



Student Academic Misconduct Policy

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Audience:	OBC Staff, Students and Website (General Public)

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1. Introduction

The College is committed to delivering a high quality education service and excellent teaching and learning opportunities. The Student Academic Misconduct policy sets out how OBC will investigate and penalise any academic misconduct which is considered to breach OBC's assessment regulations and which is likely to give an unfair advantage to the student.

2. Purpose

The purpose of the policy is to ensure that allegations of academic misconduct at OBC are dealt with fairly, honestly and appropriately.

3. Aims and Objectives

The aim of the policy is to define the types of actions that would be considered by the College constitute acts of academic misconduct with the following main objectives

- To provide clear information to staff and students on academic misconduct.
- To ensure academic misconduct allegations dealt with fairly and honestly.

4. Academic Misconduct

Academic Misconduct is defined as any action or attempted action that may result in a student obtaining an unfair academic advantage. It includes plagiarism, collusion, contract cheating, and fabrication of data as well as the possession of unauthorised materials during an examination.

1.1. Plagiarism

Plagiarism: defined as the representation of other people's work or ideas as the student's own without appropriate referencing or acknowledgement. Self-Plagiarism is defined as the reproduction or resubmission of a student's own work which has been submitted for assessment at OBC or any other institution. This does not include earlier formative drafts of the particular assessment.

1.2. Collusion

Collusion is defined as the unauthorised collaboration by two or more students on any assessment exercise, which is intended to be wholly your own work, or the act of assisting someone else in committing plagiarism.

1.3. Contract cheating

Contract cheating is defined as commissioning a piece of assessment to be carried out by a third party, with the intention of submitting it as if it were the student's own piece of work.

1.4. Examination misconduct

The secretly use or possession of unauthorised books, notes, software, electronic devices, paper, or other materials in an examination other than those permitted in the examination.

5. Scope

These procedures apply to all current students of OBC

This document sets out the procedure that should be followed where the Student Code of Conduct is breached.

Breaches of the Oxford Business College ('The College') Code of Conduct constitute Misconduct and may lead to disciplinary action, such as temporary suspension, being taken against a student. Repeated breaches of the Code of Conduct however, or serious breaches of conduct constitute Gross Misconduct (see Section 4) and may result in permanent exclusion.

This procedure applies to all students and users of Oxford Business College, and at all times during the year.

6. Time Periods

With the exception of the time allowed for lodging an appeal, time periods stated in this procedure are for guidance purposes and may be varied by the college in exceptional circumstances.

Periods of days in this procedure are office working days. Office working days are defined as Mondays to Fridays during the College opening periods. It will be assumed that documents sent by first class post have been received within 48 hours of posting.

7. Student Code of Conduct

The Student Code of Conduct is included in the College Student Handbook. The Student Handbook is available at the College and can be download from the Student section of our website. Students must observe the college rules as detailed in the Code of Conduct, breaches of which may result in disciplinary action being taken.

8. Student Disciplinary Procedure

8.1. Stage 1 - Verbal Warning (Programme Manager)

For breaches of the Code of Conduct, a Head of School may delegate responsibility to an appropriate Programme Manager to conduct a Stage 1 Warning Hearing with a student.

The procedure for this is as follows:

- The Programme Manager will speak to any relevant witnesses and establish what happened.
- The Programme Manager will invite the student to a 1:1 meeting, giving at least 24 hours' notice.
- The Programme Manager will provide the student with a copy of this document.
- The Programme Manager will discuss the incident(s) with the student during the meeting. If they believe a warning is appropriate, they should give it verbally.
- The student should also be warned verbally that any repeat of the misconduct may result in a further action.
- A note of any warning must be made by the Programme Manager and sent to the Quality & Standards Team to be placed on the student's file.

If the decision is to issue a Stage 1 Warning, practical measures to avoid recurrence must be identified and agreed by both the student and the Programme Manager and incorporated into the Warning.

There is no right of appeal against a Stage 1 Warning.

8.2. Stage 2 – Written Warning (Head of Academic)

Where the conduct is of a more serious nature or where there has been no improvement in the behaviour, which warranted the Stage 1 Warning, the student will be invited to attend a Stage 2 disciplinary interview with the Head of Academic.

At least 3 days' written notice will be given and the notice will state:

- the nature of the conduct complained of and a summary of the evidence for the complaint;
- a copy of this document;
- confirmation of the time and place of the interview.

The Head of Academic will discuss with the student the concern or complaint (as per the Stage 1 procedure in 6.1.2) and, after taking into account any explanation given, decide whether a Stage 2 Warning should be given.

If the decision is to issue a Stage 2 Written Warning, practical measures to avoid recurrence must be identified and agreed by both the student and the Head of Academic and incorporated into the Warning, which will be sent to the student within 5 working days from the date of the Stage 2 disciplinary interview.

A copy of the Warning must be sent to the Quality & Standards Team to be placed on the student's file and copies provided to the SMT and the Quality & Standards Manager.

There is no right of appeal against a Stage 2 Warning

8.3. Stage 3 – Investigation Hearing (SMT member other than the Principal)

Where Gross Misconduct occurs or the misconduct is repeated after the Head of Academic's Stage 2 Written Warning, the student will be invited to attend an Investigation Hearing with a member of the Senior Management Team other than the Principal, who must have had no prior involvement in the case.

At least 5 days written notice will normally be given and the notice will state:

- the nature of the conduct complained of and a summary of the evidence for the complaint;
- a copy of this document;
- confirmation of the time and place of the interview.

The SMT member will act as "Chair" and is responsible for conducting the Hearing in a fair and transparent manner. The Hearing will be attended by a member of the Student Council (SC) and the Quality & Standards Manager or another member of the College Management Team; a note-taker will also be present.

During the Hearing the Chair will present the case against the Student and may refer to witness statements, attendance records, previous warnings or any other relevant documentation that relate to the case. The Student has the right to call witnesses who may be questioned by either the student and/or representative, the representative from the SC/CRC or the Chair.

Before adjourning to make a decision, the Chair will ask the student whether there are any other factors or mitigating circumstances that he/she would like to be taken into account.

After hearing the student's case, the SMT member chairing the meeting may make one of the following decisions:

- i. no further action will be taken;
- ii. the student will receive a Stage 3 Written Warning;
- iii. the student will be suspended from the class or the College, for a specified period of time;
- iv. the student will be permanently excluded from the class or the College; this decision may be reviewed after a minimum of 12 months should the student wish to enrol on a College course again.
- v. further investigation is needed before a final decision can be made.

The SMT member will write to the student within 5 working days to communicate the decision including the reasons for it, which will have immediate effect. If relevant, the timescale and procedures for reviewing exclusion will be provided.

The letter will affirm the student's right of appeal to the Principal, stating that this must be done within 10 working days of receipt of the decision letter. In case of permanent exclusion the letter will also state that the exclusion may be reviewed after a specific period of time (usually 6 to 12 months) and the student may be readmitted to the College subject to a satisfactory interview with a member of the SMT and to certain conditions being met.

8.4. Stage 4 – Appeal

A student who wishes to appeal against a disciplinary decision must do so within 10 working days of the date they were informed of the decision. To do so, they should write to the Principal, stating their main grounds for appeal.

The Principal can reach a final decision based on the documentary and/or new evidence or convene an appeal hearing.

At an appeal hearing, the SMT member who made the decision in Stage 3 of the procedure will be asked to present and explain the reasons for the decision.

The student will be invited to explain the grounds of the appeal and state his or her case.

The Principal may ask questions of the student and the SMT member presenting the case and will then consider whether to allow or dismiss the appeal. Any witnesses will normally be asked to be on call to answer any questions.

If the appeal is upheld, the Principal may decide on lesser disciplinary action, or no disciplinary action. If the appeal is dismissed the Principal will issue a statement saying that he/she has decided to uphold the recommendation at Stage 3.

The Principal's decision is final and is not subject to any further appeal, and will be confirmed in writing to the student within 5 working days.

9. Further Action to be taken by the Head of Academics

On receipt of a report concerning an allegation of unfair practice, the Head of Academics shall discuss the matter with the Principal and Assessment board to determine whether there is sufficient evidence to take further action against the student. The student will be informed in writing accordingly.

If satisfied that such a case exists, the student will be informed in writing of the allegation and will be provided with OBC's unfair practice policy. The student will also be invited to submit a written response to the allegation together with any supporting documentation.

A committee of enquiry (Principal, Head of Academics, Lead Tutor, Module Tutor and Internal Verifier) will then be convened.

Should the Committee of Enquiry not uphold an allegation of malpractice then the original verified grade for the assessment would stand.

The Committee of Enquiry will determine whether, on the balance of probabilities, the alleged malpractice is substantiated. It is not normally required to prove intent on the part

of the student to engage in malpractice. Where malpractice is confirmed, brief details will be sent to Open University's External Verifier.

Penalties for confirmed cases of malpractice:

- i. Warning letter – grade stands for first minor transgression
- ii. Formal warning – loss of marks for all or part of the work, with re-sit capped at a maximum PASS grade
- iii. Final warning – cancellation of grade for module, with re-sit capped at PASS grade
- iv. Exclusion from programme and withdrawn as a student with Oxford Business College
- v. Appeals will only be heard against whether the above procedures have been adhered to and not against the judgment of the committee.

10. Conduct of Investigatory interviews and appeal hearings

- Investigation and appeal interviews/hearings under this procedure will be conducted fairly by the member of staff conducting the interview/hearing (“the Chair”), who will be accompanied by another member of staff to take notes. If communication assistance is required, the college, taking into account the need for impartiality, will arrange this.
- The member of staff conducting the interview/hearing may give instructions in relation to the conduct of the interview/hearing, including (without limitation) as to the length of time which any part of the interview/hearing should take. Instructions must be fair, particularly in allowing the student to question the evidence and state his or her case. Witnesses may be called to the hearing.
- The member of staff conducting the interview/hearing may exclude from the proceedings any person (including the student or the student’s fellow student representative or relative) who behaves unreasonably or who disregards the instructions of the Chair.
- A request to postpone a hearing may be considered and decided by the member of staff hearing the case. If the student does not attend a disciplinary interview or appeal hearing without good cause, these may still proceed in the student’s absence.
- In exceptional cases it may be desirable that variations should be made to procedural aspects of this code. Any such variations must be subject to informing the student concerned and subject always to the consideration of fairness.
- Different people may conduct disciplinary interviews/appeal hearings, if the person who would otherwise be conducting the interview has previously had close personal involvement in the matter to be considered.

Please note that the procedures and policies outlined in this policy, and in any related policy may be reviewed or changed at any time before the actual review date.