

# ACADEMIC MISCONDUCT POLICY

*This policy applies to SCITT assessments and QTS submission, all other cases of Academic Misconduct/irregularity within the epgce come under Newcastle University's 'Procedure for Assessment Irregularities' policy, which should be read in conjunction with their overarching Trainee Disciplinary Procedure.*

*The principles of this procedure apply to all SCITT partnership trainees in all locations.*

## **Introduction**

The SCITT is committed to ensuring fairness in assessment and has established this procedure for dealing with assessment irregularities.

These procedures seek to ensure that trainee misconduct matters are dealt with fairly and promptly at the appropriate level.

**Level 1** - Is the local disciplinary procedure for the SCITT and/or university providing the assessed modules. The authorised person in the school/University may investigate any allegation of an assessment irregularity against a trainee, and take appropriate disciplinary action where they believe, on the balance of probabilities, a minor assessment irregularity has occurred.

**Level 2** - Applies to more serious allegations, which may include repeated Level 1 offences or where the trainee fails to engage with the Level 1 procedure.

**Level 3** - Where the SCITT Director determines that a case is sufficiently serious, the case shall be referred to the SCITT Strategic Board for an outcome.

## 1. **Basis and Scope of Procedure**

- (a) The SCITT shall have the right to investigate any allegation of an assessment irregularity against a trainee and may take disciplinary action where it decides, on the balance of probabilities, that an assessment irregularity has occurred.
- (b) The assessment irregularity procedure has two aspects: the academic and the disciplinary. The leading principle guiding the academic response is to disregard that part of a trainee's work that is produced by improper means and to promote learning by the normal requirement for the work to be re-submitted. The second aspect of the procedure is disciplinary. The SCITT reserves disciplinary power for all cases of misconduct and, in a case involving the use of improper means, the issue of disciplinary proceedings arises in principle.
- (c) **For the purposes of this procedure, an assessment irregularity involves the use of improper means by a trainee in the assessment process. This includes, but is not limited to, the following:**

Any breach of the rules for SCITT assignments and QTS submission including:

  - (i) Copying from other trainees
  - (ii) Allowing another person to complete work/impersonate for a trainee.
  - (iii) Permitting another trainee to copy, verbatim or in substance, formative or summative assessed material (this includes providing an opportunity for another trainee to copy work, even if it was not the explicit intention that the work should be copied). Being party to any act, otherwise than for a bona fide academic reason, allowing the sharing of any such assessed work on a website or in any other medium; the fact that work has already been assessed when it is so copied or shared shall not negate the offence.
  - (iv) The falsification (by inclusion or suppression) of research results.

- (v) Plagiarism. This is defined as the unacknowledged use of another person's ideas, words or works either verbatim or in substance without specific acknowledgement. For the avoidance of doubt, plagiarism may occur in an examination script as well as in assessed coursework, projects, reports and like work and may involve the use of material downloaded from electronic sources such as the internet. Further, the inclusion of a source in a bibliography is not of itself a sufficient attribution of another's work. The use of AI (for example ChatGPT) must be fully and accurately cited.
  - (vi) Procuring or attempting to procure assessed work created by another person. Trainees are expected to produce their own work and therefore any submission of work by another person constitutes improper means. An attempt to procure such work shall be treated as an attempt to use improper means and may be considered as dishonesty.
  - (vii) Dishonesty. Any attempted assessment irregularity including that detected before submission of the work, is considered an attempt to use improper means and may be considered as dishonesty. Such dishonesty shall therefore be investigated in accordance with this procedure.
- (d) In implementing this Policy, the SCITT will at all times remain mindful of its duty of care of the confidential nature of assessment irregularity matters. It will also remain mindful of its obligations under the Data Protection Act 1998. All SCITT staff and trainees involved in any investigation of misconduct by a trainee have a duty of confidentiality to the trainee to limit disclosure to those who need to know. The trainee is also expected to respect the confidentiality of the process.

A finding of an assessment irregularity may also lead to separate proceedings required as a condition of accreditation of QTS.

The procedure for revoking awards applies where an assessment irregularity is discovered after an award has been confirmed.

## 2. Procedures: General

- (a) The SCITT shall have the right to investigate any allegation of academic misconduct against a trainee, and may take disciplinary action where it decides, on the balance of probabilities, that an act of misconduct has been committed.
- (b) Any investigation into an alleged act of academic misconduct, whether carried out under Level 1 or Level 2 of the procedure, shall normally include in its early stages an interview of the trainee(s) concerned by the relevant authorised person in accordance with the provisions for the Conduct of Hearings set out in Part IV (a) below.
- (c) Failure to attend an assessment irregularity interview or provide a statement/response to alleged misconduct when requested to do so by the relevant person of authority, may itself lead to disciplinary proceedings. When the subject of an assessment irregularity allegation refuses to engage, the case may be concluded in their absence and reasonable inference may be drawn from non-engagement.
- (d) For cases where a trainee withdraws from the SCITT whilst an assessment irregularity investigation is ongoing, the case shall normally be concluded in the trainee's absence.
- (e) **Written Cautions and Sanctions**
  - (i) A written caution may be issued on the determination of an allegation. A caution is considered to be advice on future conduct together with a record that the advice has been given. The trainee should be informed that the fact that a caution has been issued may be taken into account should any misconduct be found in the future. The issuing of a caution is not a sanction and does not, of itself, imply misconduct; a caution may be issued even when no misconduct has been found. However a caution may also be issued as a minimal response to a finding of misconduct when the assessment irregularity is negligible. A caution will not be disclosed in reference.

When it is determined that misconduct (an assessment irregularity) has been committed, one or more sanctions may be imposed. Guidance or direction may be given as to whether a finding of misconduct should be disclosed in a reference. Beyond this the disclosure of

sanctions in references is at the discretion of the referee. The main sanctions available under the Assessment Irregularities Procedure are listed below. Note, however, that the range of sanctions available at various levels are detailed under Part II, Levels 1, 2 and 3 of the Procedure and that additional sanctions are available in some circumstances.

- (ii) A formal warning advising the trainee about their future conduct. This represents a serious statement by the SCITT of a finding of misconduct (the gravity/level of misconduct will be identified on a case by case basis) and shall be held on record for the duration of the trainee's studies.
- (iii) Where a trainee has previously received a warning, or where it is deemed fit, the trainee may receive a final warning.
- (iv) A 'fail' awarded for an assignment
- (v) A requirement to resubmit an assessment  
If the resubmission is subsequently failed, the trainee is entitled to a final attempt.
- (viii) Being deemed to fail QTS and required to extend the assessment period to gain sufficient evidence against the Teachers' Standards
- (ix) Disciplinary suspension from the SCITT or such part as may be specified for a determined period of time.
- (x) Deferred expulsion from the SCITT. This means that expulsion has been determined in principle to be an appropriate sanction but that the sanction is deferred. Should the trainee be found to have committed further misconduct the trainee shall normally be expelled from the SCITT.
- (xi) Expulsion from the SCITT with immediate effect. A trainee who is expelled shall not be eligible for QTS

A trainee expelled or suspended as a result of disciplinary proceedings shall have no right to a refund of fees.

### **3. Part I of Procedure - Suspicion or Allegation**

Action to be taken by the Person Discovering a Suspected Irregularity:

- i) Where a suspected irregularity is discovered, for example when an assignment is being assessed, the person who made the discovery shall make a written report to the Head of ITT.
- ii) On receipt of a written record of a suspected assessment irregularity, the Head of ITT will inform the SCITT Director that an investigation will be initiated, and shall investigate the alleged irregularity. The Head of ITT shall provide the trainee with a copy of this procedure, advise the trainee of the allegation in writing, provide the trainee with a copy of the affected work (where relevant) and ask the trainee to respond in writing. The Head of ITT may also request statements from witnesses.
- iii) If, on the basis of any written statement and the evidence, the Head of ITT is satisfied that no irregularity has taken place, the trainee shall be so informed by the Head of ITT and no further action shall be taken.
- iv) In any case not dismissed under 3 (a) (iii), the Head of ITT shall convene a meeting with the trainee as provided for in Part II of the Procedure in 4. Level 1 below.

### **4. Part II of Procedure - Disciplinary Proceedings**

#### **Level 1 - Action taken by the Head of ITT**

In any case not dismissed, the trainee shall be given the opportunity to see the evidence and to be interviewed by the SCITT Director together with another academic colleague. The trainee shall be given the opportunity to be accompanied by a friend/ supporter. SCITT Director shall ensure that a brief written record of the meeting is kept.

- i) If following the interview the SCITT Director is satisfied that no irregularity has taken place, this shall be communicated to the trainee, by the SCITT Director, in writing and no further action shall be taken other than the SCITT Director may issue a caution in writing, as to future conduct.
- ii) If following the interview the SCITT Director is satisfied that an irregularity occurred, the outcome will depend on the seriousness of the irregularity:
  - a) If the SCITT Director determines that a negligible or minor irregularity occurred and/or if the trainee has no previous proven record of plagiarism or there was no intention to deceive, normally the SCITT Director shall impose one or more sanctions or other actions listed below.
    - A caution, in writing (if the irregularity is deemed negligible).
    - A warning, in writing.
    - A requirement to resubmit the assessment.
    - An alternative sanction agreed as appropriate and proportionate

The SCITT Director shall also:

- Issue the trainee with an outcome letter advising that the assessment irregularity charge is considered to be upheld, and informing the trainee of the sanctions or actions imposed.
  - Advise the trainee that an appeal against this outcome can be lodged with the Strategic Board within 10 working days.
  - Send a copy of the outcome letter to the SCITT Manager, to be held on the trainee's record for the duration of the trainee's studies.
- b) If following the interview the SCITT Director determines that an irregularity has taken place and that it is more serious than in paragraph a) above, the SCITT Director shall
    - Inform the trainee in writing that a report on the matter will be made to the Strategic Board
    - Make a written report on the matter to the Accountable Officer and:
      - attach all written evidence gathered during the investigation
      - describe how the academic work has been assessed
      - advise on the extent of the possible irregularity
      - detail the academic consequences for the trainee
      - provide details of the arrangements taken to disseminate rules and policies on good academic practice such as the avoidance of plagiarism
      - note any mitigation raised by the trainee
      - provide a copy of the notes of the meeting with the trainee and any other relevant documentation
      - include a recommendation as to possible academic sanction if the allegation of an irregularity is upheld.

The SCITT Director shall inform the Strategic Board as outlined in Part IV of the Procedure below.

### **Level 2 - Action taken by the SCITT Director**

- i) In any case not dismissed as above, the trainee shall be invited to submit a further written statement to the SCITT Director and who shall gather such further written evidence as is deemed necessary.
- ii) If, on the basis of any further written statement and the evidence, the SCITT Director is satisfied that there is no disciplinary case to answer, the trainee and the Accountable Officer will be informed in writing and no further action shall be taken other than a caution may be issued in writing, as to future conduct.
- iii) If, on the basis of any further written statement and the evidence, the SCITT Director determines that there is sufficient evidence that an assessment irregularity has occurred the trainee shall be given the opportunity to be interviewed. The trainee shall be given the opportunity to be accompanied by a friend/supporter.

- iv) If following the interview the SCITT Director is satisfied that there is no disciplinary case to answer, the trainee and the Accountable Officer shall be informed by the SCITT Director in writing and no further action shall be taken other than a caution may be issued in writing, as to future conduct .
- v) If following the interview the SCITT Director determines there has been an assessment irregularity, the SCITT Director shall take one of the following actions:
  - a) In a standard case, impose one or more sanctions or other actions listed below.
    - A caution, in writing (if the irregularity is deemed negligible).
    - A warning, in writing.
    - A final written warning, in writing.
    - A requirement to resubmit the assessment.
    - An alternative sanction agreed as appropriate and proportionate

The SCITT Director shall also:

- Issue the trainee with an outcome letter advising that the assessment irregularity charge is considered to be upheld, and informing the trainee of the sanctions or actions imposed.
  - Advise the trainee that an appeal against this outcome can be lodged within 10 working days
  - Hold a copy of the outcome letter on the trainee's record for the duration of the trainee's studies.
- vi) In a complex or more serious case, refer the case to the SCITT Board and inform the trainee and Accountable Officer in writing that a disciplinary hearing is to be held. Pending the hearing and when there are reasonable grounds for doing so, the SCITT Director may impose on a trainee an interim suspension from the SCITT.

### **Level 3 – Strategic Board Disciplinary Committee**

A Disciplinary Committee shall be convened when a case is referred by the SCITT Director.

- i) The SCITT Director shall not be a member of any Disciplinary Committee, but shall be responsible for the preparation and presentation of the charge or charges before the Committee. The SCITT Director shall inform the trainee(s) concerned in writing of the allegations and shall inform the trainee(s) that the case is to be heard by a Disciplinary Committee. If the Committee is satisfied that that there is no disciplinary case to answer, the trainee and the SCITT Director shall be informed in writing and no further action shall be taken other than a caution may be issued in writing, as to future conduct.
- ii) If the Committee determines that there is a disciplinary case to answer and, notwithstanding the academic consequence of an assessment irregularity, the Committee decides on such further academic sanction or sanctions or other actions as it deems appropriate. Examples of possible sanctions or other actions are listed below.
  - A caution, in writing (if the irregularity is deemed negligible).
  - A warning, in writing.
  - A final written warning, in writing.
  - A requirement to resubmit the assessment.
  - Being deemed to fail QTS and required to resubmit for assessment pending new/additional evidence against the Teachers' Standards.
  - A Disciplinary Suspension from the SCITT or such part as may be specified for a determined period of time.
  - Deferred expulsion from the SCITT.
  - Expulsion from the SCITT with immediate effect.

Any recommendations for sanctions by the SCITT Director will be taken into account, and the Committee may, in order to inform its decision, call for such evidence as is necessary to determine the possible academic and progress consequences of such sanctions.

On behalf of the Committee, the Secretary shall also:

- Issue an outcome letter advising the trainee of the decision reached by the Committee, and informing the trainee of the sanctions or actions imposed.
- Advise the trainee that an appeal against this outcome can be lodged within 10 working days.
- Arrange for the SCITT Director to hold a copy of the outcome letter on the trainee's record for the duration of the trainee's studies.

#### **5. Part III of the Procedure - Reporting to the Strategic Board (Disciplinary Committee)**

In all cases considered by the Disciplinary Committee or by the SCITT Director, the Accountable Officer shall be informed of the status of the case and, when available, the outcome of the case.

- i) Where relevant, the SCITT Director shall ensure that sanctions determined in Part II, Levels 1, 2 or 3 above are conveyed to the relevant staff and shall ensure that the sanctions are applied.
- ii) The SCITT Director shall inform the Strategic Board when it meets of any academic issues that constrain its power to exercise discretion in respect of a particular trainee.
- iii) The SCITT Director shall inform the Accountable Officer of the status of the trainee if disciplinary procedures have not yet been completed. For such a trainee, any QTS outcome must remain provisional and shall not be released until the disciplinary procedures have been concluded.

#### **6. Part IV of the Procedure – Supplementary Provisions**

General Provision for the Conduct of Hearings:

- i) In all proceedings, the authorised person/panel member, shall take evidence and receive submissions, either in writing or in person, and consider the allegation and all other circumstances which appear to them to be relevant. The person or Committee may take evidence from such other persons as they think fit in order to reach a decision. In cases where a trainee is appealing against the decision of the SCITT Director or Strategic Board disciplinary committee, the person conducting the interview or responsible for the presentation of the original case shall attend to outline the case. The trainee shall, in all cases, be invited to attend and present their case, and to be present and be heard during the hearing. Trainees may waive their right to attend; the hearing shall proceed in their absence. The hearing shall also proceed if the trainee fails to attend the hearing or give any advance notification of absence for the Chair of the Committee to assess whether there is good cause for an adjournment of the hearing to a later date. All trainees shall be informed of the allegation against them and given an opportunity to make a written statement. The trainee may be accompanied by a friend/ supporter and shall have the right to be informed of all of the evidence. In all other respects, the conduct of the hearing shall be a matter for the authorised person or the Chair to determine. The trainee and any other persons present, except, where appropriate, the Secretary to the Committee, shall withdraw whilst the decision is reached. A written record (not verbatim) of the hearing shall be made by the Secretary.
- ii) In the case of an appeal only, the Accountable Officer may authorise a hearing on the basis of the papers alone where it is expedient and just to do so. In such a case the parties shall be given appropriate notice and invited to make a full submission in writing.

#### **7. Part V of the Procedure - Appeals**

A trainee wishing to appeal against a decision under the Academic Misconduct Policy shall follow the procedure set out below. Where the decision against which a trainee is appealing involves partial or full suspension or expulsion, the trainee shall not, subject to this paragraph, be permitted to attend the SCITT programme, while the appeal is being determined. Trainees may apply for permission to

attend if they can demonstrate that it would be unreasonable to debar them from attending their programme of study pending the appeal. Grounds for such an appeal may include, but are not limited to, a change in circumstances since the disciplinary hearing. Applications shall be made to the SCITT Director who may refuse or grant permission to attend the SCITT Programme and may, if granting permission to attend, limit attendance to specific locations and/or times.

- a) An appeal shall be lodged within 10 working days of the decision to the SCITT Director. The Appeal shall be in writing and shall specify the grounds of appeal which may only be one or more of the following:
  - i) That fresh material evidence is available, which was not available on reasonable enquiry or application at the time of the original hearing;
  - ii) Procedural Irregularity;
  - iii) Bias or Prejudice;
  - iv) Excessive or Inappropriate punishment;
  - v) That the decision reached was perverse in that it was one which no reasonable person could have reached on the available evidence.

The appeal shall be accompanied by supporting documentation that shall be relied upon in the event of a hearing. It shall be for the Accountable Officer to decide whether a late appeal shall be allowed.

- b) The appeal shall be considered initially by the Accountable Officer to decide if there is sufficient evidence under the specified grounds for consideration of an appeal. The Accountable Officer may dismiss a case in which there is not sufficient evidence. Where, however, the Accountable Officer determines that there is sufficient evidence, the appeal shall be considered as follows:
  - i) In a case determined under Level 1 or 2 of the procedure, the appeal shall be to a member of the Disciplinary Panel nominated by the Accountable Officer.
  - ii) In a case determined under Level 3 of the procedure, the appeal shall be considered by a Disciplinary Appeal Committee.
- c) The general provisions for the conduct of an appeal hearing are detailed in Part IV( i ) of the Assessment Irregularity procedure.
- d) The Disciplinary Appeal Committee may, in determining the appeal, confirm, vary or quash the original decision. If a trainee is reinstated to the SCITT Programme on an appeal against suspension or expulsion, he or she shall not suffer any loss of time counted towards residence qualifications for a particular course. The trainee, nevertheless, shall be required to pay appropriate fees, notwithstanding temporary loss of tuition and other facilities in the SCITT.
- e) Where the Accountable Officer dismisses an appeal wholly or in part or the Disciplinary Appeal Committee confirms the decision appealed against, there shall be no further appeal within the SCITT. Provision for independent external review is made through the existence of the Office of the Independent Adjudicator. The Independent Adjudicator's role is to review the application by the SCITT of its own internal procedures. Further information about the Adjudicator's role is available from [www.oiahe.org.uk](http://www.oiahe.org.uk).

## **8. Monitoring**

The SCITT Director shall make an annual report to the Strategic Board of all allegations of assessment irregularities investigated, including:

- The number of formal Level 2 and 3 referrals made, and whether they were upheld or rejected;

## **9. Confidentiality**

All information provided to the School, SCITT Director or Strategic Board in the course of the investigation and hearing of any allegation of an assessment irregularity shall be treated as confidential, except that (i) the trainee against whom the allegation is made shall be entitled to know the source of such information in the interests of open justice and (ii) any requirements of the Data Protection Act shall apply. It is equally important for the trainee against whom the allegation is made to respect the need for confidentiality through the Assessment Irregularity process. Improper use of such confidential information may result in disciplinary proceedings.

Relevant members of staff with a need to know may receive in confidence a copy of the determination of the Assessment Irregularity proceedings and senior staff may similarly in confidence receive such a copy in order for the SCITT to learn and/or act on issues identified in the proceedings.