a *viva voce* is, the purpose of it and the potential outcomes should be outlined in the invitation. It should be made clear that the *viva voce* is arranged due to the detection of potential academic malpractice and it is to allow the student an opportunity to demonstrate that the work is their own; it will not contribute to any mark obtained for the piece of work.
70. Two members of academic staff (at least one of whom must be a subject specialist) must conduct the *viva voce*; this will normally be the Academic Director and the examiner of the assessment.
71. The student may be accompanied by a person of their choice for support only (normally a fellow student or member of staff). Legal representation is not permitted. Any individual accompanying the student should under no circumstances participate in the *viva voce*.
72. Reasonable adjustments must be made to ensure that candidates with

additional support needs are not disadvantaged for reasons relating to a long-term medical condition, sensory impairment, specific learning difficulty and /or disability.

73. The *viva voce* will not normally exceed 30 minutes and should normally be held in person. In exceptional circumstances the *viva voce* can be conducted via Zoom/video link.
74. Intensive questions are expected in the *viva voce*. The questions asked should provide the student with the opportunity to demonstrate that the work is their own.
75. An accurate record of the *viva voce* should be taken; this record may be used to form the evidence base for any future disciplinary hearing. It may be necessary for a member of the professional staff to be present at the *viva voce* to make the record. The student is entitled to have a copy of the record.
76. The *viva voce* can have one of two outcomes:
 - i. The staff conducting the *viva voce* will confirm that they accept that the student wrote the work in question; no further action will be taken. The work should then be marked on its own merit, if it has not already been marked.
 - ii. If the staff conducting the *viva voce* still remain doubtful of the authorship of the work in question, or the student admits that it is not their work, then the case should be referred for consideration by a malpractice panel or tribunal. Any malpractice panel or tribunal should not include, as a member of the panel, the staff who conducted the *viva voce*. The *viva voce*, in itself, will not result in a penalty being applied; a penalty can only be applied by a malpractice panel or tribunal.

Assessing the evidence that academic malpractice has taken place

77. The Academic Malpractice Officer will assess whether or not the evidence suggests that academic malpractice may have been committed. It is sufficient for the Malpractice Officer to progress the case “on the balance of probabilities” as a standard of proof.
78. When a suspected case of malpractice is referred to the Academic Malpractice Officer, and it is decided that there is a *prima facie* case to answer, anonymity will be lifted in order to ascertain the identity of the student.
79. If the unit tutor and Academic Malpractice Officer agree, it is possible to make a decision to hold a Malpractice Panel or Tribunal before all the evidence is collected. This will help to speed up the initial stages of the process. However, the full documents will need to be compiled by the tutor in good time for the evidence to be circulated to and examined by the student and all members of the Panel/Tribunal prior to the Panel or Tribunal meeting.

Assessing the severity of academic malpractice

80. Panels and Tribunals are expected to use their judgment in deciding the seriousness of an offence and whether there are aggravating circumstances that might affect the severity of the penalty. Panels and Tribunals must attempt to ensure consistency of treatment between cases, making a judgment about what is a proportionate penalty and ensuring that the penalty chosen does not have consequences for academic progression which are disproportionate in impact.
81. Factors to take into account when determining the penalty and its proportionality include the following:
- The student's level of study: the more advanced and experienced the student, the more serious the offence.
 - The proportion of the piece of work that was subject to malpractice: the higher the proportion, the more serious the offence.
 - The weighting of the piece of work towards the credit rating of the unit: the higher the weighting/credit, the more serious the offence.
 - The student's previous history: a subsequent offence, occurring after a student has already received a warning or a penalty for academic malpractice, is more serious than a first offence.
 - The degree of intention to deceive in the piece of work in question (which might be assessed by, for example, efforts to change wording, poor referencing or lack of referencing of plagiarised material, evidence from earlier drafts) and also in the hearing itself.
82. The minutes will record details of the relevant factors taken into account, stating the degree to which they contributed to the decision, and will state the Panel or Tribunal's intentions in terms of the impact of the penalty on progression/degree awarded. It will also refer to any other matters taken into account, e.g., any mitigating/aggravating circumstances, so that precedence and best practice may be established. The written record will also be important in the event that the student appeals the disciplinary process/outcome.

Conduct of Panels/Tribunals

83. Minutes will be taken of the proceedings and decisions of all Panel/Tribunal meetings, using the College template. Normally the Senior Registrar or their deputy will attend as secretary to make this record. If no member of the professional staff is available to attend, a member of the Panel/Tribunal will make the record.
84. The Malpractice Panel will consist of the Academic Malpractice Officer (or their deputy) plus another member of the teaching staff. The member of staff who originally made the allegation will not sit on the panel. The Senior Registrar will also be in attendance.
85. The Malpractice Tribunal will consist of the Academic Malpractice Officer, a Chair appointed by the Principal, and another member of the teaching staff. The

member of staff who initially made the allegation will not sit on the Panel. If the Tribunal is hearing an appeal from the Panel, the members of the Tribunal (with the exception of the Malpractice Officer who attends the Tribunal in an advisory but not a decision-making capacity) must not have been members of the original Panel. The Senior Registrar (or deputy) will also be in attendance.

86. The Senior Registrar (or their deputy) will provide for the meeting a record of the student's academic progress to date, so that the Panel/Tribunal can take into account the consequences of any proposed penalty.
87. The case must not be discussed by the Panel/Tribunal before the student is present, other than to agree or clarify procedure and to decide the issues that need to be explored with the student. The student must be given the opportunity to hear all the evidence and to present an explanation, but should not be present whilst the Panel/Tribunal comes to a decision.
88. If the offence is admitted or proven, the Panel/Tribunal will apply the most appropriate penalty. In the event that the Panel/Tribunal needs to make further enquiries before reaching a decision, the hearing may be suspended pending completion of those enquiries.
89. In determining whether an instance constitutes a repeat (subsequent) offence, any offences committed during a student's current career as either an undergraduate or a postgraduate student will be taken into account.
90. For example, if a theology student, who is initially registered on a HE Certificate then transfers to a HE Diploma and then a BA Degree, commits an offence while at BA Degree level having already committed an offence while registered for the HE Certificate or HE Diploma, this will count as a repeat offence. The same principle applies when the transfer is only between HE Certificate to HE Diploma, or HE Diploma to BA Degree.
91. Similarly, if a theology student, who is initially registered on a PG Certificate and then transfers to a PG Diploma and then a Masters, commits an offence while registered at Masters' level having already committed an offence while registered for the PG Certificate or PG Diploma, this will count as a repeat offence. The same principle applies when the transfer is only between PG Certificate to PG Diploma, or PG Diploma to Masters.
92. However, an offence committed during the course of an undergraduate programme does not constitute a previous offence in the case of the same student who has moved on to a postgraduate programme.
93. In applying penalties the Panel/Tribunal should ensure that it is fully aware of the impact of the penalty on the student's ability to progress/final degree result and intended career if appropriate, and that the likely impact is proportionate to the offence committed.
94. Decisions of Academic Malpractice Panels/Tribunals override all other decisions on assessment. For example, Panels/Tribunals can impose a mark of zero but

specifically allow a student a reassessment opportunity even if the degree regulations would not normally permit a reassessment.

Process when suspected academic malpractice is a first offence

95. If the suspected plagiarism or malpractice is a first offence then the case can be handled by the **Academic Malpractice Panel**

Pre-meeting

96. The Academic Malpractice Officer will send all documents relating to the case to the Senior Registrar with confirmation that the case will be handled by the Academic Malpractice Panel.
97. The documents will be sent to the student with an invitation to the student to attend a meeting of the Malpractice Panel. Students must be notified as early as possible of the requirement to attend the meeting (and not later than 5 working days before the meeting), together with full information about the allegation being made against them and informed of the possible consequences if they are deemed to be guilty of academic malpractice. They must be advised of their right to be accompanied by a person of their choice (who may speak on their behalf), normally a fellow student or member of staff. Legal representation is not permitted. They should receive the same paperwork prior to the meeting as the members of the Panel.
98. The documents will also be sent to all members of the Panel at least 24 hours in advance of the Panel's meeting.

Meeting

99. At the meeting of the Panel the case against the student will be presented and the student (and/or companion) will be invited to respond.
100. Once all the evidence from both parties has been heard, the Panel will ask the student, and companion if relevant, to leave. The Panel will then come to a decision.
101. If malpractice has been found to have occurred, one of the following penalties is imposed:
- a) a reprimand and warning about future behaviour
 - b) requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed
 - c) the relevant tutor to be informed that the piece of work be marked, if not already marked, according to the criteria; such a mark will normally be low, to reflect inappropriate use of sources
 - d) a mark already awarded for the piece of work or for the course unit to be reduced by a specified amount

- e) a recorded mark of zero for the examination paper or other assessed work in which malpractice occurred
- f) a recorded mark of zero for the course units(s) in which the malpractice occurred

102. In the case of (e) and (f), the Panel will permit the student to re-sit the exam or resubmit the assessed work, for a capped mark or (in less severe cases) for the full range of marks. However, the penalty of a zero mark may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence, for example if the candidate is in their final semester and has no opportunity for a resubmission. In such cases, the candidate gains the credit for the unit that is required towards successful completion of the academic level; the penalty consists in the mark, which may reduce the student's final classification.

103. The student will not have to wait for the Progression and Awards Board to formally grant the re-sit or resubmission.

Post-meeting

104. The Senior Registrar will write up the minutes of the Panel using the agreed template and:

- send an email or letter, as soon as possible, to the student confirming that the meeting has taken place and communicating details of the nature of the penalty applied (and any deadlines).
- record the decision and establish the deadline for any resubmission if a resubmission has been granted.
- keep all documentation relating to the Panel on the Malpractice files which have restricted access.

Process when suspected academic malpractice is a second or subsequent offence (or a serious first offence)

105. If the suspected plagiarism is a second or subsequent offence (or a serious first offence) then the case must go to the **Academic Malpractice Tribunal**.

Pre-meeting

106. The Academic Malpractice Officer will send all documents relating to the case to the Senior Registrar with confirmation that the case will be handled by the Academic Malpractice Tribunal.

107. The documents will be sent to the student with an invitation to the student to attend a meeting of the Malpractice Tribunal. Students must be notified as early as possible of the requirement to attend the meeting (and not later than 5 working days before the meeting), together with full information about the allegation being made against them and informed of the possible consequences if they are deemed to be guilty of academic malpractice. They must be advised of their right to be accompanied by a person of their choice (who may speak on

their behalf), normally a fellow student or member of staff. Legal representation is not permitted. They should receive the same paperwork prior to the meeting as the members of the Tribunal.

108. The letter to the student will also inform them about the meeting's procedure and its possible outcomes.

109. The documents will also be sent to all members of the Tribunal at least 24 hours in advance of the Tribunal's meeting.

Meeting

110. At the meeting of the Tribunal the case against the student will be presented and the student (and/or companion) will be invited to respond.

111. Once all the evidence from both parties has been heard, the Tribunal will ask the student, and companion if relevant, to leave. The Tribunal will then come to a decision.

112. If malpractice is found to have occurred, one of the following penalties will be applied:

- a) a reprimand and warning about future behaviour;
- b) requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed;
- c) the relevant tutor to be informed that the piece of work be marked, if not already marked, according to the criteria; such a mark will normally be low, to reflect inappropriate use of sources;
- d) a mark already awarded for the piece of work or for the course unit to be reduced by a specified amount;
- e) a recorded mark of zero for the examination paper or other assessed work in which malpractice occurred);
- f) a recorded mark of zero for the course units(s) in which malpractice occurred
- g) recorded mark of zero for the piece of work or course unit(s) in which the malpractice occurred and the student being not allowed a re-assessment;
- h) recorded mark of zero for the piece of work or course unit(s) in which the malpractice occurred and the student being not allowed a re-assessment or to substitute any other assessed work;
- i) recorded mark of zero for all examination papers and other assessed work taken during the particular examination period (i.e., end of first semester (January); end of second semester (May/June); re-sit (August/September)) in which malpractice occurred;
- j) recorded mark of zero for all examination papers and other assessed work taken during the academic year;
- k) the Progression and Awards Board to be required to reduce the class of degree by one or more classes from that which would have been awarded on the basis of the student's academic progress, or to award a lesser qualification;
- l) suspension from the College for a fixed period, up to a maximum of twelve months. A student who is so suspended will be prohibited from entering

- College premises and from participating in College activities although the suspension may be subject to qualification;
- m) cessation of the student's registration for their accredited course;
 - n) expulsion from the College.

113. In the case of (e) and (f), the Tribunal will permit the student to re-sit the exam or resubmit the assessed work, for a capped mark or (in less severe cases) for the full range of marks. However, the penalty of a zero mark may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence, for example if the candidate is in their final semester and has no opportunity for a resubmission. In such cases, the candidate gains the credit for the unit that is required towards successful completion of the academic level; the penalty consists in the mark, which may reduce the student's final classification.
114. In the case of (g) and (h), the penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence. In such cases, the candidate gains the credit for the unit that is required towards successful completion of the academic level; the penalty consists in the mark, which may reduce the student's final classification.

Post-meeting

115. The Senior Registrar will write up the minutes of the Panel using the agreed template and:
- send an email or letter, as soon as possible, to the student confirming that the meeting has taken place and communicating details of the nature of the penalty applied (and any deadlines).
 - record the decision and establish the deadline for any resubmission if a resubmission has been granted.
 - keep all documentation relating to the Panel on the Malpractice files which have restricted access.

Students who are unable to attend a Panel/Tribunal

116. Students are expected to attend a Panel/Tribunal called to consider their work. This will usually be heard at the Spurgeon's College (London) Campus. Students will be responsible for any travel costs associated with attending such meetings.
117. Students who:
- for legitimate reasons are unable to attend a Panel/Tribunal, or
 - attend an alternative Spurgeon's College Campus, or
 - are distance learning students, or
 - are not resident in the UK and/or have returned home
- will be offered the opportunity to have their Panel/Tribunal conducted via appropriate online means.

118. If this is not possible, or the opportunity is declined, or no response is received within a reasonable time frame (bearing in mind the student's location), the case will be heard 'in absentia'.
119. Students will be supplied with full details of the case against them and informed of the possible consequences if they are deemed to be guilty of academic malpractice. They should receive the same paperwork prior to the meeting as the panel/tribunal members, i.e., copies of the relevant assignment(s) and supporting evidence. If they are unable to attend, they will be asked to respond to the allegation detailed in the Panel/Tribunal paperwork. This response should be provided as a written statement, and any supporting material, and must have been received by the Senior Registrar at least 24 hours prior to the Panel/Tribunal Meeting.
120. Students should normally be given up to 10 working days for a response² and be informed that if they do not respond the case may be heard in absentia and a decision will be made on the basis of the evidence available. Once a decision has been made and if malpractice is found to have occurred the Senior Registrar will write up the minutes of the Panel using the agreed template and:
- send an email or letter, as soon as possible, to the student confirming that the meeting has taken place and communicating details of the nature of the penalty applied (and any deadlines).
 - record the decision and establish the deadline for any resubmission if a resubmission has been granted.
 - keep all documentation relating to the Panel on the Malpractice files which have restricted access.

Loss of credit

121. Students gain credit when they successfully complete a unit by attending as required and by satisfying the criteria for assessment.
122. The assumption which underlies penalties for academic malpractice is that a mark of zero for a whole unit involves loss of the associated credit for the unit. The student may attempt to regain the lost credit by resubmitting the unit assignment(s) should the Malpractice Panel/Tribunal permit them to do so. Similarly, a mark of zero for one assessed piece of work may result in the unit as a whole being failed. The student may attempt to regain the lost credit by resubmitting the one assessed piece of work should the Malpractice Panel/Tribunal permit them to do so.
123. Panels/Tribunals may direct the Progression and Awards Board that a penalty of mark of zero can be imposed 'without loss of credit'. This enables panels to act proportionately in circumstances where otherwise the penalty would have a disproportionate effect on the outcome for the student. Panels/Tribunals are

² Where it is in the students best interests that a panel or tribunal be held sooner than 10 days, for example because of a meeting of the Progression and Awards Board, a shorter time frame may be agreed.

responsible for determining the proportionality of the impact of any penalties imposed.

Previously assessed work

124. Unless there are very good reasons, there is no expectation that, on the finding of academic malpractice in a piece of assessed work, previous work will be routinely checked, although the option remains to review all the student's assessed work if the Academic Malpractice Officer determines that it is appropriate to do so.

Communication of outcome

125. Following the hearing, the decision of the Panel/Tribunal must be communicated to the student in writing within five working days. The communication will summarise the decision and the factors that were taken into account, and clarify the potential consequences for the student's academic progress/achievement. The letter should also inform the student of the appeals procedure (see below), and of their right to appeal.
126. The communication should also suggest sources of study skills advice (where appropriate) and warn about the consequences of a repeat offence.
127. A copy of the letter should be placed on the student's file. The official mark transcript for the student concerned should record the marks only, and not indicate that malpractice has taken place.
128. The Senior Registrar will maintain a record of the number and nature of cases dealt with including the level of penalty imposed and will report on such cases as required (for example to the Academic Board).

Malpractice decisions and the Progression and Awards Board

129. The Academic Malpractice Panel and the Academic Malpractice Tribunal have the right to refer work for resubmission without reference to the Progression and Awards Board. They also can make recommendations for consideration to the Chair of the Progression and Awards Board in respect of resubmissions, for example allowing a student to resubmit the work for a unit on *two* further occasions after the first, if they believe it is in the student's academic interest.

Information management and malpractice

130. In accordance with College policy, markers are *not* informed of the ID numbers of students who are suspected of malpractice in a unit or units other than the one they are marking.
131. Details of students undergoing investigation should only be shared with those involved in the process. Documentation should be held in accordance with College policies and relevant data protection legislation.

132. A malpractice panel or tribunal will inform the Dean of Ministerial Formation and the Head of Placements of cases of serious malpractice committed by students on a ministerial or chaplaincy pathway because of the nature of ministerial formation. The Dean of Ministerial Formation and the Head of Placements may use the outcome of a serious malpractice case in determining whether a fitness to practise panel should be convened for the student. Details of cases of serious malpractice must be handled sensitively, and on a 'need to know' basis.
133. Student transcripts, provided as a record of marks achieved, will not make reference to marks affected by plagiarism penalties.

Appeals

134. A student who is found guilty of malpractice will have the right of appeal against both the finding of guilt and any penalty imposed on one or more of the following grounds:
- a) procedural irregularity;
 - b) availability of new evidence which could not reasonably have been expected to be presented to the original hearing;
 - c) the disproportionate nature of the penalty.
135. Appeals will be submitted to the Senior Registrar and directed as follows:
- a) to the Malpractice Tribunal when a penalty has been imposed by a Malpractice Panel
 - b) to the Malpractice Appeal Board when a penalty has been imposed by a Malpractice Tribunal (except where the Malpractice Tribunal was convened to consider an appeal).
136. An appeal, including a statement of the grounds on which the appeal is being made, must be submitted by the student concerned in writing within 15 working days of the date on which written notification of the decision is sent to the student. A request for an appeal received after this time with good cause shown for its late submission will only be granted at the discretion of those designated to hear the appeal. Any student who has failed to participate in the original disciplinary hearing when invited or required to do so will be entitled to appeal only by special permission of those hearing the appeal.
137. Those considering an appeal will have the authority to confirm, set aside, reduce or increase the penalty previously imposed. The decision of those hearing the appeal will be final and there will be no further opportunity for appeal against that decision.
138. Those hearing an appeal will not re-hear the case afresh, but will consider whether the initial hearing and outcome were fair by:
- a) reviewing the procedures followed;

- b) establishing whether the appellant has presented any new evidence that could not reasonably have been expected to be presented to the original hearing and that this evidence is material and substantial to the findings;
- c) reviewing the penalty imposed.

139. Those hearing an appeal will seek to deal with the case on the basis of documentary evidence and may, at their discretion, call a meeting to which the appellant is invited to present their appeal in person. The appellant will be given at least a weeks' notice of any meeting. In such an event, the appellant may be accompanied by a fellow student or College staff member of their own choosing, who may speak on their behalf.

140. The Malpractice Appeal Board will comprise the Principal (or their representative) who will act as convenor/chair, a member of the teaching staff not previously involved in hearing the case, a governor and a student representative.

141. The Malpractice Appeal Board will make their findings on the balance of probabilities and decisions may be by a majority. The Chair may vote and will have in addition a casting vote.

142. Minutes will be taken of the proceedings and any decisions will be recorded, along with the reasons for those decisions. All documentation from the Malpractice Appeal Board must be sent to the Senior Registrar, who will keep it in accordance with the College's Records Retention Schedule.

Completion of procedures and independent review

143. Once a student has finished the internal appeals or complaint procedures the College will send a Completion of Procedures letter to the student within 2 weeks. This will set out clearly what issues have been considered and the College's final decision.

144. If the appeal is rejected and this procedure has been completed, students registered with validating universities can request a review of their appeal.

- University of Manchester registered students can request a review of their appeal to the Registrar, Secretary and COO of the University of Manchester.
- Liverpool Hope University registered students can request a review of their appeal to the Pro Vice Chancellor.

145. If the student believes the issue has not been appropriately addressed, the student may complain to the Office of the Independent Adjudicator for Higher Education. The OIA review will focus on the final decision. The OIA must receive a student's Complaint Form within 12 months of the date of the Completion of Procedures Letter. For further details see:
<http://www.oiahe.org.uk/rules-and-the-complaints-process.aspx>