

## Plagiarism and Academic Misconduct Policy and Procedure

### PURPOSE

Elite Training Institute (ETI) has established this policy to support the Australian Skills Quality Authority (ASQA) Standards for Registered Training Organisations (RTO) 2015. The policy has been developed and implemented by the ETI to support and provide clear instruction and guidance to scope audience with regards to incidents of academic misconduct by any learner enrolled in a course offered by ETI but also includes reference to non-academic misconduct.

### SCOPE

This policy applies to all:

- Staff of ETI
- Past, current and perspective learners of ETI

### REFERENCE

Standards for Registered Training Organisations 2015 (Standard 1).

### DEFINITIONS

**Academic Misconduct** is defined as any action(s) or behaviour likely to result in an unfair academic advantage, whether by unfairly advantaging a learner or disadvantaging another. Acts of academic misconduct include, but are not limited to:

- possession of unauthorised material before, during or after an assessment or exam
- refusing to observe the instructions during the assessment process
- sharing or publishing assignment materials
- collusion with another learner
- learner substitution
- plagiarism
- cheating

**Plagiarism** refers to attempts by learners to use the work, words or ideas of others without proper acknowledgement. In the context of assessment, plagiarism occurs if a learner;

- presents any phrase or extracts, word for word without using quotation marks or referencing the author

- paraphrases all or part of an author's work and presents it without referencing the author, or providing
- inadequate reference to the author
- copies or paraphrases all or part of another learner's work and presents it as their own
- presents all or part of an assessment item previously submitted for assessment in another course or unit of work.

**Collusion** is an agreement or cooperation in order to cheat or deceive for a fraudulent purpose. Collusion can apply to learners (past or present) who intentionally cooperate to gain an unfair advantage towards the achievement of a qualification, statement of attainment or credit towards these. Collusion also refers to the following practices which are not considered allowable;

- unauthorised and unacknowledged joint effort in an assessment
- unauthorised and unacknowledged copying of material prepared by another person for use in an assessment
- unauthorised and unacknowledged assistance from another person.

**Non-academic Misconduct** is any action or conduct by learners relating to people or property which does not meet ETI standards. Non-academic misconduct includes but is not limited to:

- a learner behaving inappropriately in a forum of batch on online portal;
- obstructing any ETI Personnel or representative in the performance of their duties;
- acting dishonestly or knowingly making false or misleading representations in relation to enrolment in a course;
- misusing, stealing, damaging or destroying any property of ETI, a staff member or representative, or another learner;
- willfully disobeying or disregarding any order, direction or condition made by ETI Personnel or representative;
- harassing or intimidating another learner or staff member based on race, ethnicity, sex, marital status,
- sexual preference, disability, age, religious or political convictions or for any other reason;
- prejudicing the good name, academic standing or good order and government of ETI; and
- failing to comply with an outcome resulting from this policy.

## **POLICY**

This policy applies to incidents of academic misconduct by any Learner enrolled in a program offered by ETI but includes reference to non-academic misconduct. ETI will implement this policy in accordance with the following principles:

- Each case of alleged misconduct will be dealt with on its merits, in consideration of all circumstances surrounding the case, and in accordance with this policy. The outcomes of the Learners work will not be finalised until after the case of alleged academic misconduct has been properly investigated and any appeal process has concluded; and
- The initial investigation of misconduct will be undertaken by the Training Manager and may be referred to the CEO.

ETI is committed to operating within the following principles:

- ETI will treat all Learners facing allegations of misconduct fairly and equitably and with due consideration of their privacy regardless of gender, race, ethnicity, age, disability or background consistent with equal opportunity and the principles of natural justice and procedural fairness;
- Any Learner who is the subject of an allegation of misconduct is entitled to be regarded as not having committed the act of alleged misconduct until they admit to the misconduct; or a fair and proper investigation leads to the determination that they committed the act of misconduct;
- Knowledge that a Learner has acted in a particular way in the past will not be assumed to be evidence that they have acted in the same manner again. Such knowledge may be evidence that a Learner is aware that such action constitutes misconduct, and may be relevant to any penalty imposed; and
- Where any work (or part of work) submitted for assessment by two or more Learners is deemed by a ETI assessor to be the same or substantially the same, ETI will consider this to be evidence of academic misconduct by those Learners.

## **PROCEDURE**

### **Penalties**

It is ETI's policy that the penalty or disciplinary action imposed should be appropriate to the type and severity of the misconduct. A decision of the appropriate penalty for any act of misconduct will be made by the Training Manager with the final decision resting with Chief Executive Officer (CEO), and will consider, but not be limited to review of:

- the previous record of the learner;
- whether the learner admitted the misconduct and whether, in so doing, they came forward of their initiative;
- whether the learner assisted or hindered the investigation process;
- whether there was significant extenuating or mitigating factors;
- the type of misconduct;
- the number of learners affected or involved and the impact of the misconduct on the operations of ETI and other learners; and
- any benefit derived from the misconduct by the learner.

### ***Academic Misconduct***

Where academic misconduct is proven, the following penalties may apply:

- a formal caution or reprimand to be recorded on the learners' record with ETI;
- the annulment or disallowance of results in a particular assessment;
- a requirement to undertake further or supplementary assessments with the associated costs borne by the learner;
- the exclusion of the learner from ETI programs either permanently or for a period of time;
- results withheld from the learner;
- suspension of enrolment; and/or
- any other penalty as determined by a ETI.

### ***Non-academic Misconduct***

Where non-academic misconduct is proven penalties including, but not limited to the following may apply:

- the learner is required to apologise formally to any aggrieved party where appropriate;
- the learner undertakes some form of remediation, such as counselling;
- the learner provides full reimbursement of the cost of any damage caused to ETI;
- the learner is expelled (permanent exclusion) from ETI courses;
- the learners may have their enrolment suspended; and
- any such other penalty or action considered appropriate including referral to law enforcement agencies.

### **Notification**

Learners who are subject to disciplinary decisions will be notified in writing of their misconduct (where appropriate) and the actions that will be taken by ETI. ETI will notify learners of the disciplinary outcome within a reasonable time of the incident being raised.

### **Appeals Process**

Learners may appeal against the any disciplinary decision. This appeal must be submitted in writing to Training Manager.

Appeals against the disciplinary decision must be made within 10 working days of receiving the disciplinary decision notification. Disciplinary appeals that are submitted outside of this time will not be considered.

The written appeal must state the grounds on which the appeal is to be made, and must contain an explanation of why the learner believes the original disciplinary recommendation/decision is inappropriate.

The ETI Administration will consider the appeal by reviewing the initial disciplinary decision and the learner's written submission and may discuss the matter directly with the Learner and/or his/her representative. Individuals involved may also be contacted, for further information as required.

The Learner will be informed of the outcome of the disciplinary appeal within 10 working days of its lodgement as identified by the date of receipt by ETI. The decision of the appeal to the ETI Administration shall be final and no appeals of this decision will be made.

### **Detailed Procedure**

Where an allegation of academic, or non-academic misconduct as outlined in this policy is made, the Training Manager will review the allegation and initiate contact with the Learner(s) to advise that they are under review.

The Training Manager will commence an investigation into the allegation of academic misconduct and may engage the services of an independent third party reviewer.

An investigation will take ten (10) working days or otherwise as specified by the Training Manager.

The Training Manager will contact the Learner(s) in writing to advise them of the outcome of the investigation and invite them to respond within ten (10) working days of the date of the letter or email.

Upon receipt of a response, the Training Manager may make further investigations (if required) and/or refer the matter to the CEO along with a recommendation for an appropriate course of action in relation to the allegation.

If no response is received from the Learner(s) by this date, the Learner(s) will be removed from the course.

All outcomes of the Learners work will not be finalised until after a case of alleged academic or non-academic misconduct has been properly investigated and resolved.

The Training Manager and/or CEO will consider all cases of alleged academic or non-academic misconduct, and Learner response to these allegations on a case by case basis.

A decision on the outcome and to be communicated to a Learner will be decided based on the outcome of any investigation and/or Learner appeal of a decision (if applicable).

A decision of the appropriate penalty for any act of misconduct will be made by the Training Manager with the final decision resting with CEO, and will consider, but not be limited to review of:

- the previous record of the Learner;
- whether the Learner admitted the misconduct and whether, in so doing, they came forward of their initiative;
- whether the Learner assisted or hindered the investigation process;
- whether there was significant extenuating or mitigating factors;
- the type of misconduct;
- the number of Learners affected or involved and the impact of the misconduct on the operations of CPA Australia RTO and other Learners; and
- any benefit derived from the misconduct by the Learner.
- 

The Learner(s) will be notified in writing by the Training Manager of the outcome of this decision.

Any costs associated with the outcome of this decision are to be borne by the Learner(s).

If the decision is taken to remove a Learner(s) from the course, no refund will be granted and no statement of attainment, record of results or relevant testamur will be given by ETI to the Learner.

A Learner may appeal against a decision made in relation to an allegation of academic or non-academic misconduct by completing the Complaints and Appeals Form and submitting this to the ETI within ten (10) working days of receipt of the decision.

Learners should refer to the ETI Complaints and Appeals policy and procedure for further information on the appeals process.



**ELITE**  
TRAINING INSTITUTE  
AUSTRALIA