

CANDIDATES' ACADEMIC MISCONDUCT POLICY¹

1. This Policy applies to all candidates entering for examinations at the Worshipful Society of Apothecaries of London ("The Society"). Candidates should note that by virtue of applying to sit an examination they are deemed to have understood and agreed to respect and abide by all relevant regulations, including this Academic Misconduct Policy.

Principles of the Academic Misconduct Policy

2. If an allegation is made under this Policy, the candidate will be presumed to be innocent until the contrary is established. The standard of proof used will be the civil standard i.e. on the balance of probabilities.
3. Any dispute as to the interpretation of this Policy will be referred to the Academic Registrar, whose decision in the matter will be final.
4. An allegation of academic misconduct may be investigated at any point, whether or not a final mark has been agreed for the work in question, or if an award of the Society has been made.
5. The Society considers that a judgement regarding whether an allegation of academic misconduct is proven or not is a matter of academic judgement.
6. Under the terms of the procedures described in this Policy, an investigation is defined as a fact-finding process to establish the relevant evidence and circumstances of the case. The investigation will focus only on the nature of the allegation and will be approached in a non-judgmental manner.
7. The judgement in any case will give details of the relevant factors taken into account, stating the degree to which they contributed to the decision. It will also refer to any other factors taken into account (e.g. mitigating or aggravating circumstances) so that precedence and best practice may be established.
8. Members of a medical profession whose conduct is investigated under the terms of this Policy may also have their cases referred to the appropriate professional body.

Definitions

9. **Academic Misconduct** is any activity, intentional or otherwise, that is likely to undermine academic integrity where a candidate gains, or seeks to gain, advantage by unfair or improper means. It includes plagiarism, fabrication or falsification, collusion, examinations offences, or anything else that could result in undeserved credit for those committing it. Academic misconduct can result from a deliberate act or may be committed unintentionally.
10. **Plagiarism** is the presentation of work for any type of assessment which contains, intentionally or unwittingly, the unacknowledged published or unpublished e.g. by failing to follow convention in acknowledging sources, use of quotation marks, etc. This includes material downloaded from electronic sources, the unauthorised use of one candidate's work by another candidate, and the commissioning, purchase and submission of a piece of work, in whole or in part, as the candidate's own.

¹ This policy is modelled on the Academic Misconduct Policy of Imperial College London (<https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/registry/academic-governance/public/academic-policy/academic-integrity/Academic-Misconduct-Procedures-v1.0-Sept-18.pdf>) and that of the Academy of Medical Royal Colleges (https://www.aomrc.org.uk/wp-content/uploads/2019/09/Academic_dishonesty_0919.pdf), used here with permission.

11. **Self-plagiarism** is the presentation of work for any type of assessment that the candidate has previously submitted for assessment as part of the same examination, as part of another examination at the Society, or at another institution. This relates to the principle that a candidate may not receive credit for the same piece of work more than once unless specifically required to resubmit work as a requirement for reassessment.
12. **Collusion** is a form of plagiarism that involves unauthorised cooperation between at least two people with the intent to deliberately mislead or deceive. Collusion can take the following forms:
 - a. Two or more candidates conspiring to produce a piece of work or answer questions together with the intention of at least one of those candidates submitting it as his/her own, individual work
 - b. A candidate submitting the work of another candidate (with the other candidate's consent) as his/her own, individual work. In such cases, both candidates would be deemed to be guilty of collusion
 - c. Unauthorised cooperation between a candidate and a third party (including an essay or assignment writing service) in the production of a piece of work that is submitted as the candidate's own.

Examination Offences

13. Examination offences include but are not restricted to the following:

Before the Exam

- a. Providing false documents or altering documents from websites that are required as part of an application to sit an examination or that form part of eligibility requirements of an examination
- b. Using plagiarism to create documents required as part of an application to enter an examination
- c. Falsely claiming a disability
- d. Attempting to pass on information about exam content prior to the exam's being held
- e. Bribery of another candidate, examiner or exam staff, with the intention of gaining information or influencing the conduct of the examination
- f. Sharing or using another candidate's exam login details.

During the Exam

- g. Reading or copying the work of another candidate
- h. Communicating with another candidate
- i. Transferring information relevant to the examination to or from external third parties
- j. Using recording or transmitting equipment to remove materials from an examination without permission or release content from an examination to a third party/commercial organisation
- k. Failure to abide by the reasonable instructions of an invigilator or other exam official
- l. Disseminating or sharing exam material and/or details to candidates about to sit the same examination before the diet is completed
- m. The introduction into any examination of any materials, audio or communication devices (including mobile phones and smart watches) other than those specifically permitted for the examination

- n. Any attempt to access the internet
- o. Impersonation or substitution (taking the place of another candidate in an examination or asking another to substitute for oneself)
- p. Colluding with another candidate to gain mutual advantage in any way.

After the Exam

- q. Attempting to influence or corrupt results processing
- r. Falsification or alteration of any results document provided by the Society
- s. Sharing exam materials with other candidates who are yet to attempt or pass the examination
- t. Selling questions
- u. Uploading questions to the internet or distributing them via social media or written means
- v. Making efforts to share exam content outside the candidate's immediate educational sphere.

Additional Acts of Academic Dishonesty:

- w. Bribery of another candidate or exam official
- x. Any form of dishonesty or conduct likely to give an unfair advantage to the candidate or others
- y. Aiding or abetting any of the above.

Principles of Investigating Academic Misconduct

- 14. Each case is different, and judgement needs to be exercised in assessing the seriousness of an allegation or incident of academic misconduct.
- 15. The procedure must attempt to ensure consistency of treatment between cases and make a judgement about what is a proportionate sanction, ensuring that the penalty applied does not have consequences for academic progression which are disproportionate in impact for the candidate.
- 16. Allegations of academic misconduct must be reported as soon as possible and normally within 10 working days of detection to ensure that the candidate's case is heard in a timely fashion.
- 17. The Academic Registrar will confirm which procedure should be used where there is any doubt.

Procedure in Cases of Plagiarism, Self-Plagiarism, and Collusion

- 18. Where plagiarism, self-plagiarism or collusion is suspected, the Examiner will produce a report for the Convenor and Academic Registrar which clearly indicates the alleged plagiarism or collusion. Where the evidence is provided from a plagiarism detection or originality checking service, such as Turnitin™, a commentary must be provided as part of the report to indicate the location and the level of the alleged plagiarism. The report should also clearly indicate any areas that should not be considered (e.g. definitions where a match would be expected).
- 19. Any allegation of plagiarism will be referred to the candidate by the Academic Registrar for a written response prior to any decision being made.
- 20. In light of the Examiner's report and the candidate's response, the joint decision of the Academic Registrar and Convenor may be that:
 - a. There is no case to answer

- b. The offence is an example of poor academic practice and consequently the candidate is informally reprimanded (where the plagiarised material comprises no more than 15% of the assessed work; there are small amounts of incorrectly paraphrased or quoted material; there is no intentional dishonesty; the plagiarism does not have a material impact on the assessment)
 - c. The offence is minor and consequently the candidate is invited to re-submit (where the plagiarised material comprises between 15% and 50% of the assessed work; there is some evidence of appropriate referencing; there is no intentional dishonesty)
 - d. The offence is major and consequently the assessment is marked at zero and the candidate may not re-submit (where the plagiarised material comprises more than 50% of the assessed work; there is no evidence of appropriate referencing; there is evidence of intentional dishonesty)
21. All such investigations will be reported by the Academic Registrar at the next meeting of the Academic Quality and Standards Committee (AQSC). A summary report of action taken during the academic year under this procedure, in which individual candidates are not named, will be presented to the Academic Standards Committee (ASC) as part of the annual monitoring process.
22. Where it is suspected that a candidate has made use of another candidate's work without that candidate's consent, this will normally be regarded as an offence of plagiarism.

Procedure in Cases of Examination Offences and Dishonest Acts

23. Where a candidate is alleged to have committed an examination offense or engaged in a dishonest act, the Academic Registrar will be informed as soon as possible, and at least within 10 working days of detection.
24. Where the offence is deemed to be of a minor or technical nature, the Academic Registrar may decide that the matter can be dealt with by the Convenor of the relevant award in whatever way is considered appropriate. This can include the decision to take no further action. A report of the decision will be kept by the Academic Registrar and the matter will, thereafter, be regarded as closed.
25. Where the Academic Registrar determines that there is prima facie a case to answer, normally within 10 working days, the allegation will be put to the candidate, and the candidate will be invited to submit a written statement.
26. The Academic Registrar will appoint an Academic Misconduct Panel comprising the Dean and two members of the relevant Examinations Committee who have not been connected to the marking process in any way, nor should they have any other close involvement with the candidate.
27. If the candidate fails to respond within 10 working days, the Academic Registrar will send a warning letter. If, following another 10 working days, no answer is still forthcoming, the Academic Registrar will by default proceed to convene an Academic Misconduct Panel.
28. The Panel will consider the allegation, the relevant evidence, and any response received from the candidate prior to coming to a decision, and (if necessary) determine a penalty.
29. The decision of the Academic Misconduct Panel may be that:
- a. The allegation is not proven on the balance of probabilities and that it should be dismissed
 - b. The allegation is proven on the balance of probabilities and that the offence should be classed as minor

- c. The allegation is proven on the balance of probabilities and that the offence should be classed as major.
30. The Academic Misconduct Panel will report its decision to the Academic Registrar and Convenor. If the Panel has dismissed the allegation or treated it as a minor offence, it will provide the Academic Registrar and Convenor with an explanation as to why it has taken this action.
31. The Academic Registrar will communicate the decision of the Academic Misconduct Panel, (including where the decision is that no offence has been committed) in writing to the candidate within five working days following the decision of the Panel.
32. The Academic Registrar will keep an official record of the proceedings of all Academic Misconduct Panels. All such investigations will be reported by the Academic Registrar at the next meeting of the Academic Quality and Standards Committee (AQSC). A summary report of action taken during the academic year under this procedure (in which individual candidates are not named) will be presented to the Academic Standards Committee (ASC) as part of the annual monitoring process.

Sanctions

33. Sanctions that the Academic Misconduct Panel will consider when deciding that academic dishonesty has occurred may include, but not be restricted to, any of the following:
 - a. Declaring the results of the related exam null and void
 - b. Declaring the candidate's results in all components of the diet null and void
 - c. Informing the candidate's educational supervisor of the offence
 - d. Informing the candidate's employer of the offence
34. If a member of the medical professions is found guilty of academic dishonesty in a professional exam, it will be reported to the relevant professional body. Ordinarily the Society will not take this step until the internal review process has been completed. However, the Society reserves the right to take appropriate action at any stage, particularly if the circumstances of the allegation suggests that regulatory action (such as suspension) may be necessary in the interests of patient safety while investigations are pending.
35. In deciding which sanction to apply the Academic Misconduct Panel will take into account:
 - a. The potential risk to patients from not applying each and any of the above sanctions
 - b. The need to preserve the integrity of Society examinations as a reliable indicator of the competence of a holder of a Society award
 - c. Evidence of contrition and understanding of the nature of the offence
 - d. Natural justice and consistency with previous sanctions.

Academic Misconduct Appeals

36. If a candidate wishes to appeal against the decision of the Academic Misconduct Panel, the candidate must write to the Academic Registrar within five working days of receiving the decision of the Panel, stating that he or she wishes to appeal and giving the grounds for the appeal.
37. Following the outcome of the consideration of an allegation of academic misconduct, a candidate may lodge an appeal on one or more of the following grounds:
 - a. Where the candidate believes that there has been a material procedural irregularity in the conduct of the academic misconduct procedure
 - b. Where there is new evidence of extenuating circumstances which was not available to the Academic Misconduct Panel at the time it made its decision

- c. Where there is evidence that the Academic Misconduct Panel acted unfairly or where it was thought to have imposed an outcome out of line with the procedure.
38. The appeal will be reviewed by the Chair of the Academic Quality and Standards Committee (AQSC) who will have had no previous involvement in the case. If an appeal is considered eligible, the AQSC Chair will appoint an Academic Misconduct Appeals Panel. Where an appeal is not considered eligible, the AQSC Chair will invite the Academic Registrar to inform the candidate that the appeal has been rejected.
39. In cases where the appeal is considered to be eligible, the AQSC Chair will appoint an Academic Misconduct Appeals Panel comprising three members of the AQSC who have not been connected to the offence in any way, nor should they have any other close involvement with the candidate.
40. The candidate will be invited to attend the Academic Misconduct Appeals Panel and advised that they can bring a companion with them to the meeting for moral support but that this companion may not act in a legal capacity. With agreement from the Chair, the companion may speak on behalf of the candidate.
41. The candidate will normally be given 10 working days' notice of any request to attend a meeting with the Academic Misconduct Appeals Panel. If the candidate is unable to attend, either in person or via video conference the candidate will be provided with one further opportunity to meet the Panel. If a date cannot be agreed with the candidate within a reasonable timeframe, the Panel may proceed with their consideration of the appeal and the evidence provided in order to make a judgement. This is to ensure that the appeal can still be considered and concluded in a timely fashion. In such a case the candidate will be invited to provide a further written statement.
42. The Academic Misconduct Appeals Panel will consider the evidence provided with the application for appeal and the documentation from the consideration of the academic misconduct offence. The Chair of the original Academic Misconduct Panel will also be invited to attend the Academic Misconduct Appeals Panel to answer any questions with regards to the consideration of the case.

Academic Misconduct Appeals Panel Procedure

43. Sittings of the Panel will normally be held in private, but in keeping with the Human Rights Act (1998) the candidate may request that the hearing be held in public.
44. The candidate will be invited to summarise his/her appeal submission. The Chair of the original Academic Misconduct Panel (AMP) will then provide a statement with regards to the decision-making process.
45. The Panel will then ask questions of the candidate or the AMP Chair to clarify any points made in the submission or arising in the hearing. The candidate and AMP Chair may also ask questions.
46. Before the Panel considers its finding, the AMP Chair and then the candidate will have the opportunity to make any closing statements.
47. Once these statements have been received, and as long as no further points of clarification are required as the result, the Chair will close the open part of the hearing for the Panel to deliberate in private.
48. The Panel may, at its discretion, at any time during the proceedings, order the room to be vacated, or the members may themselves retire to another room for private discussions. Only the panel members will be present at these times.

Academic Misconduct Appeals Panel Decision

49. The Panel will determine in private whether the grounds for appeal are upheld, partially upheld or rejected.
50. Where necessary, the decision of the Panel will be reached by a majority vote but will be announced as the decision of the Panel. The votes of individual Panel members will always be treated as confidential.
51. The Panel will normally reach its decision on the outcome without adjournment. However, if an adjournment is required, the Panel may adjourn for a period not exceeding five working days.
52. Where the Panel fully or partially upholds the appeal, it will make a recommendation for action based on its findings. This may include quashing the proven offence, amending the outcome (for example amending a major proven offence to a minor proven offence), or requiring a new investigation where it is unable to make a judgement on the offence.
53. If the Panel finds that the penalty given to the candidate is not commensurate with standard practice, without a reasonable rationale for this, it may amend the penalty. The Panel may not increase the penalty previously given.
54. The outcome of the Panel's deliberations will be communicated to the candidate and the Academic Registrar in writing as soon as possible after the Panel meeting, no more than five working days after the hearing, or seven working days if an adjournment has been required.
55. All paperwork relating to the Panel will be entered on the candidate's file at the Society and maintained in line with the Society's retention policy.
56. In keeping with the Human Rights Act (1998), should the candidate wish, the decision of the Panel will be posted on relevant notice board(s).

Final Appeal to the Court of the Society

57. If the candidate is still dissatisfied with the decision of the Academic Misconduct Appeals Panel and wishes to make a final appeal to the Court (the Governing Body of the Society), this must be communicated in writing to the Clerk of the Society within 10 working days of the date of the notification of the decision of the Academic Misconduct Appeals Panel.
58. The candidate must state on which of the following grounds the appeal is being made:
 - a. The Panel failed to take into consideration relevant information in reaching its decision
 - b. The decision of the Panel was deficient, set against the information presented to it
 - c. The procedures followed by the Panel were such that the conclusion was unsound.
59. All relevant supporting evidence must be provided to the Clerk at the time of notification of the appeal.
60. The Clerk will inform the Master of the Society, the Chair of the AQSC, the Chair of the Academic Misconduct Appeals Panel, the Chair of the original Academic Misconduct Panel, and the Academic Registrar.
61. The Clerk will notify the Private Court and will present the appeal at the next meeting of the Court.
62. The decision of the Court will be communicated to the candidate by the Clerk within 10 working days of the relevant Court meeting. The Clerk will also inform the Chair of the AQSC, the Chair of the Academic Misconduct Appeals Panel, the Chair of the original Academic Misconduct Panel, and the Academic Registrar of the outcome.
63. The outcome of this final appeal concludes the Society's internal procedures with regards to the allegation of Academic Misconduct, and therefore a Completion of Procedures letter will be issued to the candidate.