



Kingsley Academic Integrity Policy

Kingsley believes strongly in the importance of academic integrity and supports the development of good academic practice. As such it takes breaches of academic conduct very seriously and all allegations of academic malpractice or maladministration will be investigated according to this policy. These are applied with full regard to the principles of equity and fairness.

Scope

The policy applies to all qualifications, at all levels through all awarding bodies.

Responsibilities

CEO, has overall responsibility for appeals.

Equal Opportunities

This policy has been reviewed in line with the Equality Act 2010 which recognises the following categories of an individual's Protected Characteristics: age, gender, race, religion and belief, sexual orientation and disability. We will continue to monitor this policy and to ensure that it promotes equal access and does not discriminate against anyone, especially any person's listed under any protected characteristic.

Different Types of Academic Malpractice or Maladministration, Procedures & Penalties

Malpractice' covers any deliberate actions, neglect, default or other practice that compromises, or could compromise: the assessment process; the integrity of a qualification; the validity of a result or certificate; the reputation and credibility of an awarding organisation.

Malpractice may include a range of issues from failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates.

Examples of malpractice include:

- Failure to comply with requirements for accurate and safe retention of candidate evidence, assessment and internal verification records.
- Failure to comply with established procedures for managing and transferring accurate candidate data.
- Excessive direction from assessors to candidates on how to meet assessment requirements.

- Deliberate falsification of records in order to claim certificates.
- A breach of security (e.g. failure to keep examination or assessment material secure).
- Deception (e.g. manufacturing evidence of competence, fabricating assessment or internal verification records).
- Failure to adhere to regulations/stated requirements.
- Failure by a centre to deal with an identified issue and/or carry out a rigorous investigation as required by the awarding organisation.

Centre maladministration is any activity, neglect or other practice that leads to the failure of a centre or a centre's students to comply with awarding organisation regulations, policies, procedures and requirements governing qualification delivery and assessment. The activity, neglect or other practice may not be deliberate.

Allegations of suspected malpractice/maladministration

Allegations of suspected centre malpractice or maladministration or student malpractice may be made by centre staff and centre contractors (for example invigilators), Assessors, students, others involved in the delivery, examination and assessment of qualifications or others not directly connected with the delivery of qualifications.

Kingsley will request that allegations are made in writing. All allegations of suspected malpractice or maladministration are evaluated by the college to determine the potential gravity of the malpractice, the risk to the qualifications and the appropriate course of action and nature of any investigation which may be necessary. In some cases allegations of centre malpractice or maladministration may be made by someone who wishes to remain anonymous.

Reporting suspected malpractice/maladministration

Kingsley is required to report any suspected cases of centre malpractice/maladministration to the awarding organisation. It is expected that the CEO will be

informed about any suspected cases of centre malpractice/maladministration and will liaise with the awarding organisation. Kingsley will provide the awarding organisation with details of the allegation which has been made.

Kingsley may request guidance from the awarding organisation regarding how to investigate and deal with malpractice and maladministration and to prevent future recurrences of malpractice and/or maladministration.

Kingsley internal investigation process

The CEO will carry out an investigation into the suspected malpractice/maladministration which has been reported, depending on the nature of the allegation. These investigations should comply with the following criteria:

Investigations must be fair and free from bias concentrating on the collection of evidence which can be evaluated to determine whether malpractice/maladministration has taken place.

The objective of the investigation is:

- To establish the facts relating to the allegation/s to determine whether the allegation of malpractice/maladministration can be substantiated.
- To identify the cause of any irregularities and the extent of the involvement of Kingsley staff.
- To establish the scale of any irregularities.
- To identify any evidence in support of the allegation.
- To identify any evidence which suggests the allegation is unfounded.

The CEO should ensure that a written report of the investigation is available addressing the criteria above. The report must set out a statement of the facts, a detailed account of the circumstances of the alleged malpractice and details of the Kingsley investigations. All evidence related to the investigation should accompany the report. Evidence may include; written statements from centre staff and students who have been interviewed as part of the investigation, candidate work, internal assessment or verification records relevant to the investigation, minutes of meetings and any other evidence which has been collected as part of the centre's investigations. Normally investigations should be concluded and a report made to the awarding organisation within 28 days.

In some cases, for example, where there is a suspected breach of security (the content of examination materials has been made available to students in advance of examination), the awarding organisation may not require Kingsley to carry out an investigation and instead will carry out its own investigation.

Kingsley will cooperate fully with any investigations into centre malpractice/maladministration or student malpractice irrespective of whether the centre identified and reported suspicions or the allegation was made by another party, for example, a student, Assessor etc.

Objectives of the investigation

- To establish the facts relating to the allegation in order to determine whether the allegation of malpractice/maladministration can be substantiated.
- To identify any irregularities which occurred, the centre staff and/or students involved and the extent of their involvement.
- To establish the scale of any irregularities.
- To evaluate any action already taken.
- To determine whether remedial action is required to reduce the risk to current students and to preserve the integrity of the qualification/s.
- To determine whether any action is required in respect of results and/or certificates already issued.
- To obtain evidence to support any sanctions to be applied to members of staff and/or students.
- To identify any patterns or trends.
- To identify any changes to policy or procedure that needs to be made by Kingsley.

Rights of individuals accused of malpractice/maladministration

Kingsley will advise anyone accused of malpractice/maladministration of the details of the allegation in writing. Evidence supporting the allegation will also be made available to anyone accused of malpractice/maladministration.

In such cases, a person accused of malpractice/maladministration will be invited to provide their own written report in response to the allegation and the evidence supporting the allegation which has been made available to them.

All written responses to malpractice/maladministration allegations are fully considered before decisions are reached.

The decision

Investigations into significant cases of malpractice/maladministration which identify threats to the integrity of any qualification, the validity of certification, significant

breaches of examination paper security, possible criminal activity and other issues of similar gravity are reported to the CEO.

The CEO is provided with the following information in respect of each significant case of malpractice/maladministration:

- Evidence in support of the allegation
- The written response/s to the allegation, if provided.

The CEO supported by the SMT Committee considers the information and evidence relating to the investigation which has been presented.

The Committee must be satisfied on the balance of probabilities in order to decide that malpractice/maladministration has been proven.

The Committee provides reasons for its decision in respect of each case considered. In the event that the Committee determines that malpractice/maladministration is proven, it will recommend disciplinary procedures to be applied. It may also recommend action to be taken to protect the integrity of the examination or assessment.

Individuals accused of malpractice/maladministration are not permitted to attend the meeting/s of the Committee. The work of the Committee is confidential.

For suspected cases of malpractice/maladministration of a more minor nature which do not affect the integrity of qualifications, the validity of certification, or involve significant breaches of examination paper security and possible criminal activity, the reports on malpractice/maladministration investigations are considered solely by the Provost.

In the event that the Provost concludes that a case of malpractice/maladministration could have affected the integrity of any qualifications, the case will be referred to the SMT Committee. Subsequently if the committee finds that allegations of malpractice/maladministration are justified the individual(s) will be subject to Kingsley disciplinary procedure.

Disciplinary Procedure

The objective of the disciplinary procedure is to help and encourage all staff to achieve and maintain a high standard of conduct, attendance and best job performance.

All employees will have the opportunity to exercise their fundamental rights using the disciplinary procedure:

- The right to be represented at a disciplinary hearing by a colleague
- The right to a full and fair hearing at which employees have the opportunity to state their case.

- The right to appeal against disciplinary warnings or dismissal

All employees will be given a minimum of forty eight hours notice of any disciplinary meetings and will be provided with documentary evidence that will be used at the hearing. At every stage in the procedure a member of staff will be advised of the nature of the complaint and given every opportunity to state their case before a decision is made. Kingsley may, in appropriate circumstances, place a member of staff on any stage of the Disciplinary Procedure.

Disciplinary Stages

Stage 1 - Verbal Warning

A member of the SMT team will conduct an interview with the employee and inform him/her of the expected standards, explain how and to what extent they are falling short, and the period in which you are expected to achieve them.

A record of the warning will normally be retained in the employee's personnel file for six months

Stage 2 - Written Warning

If the unsatisfactory conduct persists, a member of the HR Team will interview the employee, and advise him/her, in writing, how and to what extent your performance is falling short. Again, the period of time for you to achieve the required standards will be clearly stated. A record of the warning will normally be retained in the employee's personnel file for twelve months

Stage 3 - Final Written Warning

The warning letter will clearly state the consequences of failure to achieve the standards required. A record of the warning will normally be retained in the employee's personnel file for twelve months

Stage 4 – Dismissal

Misconduct

Misconduct will normally be dealt with at Stage 1 of the disciplinary procedure, but for offences of a more serious nature, it may be necessary to commence disciplinary procedures at Stage 2 or even Stage 3.

Examples of misconduct:

- Poor Timekeeping
- Unauthorised absence
- Persistent Absenteeism
- Unsatisfactory Standards or output of work
- Abusive or offensive language
- Call Avoidance
- Insubordination
- Disloyalty
- Unauthorised use or negligent damage or loss of property
- Refusal to obey reasonable instruction

In all cases a warning will be issued for misconduct, irrespective of the precise matter concerned and any further breach of the procedure in relation to similar or entirely independent matters of misconduct will be treated as a further disciplinary matter and allow continuation of the disciplinary process through to dismissal.

Gross Misconduct

Gross misconduct usually applies to a first offence or incident, which is extremely detrimental or prejudicial to the College reputation, staff, service providers or staff. If gross misconduct is substantiated, the appropriate penalty could be summary dismissal.

The following offences (although not exhaustive) are classed as acts of Gross Misconduct and will normally result in summary dismissal:

Being under the influence of alcohol or drugs

Professional misconduct

Violence, threat of violence, fighting or inciting others to commit these acts

Breach of confidentiality

- Theft or malicious damage
- Acts of indecency or sexual harassment

- Dishonesty
- Fraudulent Timekeeping
- Falsifying documents
- Gross insubordination or continual refusal to carry out legitimate instructions
- Abuse of the personal harassment policy
- Breach of E-Mail / Internet Policy
- Serious breaches of the Health and Safety Rules
- Unsatisfactory Performance
- Breach of examination paper security

Where performance is considered to be below requirements, college will aim to help and bring staff to an acceptable standard. The procedure operates in stages exactly as in the disciplinary procedures. The appropriate Manager will do everything possible to help staff identify the problem and then to agree a timescale for achieving the necessary improvements. During the time agreed for improvement, a member of the SMT team and relevant Manager will continually review the staff member's progress.

At the various stages staff retain their rights as in the disciplinary procedures, including that of appeal. Copies of written documentation will be given to all involved and the receipt thereof will be confirmed through the appropriate signing of each document.

Right to Appeal at any stage following the first warning in both the disciplinary and unsatisfactory performance, a staff member has the right to appeal against the decision made.

Appeals should be directed to the CEO in writing and signed five working days of the disciplinary action being taken.

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