



<b>Version Control</b>					
Updated document to be sent to: students, lecturers and internal staff including Director of Studies (DoS) and Internal Quality Assurance Board (IQAB).					
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### **Instructions for document users**

All ILMI students, lecturers and other internal staff can access revised and approved documents related to the ILMI Policies and Procedures from Canvas LMS link:

<https://ideaed.instructure.com/courses/55>

### **Continuous Improvement**

Procedures are meant to be 'living' documents that need to be applied, executed and maintained. If the procedure does not reflect the current, correct work practice, it needs to be updated. Please contact us on: +356 2145 6310

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## Aim and Scope of Document

The Student Disciplinary Procedure is intended to provide a clearly formulated and impartial process for dealing with allegations relating to student discipline or behaviour within a reasonable timescale having due regard to the spirit of fairness.

## Disciplinary Procedure

Idea Leadership and Management Institute is committed to conducting a fair process when considering student discipline issues. When it is alleged that a student has committed a breach of the Regulations for Student Conduct, the student will be referred to this procedure. This procedure does not cover allegations of academic misconduct, for example cheating or plagiarism, which will be considered under the Procedures relating to plagiarism and cheating.

The Procedure may be initiated in response to reports from staff and students. Reports from students and staff are forwarded to the Director of Studies. Once a case is being considered it is a matter between the ILMI and the student(s) concerned. The Procedure is not used to resolve third party concerns, or matters that would be more appropriately dealt with through other channels (e.g. criminal or civil courts).

## Principles

- **Diversity and Inclusion** - ILMI is committed to fair, equal and non-discriminatory treatment for all and this principle is set out in its Internal Quality Assurance Policy as well as Equality and Inclusion Policy.
- **Confidentiality** - appropriate levels of confidentiality will be maintained throughout the process. Students and staff involved in this process will also be required to maintain confidentiality.
- **Timeliness** - ILMI will investigate allegations without undue delay.
- **Mitigating circumstances** - a student's medical or personal circumstances shall not constitute grounds for excusing a student from an offence of misconduct, other than in exceptional cases. However, in appropriate circumstances, the ILMI will consider mitigating the penalty imposed on a student for misconduct, subject to evidence of mitigating circumstances.
- **Reporting on student discipline** - student discipline issues will be recorded in writing.
- **Academic misconduct** - academic misconduct is any type of cheating that occurs in relation to a formal academic exercise. Examples are not limited to: plagiarism, collusion, falsification, cheating, deceit, or personation.
- **Plagiarism** - plagiarism is the presentation of another person's work as the student's own, without proper acknowledgement of the source, with or without the creator's permission, intentionally or unintentionally.
- **Collusion** - it is a form of plagiarism. It is an unauthorised and unattributed collaboration of students in a piece of assessed work.
- **Falsification** - it is an attempt to present fictitious or distorted data, evidence, references, citations, or experimental results, and/or to knowingly make use of such material.
- **Cheating** - it is any attempt to obtain or to give assistance in an assessment without due acknowledgement. This includes submitting work which is not one's own.
- **Deceit** - it is dishonesty in order to achieve advantage. For example, by resubmitting one's own previously assessed work.
- **Personation** - it is the assumption of the identity of another person with intent to deceive or gain unfair advantage.

## 1. Categories of Allegations and Referral

### 1.1 Student Behaviour

Students are expected to comply with regulations of ILMI. When ILMI rules and regulations are breached, ILMI shall be constrained to implement measures to rectify matters, ensure conformity and safeguard the interest of ILMI learning community.

### 1.2 Categories of Allegations

1.2.1 All allegations of breaches of ILMI Regulations for Student Conduct will be categorised as 'alleged misconduct' and 'misconduct'. The category of offence is important because it determines what penalty might be imposed, depending on the severity of the allegation.

1.2.2 Definitions:

**Alleged misconduct** - a suspicion of potential misconduct and breaching Code of Academic Integrity (doc 029) and/or Student Rights and Responsibilities (doc.031) to be further investigated

**Misconduct** - breaching Code of Academic Integrity (doc 029) and/or Student Rights and Responsibilities (doc.031), Programme regulations (doc 037).

1.2.3 A student may not be granted an award, obtain certification of an award or attend a graduation ceremony whilst a matter of alleged misconduct is still in the process of being dealt with under this Procedure.

### 1.3 Referral

ILMI staff and students may refer a disciplinary case by emailing to [info@ideamalta.com](mailto:info@ideamalta.com)

These are viewed by and acknowledged by Programme Manager who forwards the case to Director of Studies who appoints the Student Disciplinary Board (SDB) accordingly.

## Procedures for Considering Allegations of 'Misconduct'

### 1.4 Responsibility for Considering Allegations of Misconduct

- 1.4.1 All allegations of 'misconduct' will be considered by the SDB appointed by the Director of Studies.
- 1.4.2 SDB completes the misconduct pro forma form and email it to the Director of Studies email account.
- 1.4.3 SDB interviews the student during which the student is given an opportunity to respond to the allegation, and where appropriate inform ILMI of any mitigating circumstances. The appropriate staff member considering the case will consider the mitigating circumstances and may take them into account when imposing a penalty.
- 1.4.4 SDB may interview anyone who he or she believes can provide information that might be useful in considering whether the student has breached the Regulations for Student Conduct and in determining the appropriate penalty. Staff and students asked to attend an interview or to provide other information or documents are expected to co-operate with ILMI in its conduct of the investigation.

### 1.5 Penalties for Misconduct Offences

- 1.5.1 SDB having considered all of the circumstances including any mitigating circumstances submitted by the student, recommends penalties listed below, though not limited to, to the Director of Studies who makes a final decision on penalty to be imposed on student.
  - A notification letter;
  - Formal warning;
  - Require the student to write a letter of apology;
  - Redo assignment;
  - Reduction of marks;
  - Exclusion from ILMI;
  - Suspension;
  - Withdraw a student from the programme of study; and
  - Withdraw, subject to subsequent confirmation by the Director of Studies, any degree, diploma, certificate, or other distinction already conferred on the student.

## 1.6 Appeals

- 1.6.1 The student will have the right to appeal against the penalty imposed under Section 2.2 and 3.1 of this procedure to the Appeals Board.
- 1.6.2 The student may request to meet with the Appeals Board, and/or the Appeals Board may request to meet with the student. If neither the student nor the Appeals Board request a meeting the appeal may proceed by considering the appeal file only. The appeal file will comprise:
- the student's misconduct proforma;
  - the student's statement of appeal, and
  - any other documents that are relevant to the case.
- 1.6.3 The proceedings will not be invalidated by the failure of the student to attend a meeting or by the exclusion of the student from the meeting.
- 1.6.4 The student will have five working days to appeal a penalty that has been imposed under Section 2.2 of this procedure and the Appeals Board will normally consider the appeal within twenty working days. Where a meeting is requested by the student or required by the Appeals Board, the Appeals Board will meet without undue delay.
- 1.6.5 The Appeals Board reports directly to Director of Studies who has overall responsibility to:
- (i) Overturn the finding that the student has been found to have breached the Regulations for Student Conduct; e.g. decision made on lack of evidence; OR
  - (ii) Confirm or reduce the penalty that has been imposed for the breach of the Regulations for Student Conduct.

## 1.7 Investigating the Allegation

1.7.1 To investigate the allegation, the Student Disciplinary Board will normally interview the student against whom the allegation of serious misconduct has been made.

1.7.2 The student has the right to be accompanied to the interview by a 'companion' who, for this purpose, is defined as a:

- friend (any person who is not formally representing law);
- currently registered student of the ILMI; and
- support worker for students with disabilities.

A person who does not fall within these categories will not be able to act as a 'companion' unless otherwise agreed by the Student Disciplinary Board or his or her nominee.

1.7.3 The role of the 'companion' is to support the student in preparation for the interview and accompany the student at the interview. The 'companion' may speak on the behalf of a student, with the permission of the Student Disciplinary Board or his or her nominee. It is not the role of the 'companion' to present the student's case on his or her behalf or to answer questions directed at the student, except in the most exceptional circumstances.

1.7.4 The student should notify the Student Disciplinary Board of any special requirements to allow them to attend and/or participate fully in the interview minimum one week in advance to allow the Board to make appropriate reasonable adjustments.

1.7.5 The interview will be formally Minuted by a selected member of the Student Disciplinary Board.

1.7.6 The student and the 'companion' will normally be present throughout the interview but the Student Disciplinary Board may ask them to withdraw at any stage. If any person obstructs the proceedings, the Disciplinary Board may require all or any of those present to leave the interview.

1.7.7 The proceedings of the investigation will not be invalidated by the failure of the student or the 'companion' to attend the interview or by the exclusion of the student or the 'companion' from the interview.

1.7.8 The Student Disciplinary Board may invite the student to any subsequent interview(s) where appropriate.

1.7.9 The Student Disciplinary Board may interview anyone who he or she believes can provide information that is material to considering whether the student has breached the Programme Regulations. Staff and students asked to attend such an interview or to provide other information or documents are expected to co-operate with ILMI in its conduct of the investigation.

## 1.8 Recording and monitoring

At the conclusion of a disciplinary matter, a formal record of the penalty imposed on the student for 'alleged misconduct' and 'misconduct' offences will be retained in accordance with the ILMI policies on data protection.

## 1.9 Confidentiality

It is ILMI's aim to deal with conduct matters sensitively and with due respect for the privacy of any individuals involved. All parties must treat as confidential any information communicated to them in connection with a matter which is subject to this procedure, subject to the need to seek appropriate advice and guidance. ILMI will, during or at the conclusion of the procedure, inform such members of its staff as it considers necessary, having due regard to all the relevant circumstances.

## Supporting Documents

- Programme Regulations Document 037
- The Student Grievance Policy and Procedure Document 008
- Code of Academic Integrity Document 029
- Student Rights and Responsibilities Document 031
- ILMI Boards Document 038

IDEA Group was founded in 2005 as IDEA Management Consulting Services offering advisory services in the field of business development, change management and human resources as well as corporate training.

Today, Idea Group offers a wide range of management, research, training and education services. The Group's centric idea remains keeping clients at the centre of our service.

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