

Academic Misconduct Policy

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1. Background

The Australian and New Zealand Institute of Insurance and Finance (the Institute) recognises that the vast majority of its members and students act professionally, ethically and responsibly in undertaking their Institute studies and conducting their business and professional activities.

Through this policy, the Institute ensures that fit and proper conduct in academic matters is a critical part of being an ethical and professional financial services practitioner.

Consequently, the Institute employs robust procedures to deal with circumstances of academic misconduct, thereby upholding the standing of the Institute and the insurance industry/financial services industry (the industry), through its Academic Misconduct Committee.

The Institute encourages students and/or employers to contact the Manager – Operations and Service Delivery, if they have any queries or do not understand the Institute's Academic Misconduct Policy (the policy). Ignorance or misunderstanding of the Academic Misconduct Policy does not constitute an acceptable defence against an allegation of misconduct.

The policy, and its associated procedures, cover circumstances requiring an investigation into suspected misconduct against an Institute student and to assist the Academic Misconduct Committee operating effectively and fairly, particularly when applying disciplinary procedures.

The overall objective is to ensure that appropriate action is taken by the Institute:

- at the earliest opportunity
- in the timeliest manner
- with overall transparency
- in accord with accepted principles of natural justice.

The Institute's Academic Misconduct Policy is intended to:

- provide protection for the vast majority of Institute students who undertake their Institute studies with utmost good faith and to the best of their abilities.
- preserve and protect the reputation and good name of the Institute.
- preserve the professional reputation and standing of Institute members and the industry.
- uphold the reputation of Australian and New Zealand vocational qualifications that are delivered by the Institute.
- ensure that Institute students are treated according to accepted principles of natural justice, including a fair appeals procedure.
- balance the Institute student's right to privacy, and a company's right to information concerning an employee, where applicable.

2. Types of academic misconduct

The Institute does not tolerate any academic misconduct by its students in academic affairs, and serious penalties apply to those who are found to have engaged in such misconduct.

An Institute student will be considered to have committed academic misconduct in the following situations:

- impersonated, or allowed themselves to be impersonated by, any person in, or for the purpose of, any assessment activity.
- passed off as their own work, or copied without acknowledgment as to its authorship, the work of any other person.
- taken into, or used in connection with, any assessment session, any material other than material specifically permitted by the assessment instructions.
- obtained from, or given to, another person during any assessment session any information relating to that session or any part of it without approval of the supervisor of that session.
- forged any Institute statement of results or testamur, or used them inappropriately.
- behaved inappropriately towards any Institute student or staff member or any other person acting on behalf of the Institute.
- acting in concert with another student to mislead, misrepresent, or deceive in academic matters.
- students submitting substantially the same or the same assignment as another student.
- using or attempting to use hand written notes during the examination assessment unless expressly authorised to do so by the assessment supervisor.
- behaved in other ways, which in the opinion of the Academic Misconduct Committee, intended to provide a misleading basis for assessment.

3. Academic misconduct procedures

Reporting of suspected academic misconduct

Suspected misconduct may be reported, in writing, by:

- another student who should report alleged misconduct to the examination supervisor (in the case of examinations) or the Unit Leader - Assessment (in the case of assignments), or another Institute staff member.
- examination supervisors – by completing and dispatching a Suspected Misconduct Report to Unit Leader - Assessment, immediately upon detection.
- work colleagues or Institute members who have reason to believe academic misconduct may have occurred.
- assessors who mark assignments and exam papers on behalf of the Institute.

In the interests of justice, anonymous allegations about students cannot be considered. It should be noted, however, that upon request, the name of the complainant will remain confidential from the student who has been accused of misconduct.

In some circumstances an Institute student who is the subject of alleged misconduct, and/or is exhibiting challenging behaviour may be requested to leave an assessment venue.

4. The process to be followed in the circumstance of an allegation of academic misconduct

Reporting of suspected academic misconduct

The process that the Institute follows in considering an allegation of academic misconduct is outlined below:

1. The allegation of misconduct is received by the Institute, in writing.
2. The student is formally notified of the alleged breach and asked to put forth any comments on the observations noted by the person alleging misconduct, the marker/supervisor.
3. The case and circumstances is sensitively and professionally investigated by the Institute. This may include communication with the person alleging misconduct, the student concerned, or witnesses.
4. Where evidence is strong, the student is formally charged (under the authority of the Academic Misconduct Committee) with the alleged academic misconduct, in writing, detailing the precise nature of the alleged misconduct (policy and procedures are also supplied). This written communication and related documentation is dealt with in a secure and strictly confidential manner.
5. The student is invited to refute or in other way respond to the allegation within a reasonable time.
6. Academic Misconduct Committee considers the matter, and makes a decision to dismiss the allegation, uphold it and apply a penalty, or seek further information.
7. Academic Misconduct Committee's findings advised in writing to the student along with information regarding an appeals process.
8. Appeals process begins or lapses.
9. Further actions (i.e. notification to the Institute Board in the case of academic misconduct by a current member) advised to the Institute student.

Plagiarism

In instances of misconduct involving suspected undisclosed plagiarism (associated with assignments) the following additional procedure will apply:

1. in instances of virtually identical assignments, neither/none may be accepted in the first instance
2. copies of each submitted assignment will be forwarded to the students
3. each student grade shall be withheld pending an explanation supported by a statutory declaration as may be required by the Academic Misconduct Committee
4. students may be eligible to submit an additional assignment different to that already submitted, and may be required to meet associated costs.

Referral

In some circumstance, it may be necessary for matters before the Academic Misconduct Committee to be referred to the student's employer or appropriate government bodies. In these circumstances the Academic Misconduct Committee may refer the matter to the Academic R corporate governance requirements or other legal requirements). In the circumstance that the Institute seeks advice in relation to releasing information about a matter to the appropriate body/ies, the student should be informed that advice is being sought regarding this.

5. Advice to the student of an allegation of misconduct

A student will be informed in writing of any charge of alleged misconduct as soon as possible and not less than ten working days before the date of the Academic Misconduct Committee meeting that will consider the case. The student will:

- be informed of the nature and particulars of the charge
- be advised who are the members of the Academic Misconduct Committee so that they may challenge the participation of any members if they perceive a conflict of interest
- be advised of the date on which the Academic Misconduct Committee will meet to consider the matter
- be invited and assisted to make a written response to the charge. This may be in the form of a statutory declaration to provide greater strength to the case
- receive a copy of the Institute's Academic Misconduct Policy and Procedures
- be advised that if they wish to make a written submission to the Academic Misconduct Committee that this must be received by the Institute no less than three working days prior to the date that the Academic Misconduct Committee will meet.

6. Appointment and conduct of the Academic Misconduct Committee

Cases of alleged misconduct will be determined by the Academic Misconduct Committee (a sub-committee of the Institute's Academic Council) which comprises:

- three Senior Institute staff representatives, preferably to include the General Manager, Education, as appointed by the Institute Chief Executive Officer (CEO).
- two appropriately qualified external ANZIF Fellow members, one of whom should chair the Committee, as appointed by the Institute Chief Executive Officer (CEO).

For any cases of alleged misconduct of student/s domiciled outside of Australia, the Academic Misconduct Committee may, at the discretion of the Institute Chief Executive Officer (CEO) or General Manager, Education, appoint further appropriately qualified member(s) to assist the Academic Misconduct Committee.

The Academic Misconduct Committee may meet in person, via teleconference, video-conference or exchange written communication to best resolve the matter quickly and efficiently, with the best interests of the student/s involved.

Deliberations of the Academic Misconduct Committee will remain confidential subject to the disclosure requirements of the Institute CEO and Board, Australian Securities and Investment Commission (ASIC) and/or other Authorities and employers. Members of the Academic Misconduct Committee may not comprise members who are employed by the same company as the student who is alleged to have committed misconduct.

Where a student is concerned that a member of the Academic Misconduct Committee may have a conflict of interest they may submit a request that that person does not sit on the Academic Misconduct Committee.

7. Determinations of the Academic Misconduct Committee

In the circumstances that the Academic Misconduct Committee determines that the misconduct allegation is not or cannot be established, the student's progress is not affected.

Where misconduct is established, the student is advised in writing within fourteen days of the:

- determination and the date made
- penalty imposed
- student's right of appeal
- other relevant matters

In some circumstances, the students' employer or ASIC may be informed of the outcome where misconduct is determined to have occurred. Such action will require the approval of the Institute CEO.

8. Penalties that may be imposed where academic misconduct is found to have occurred

Where misconduct is found to have occurred, the Academic Misconduct Committee may impose a penalty, including:

- formal reprimand
- a result of zero for the assessment section of the module concerned
- an overall result of zero for the module concerned
- results of zero for other modules completed in the assessment session
- suspension of the student's candidature in all Institute modules for a period not exceeding 18 months
- another penalty or combination of penalties as the Academic Misconduct Committee may consider appropriate.

Institute students who have previously achieved membership of the Institute or are current members should note that if misconduct is found to have occurred, the Academic Misconduct Committee may refer the matter to the Academic Review and Member Disciplinary Proceedings Sub-Committee for further consideration. The matter will then be dealt with under the Institute's Code of Ethics and Standards of Professional Conduct, which applies to Institute members. This may result in a further range of penalties, including possible expulsion from membership of the Institute.

In some serious matters, the case may be referred to the police as may be warranted. Such action will require the approval of the Institute CEO.

9. Appeals process

A student has the right to appeal the decision of the Academic Misconduct Committee on the grounds that:

- the penalty was excessive or inappropriate
- new/additional evidence that supports the student's case is available
- other circumstances relevant to the particulars of the case
- the AMC's decision is wrong on the evidence.

A notice of appeal, providing clear reasons against the grounds above, must be submitted in writing to the CEO no later than 14 days after the student has been issued with notice of the decision of the Academic Misconduct Committee.

An appeal will normally be heard within 30 days of the date of decision of the Academic Misconduct Committee.

The appeal will be heard by the Academic Review and Member Disciplinary Proceedings Sub-Committee, which comprises:

- Institute CEO
- Independent industry representative with a legal background, whom should chair the Committee, as appointed by the Institute CEO.
- Independent industry representative appropriately qualified as appointed by the Institute CEO
- a representative from the Institute Board.

After considering the appeal, the Academic Review and Member Disciplinary Proceedings Sub-Committee may:

- dismiss the charge
- uphold the charge and vary the penalty
- request the Academic Misconduct Committee to re-consider the matter
- uphold the charge and confirm the penalty.

The decision of the Academic Review and Member Disciplinary Proceedings Sub-Committee will be final.

10. Further Information

For further information about the Academic Misconduct Policy, please contact:

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