

STEP ESSAY ROUTE ACADEMIC INTEGRITY POLICY

The Essay route to membership (formerly Qualified Practitioner route) is a research and thesis-based route to membership for trust and estate practitioners who have established themselves in their field. The aim of the Essay route is to determine whether the applicant has acquired an appropriate level of knowledge to ultimately become a Full Member of STEP entitled to use the TEP designation.

Academic integrity is the demonstration of values expected of a STEP member, such as honesty, respect and acknowledgement of others' work, avoidance of plagiarism or misconduct and compliance with responsible research practices.

The purpose of this policy is to maintain the integrity of the Essay programme and accompanying STEP membership. The policy applies to all applicants undertaking the Essay programme.

Those enrolled on the Essay route, as members of STEP, are expected to abide by the STEP Code of Professional Conduct, which highlights the principal professional standards that a STEP member is expected to uphold. STEP considers academic malpractice a serious breach of the Code and reserves the right to investigate any allegations of malpractice as per the procedure outlined in this document.

Academic malpractice can result from a deliberate act of cheating, but may be committed unintentionally, for example, through failure to cite materials adequately. Whether intended or not, all incidents of academic malpractice will be treated seriously by STEP.

1 Types of academic malpractice

Academic malpractice is any activity – intentional or otherwise – that is likely to undermine the integrity of the Essay route or other works of STEP. It includes:

- Plagiarism
- Collusion
- Fabrication or falsification of results

1.1 Plagiarism

Plagiarism is the presentation, intentional or otherwise, of the ideas, work or words of another person or publication without proper, clear and unambiguous acknowledgement. Examples of plagiarism include:

- Quoting another's work 'word for word' (verbatim) without placing the phrase(s), sentence(s) or paragraph(s) in quotation marks and providing a clear citation and reference.

- Summarising or paraphrasing the work or ideas of another without citing and referencing the original source. Please note: Summarising/paraphrasing is putting across the source's ideas in your own words; restating the ideas in your own way.
- Using statistics, tables, figures, formulae, diagrams, questionnaires, images etc. created by others without citing and referencing the original source.
- Copying the work of another delegate, with or without their consent.
- Buying or commissioning a piece of work and presenting it as your own.

1.2 Collusion

Collusion is when a candidate or candidates collaborate with another candidate or candidates, as an individual or group to gain a mark or grade to which they are not entitled. Candidates who allow another candidate to copy their work are also committing collusion and both the copier and the provider of the work are liable to be penalised.

1.3 Fabrication or falsification of data or results

Fabrication or falsification of data or results by individual candidates or groups of candidates is the presentation or inclusion in a piece of work of figures or data, which have been made up or altered and have no basis in verifiable sources; potentially, this may involve other instances of academic malpractice.

2 Identifying an offence

If the examiner(s) suspects malpractice when marking an essay, s/he will continue to mark the paper as normal and gather evidence of the extent of the alleged malpractice. The Essay route process will then be suspended for the member in question, and the result withheld pending an investigation. The examiner(s) will submit a brief report, identifying the possible malpractice, to STEP, who will commence an investigation as described in sections 3 to 6 of this document.

Unless there are very good reasons, there is no expectation that, on the finding of plagiarism in a piece of assessed work, previous work will be routinely checked. The option remains to review all of the candidate's assessed work if STEP determines that it is appropriate to do so.

3 Procedure for dealing with an offence

Where a candidate is alleged to have committed an offence, STEP will appoint an Investigating Officer, who will write to the candidate on behalf of the Essay Committee, identifying the relevant concern(s) and providing a copy of this policy.

The candidate may respond to this within ten working days with a written statement. If the candidate fails to submit a response within this time frame, the Investigating Officer

shall send a warning letter. If, following another ten working days, a response from the candidate is still not forthcoming, STEP shall, by default, refer the case to a Review Panel.

Where a candidate responds within the timeframe, if the response is deemed adequate by the Investigating Officer, the matter will be closed. Where a candidate's response is deemed inadequate by the Investigating Officer, or where a candidate admits a cheating offence, STEP shall refer the case to the Review Panel.

4 Review Panel

The Review Panel may consist of members of the Professional Development team or the Professional Development Committee, and the Professional Standards team or Professional Standards Committee.

The Review Panel will be established, and will convene, within a reasonable timeframe.

The Review Panel will consider the evidence and, if applicable, the statement from the candidate, in order to agree on an appropriate recommendation according to the outcomes listed in Appendix 1. This recommendation will be referred to the Membership Committee for a final decision.

Situations will be dealt with on a case-by-case basis and the Review Panel is expected to use its judgement in deciding the seriousness of an offence and whether there are circumstances that might affect the severity of the penalty. The Panel must attempt to ensure consistency of treatment between cases, making and recording a judgment about what is a proportionate penalty.

Factors that the Panel must take into account when determining the recommended penalty and its proportionality include the following:

- The proportion of the piece of work that was subject to malpractice (the higher the proportion, the more serious the offence)
- The candidate's previous history (a subsequent offence, occurring after a candidate has already received a warning or penalty for academic malpractice, is more serious than a first offence)
- The degree of intention to deceive in the piece of work in question (which might be assessed by, for example, efforts to change wording, poor referencing or lack of referencing of plagiarised material, evidence from earlier drafts), and also in response to the allegations.

The Review Panel's recommendation shall be reviewed at the next available Membership Committee meeting. The Investigating Officer shall communicate the final decision of the Membership Committee, including where the decision is that no offence has been committed, in writing to the candidate within ten working days following the decision of the Committee.

5 Appeal against the decision of the Review Panel

If the candidate wishes to appeal against the decision of the Membership Committee, s/he must write to the Investigating Officer within ten working days of receiving the decision, stating that s/he wishes to appeal and giving the grounds for the appeal. An appeal against the original decision shall be allowed on the grounds listed below and, if the appeal is allowed, an Appeals Panel will be convened to consider the appeal.

An appeal may be allowed on the following grounds:

- Administrative error;
- Where there is new evidence of extenuating circumstances which was not available to the Review Panel at the time it made its recommendation;
- Where there is evidence that the Review Panel acted unfairly or where it was thought to have imposed too harsh an outcome.

The Chair of the Essay Committee will decide whether an appeal is justified based on the grounds given above. If an appeal is justified, an Appeals Panel, made of members of the Professional Development Committee or Professional Standards Committee, and who were not members of the Review Panel, will be convened. The Appeals Panel will have the power to confirm, reverse or modify the original decision, including the application of further and more severe outcomes in accordance with Appendix 1.

The Appeals Panel shall be convened for the purpose of hearing the appeal as early as possible after the receipt of notification of the intention to appeal, and the candidate shall be notified in writing of the relevant date and time of the hearing.

Any documents or statements submitted throughout the process by either the candidate, the Review Panel or the Essay Committee will be collated, and copies of any documents which will be presented to the Appeals Panel shall be sent to the candidate. The case file of documents and notice shall be sent no fewer than five working days before the date set for the hearing. No additional documents may be added to the case file beyond this point.

Candidates will be offered the opportunity to attend the hearing via video or teleconferencing facilities. Candidates may, if they wish, be accompanied by a chaperone. The person accompanying the candidate may speak in support of the candidate if the candidate so desires.

6 Appeals Panel procedure

- I. The candidate shall have the right to be present at all proceedings of the Appeals Panel excluding paragraph VIII below.
- II. Proceedings of the Appeals Panel shall not be invalidated by reason of the absence from the meeting of the candidate, provided the Panel is satisfied that correct notification has been sent to the candidate.

- III. All members of the Panel shall introduce themselves. The Panel shall read to the candidate the particulars of the allegation and ask him/her to confirm the decision made by the Review Panel irrespective of whether the allegation has been admitted to or not.
- IV. If, at this stage, the candidate decides to admit to an offence that s/he had previously not admitted, the Panel has the authority to consider which outcome(s) to impose immediately.
- V. In all other cases, each side, first the Panel and then the candidate shall present any documentary material from the case file.
- VI. The candidate shall have the right to examine any documents, reports or written statements that have been used in the case as the Appeals Panel has the right to examine any written reports or documents introduced by the candidate.
- VII. If the candidate wishes, s/he may give evidence, and may thereupon be questioned by the members of the Appeals Panel.
- VIII. The Panel shall consider its findings in private and shall if possible reach its findings without adjournment.

In deciding upon the outcome of an offence, the Review Panel or Appeals Panel shall refer to Appendix 1. For all outcomes except 'a' ('that the allegation is not proven and that no further action is required'), a note must be entered on the candidate's record.

Findings and outcomes of the Appeals Panel, including where the decision is that no offence has been committed, shall be sent to the candidate and any other persons in the case as soon as possible after the review or hearing, at most no more than ten working days later.

7 Avoiding an offence

Members who are unfamiliar with referencing or citation practices, or are unsure of what is expected of them, are encouraged to seek assistance from STEP at the earliest opportunity, ahead of submitting their essay. Advice and resources may be offered in these circumstances.

Appendix 1

Outcomes for cases of academic malpractice

In considering allegations of academic malpractice, the Review Panel can recommend as follows.

- a) That the allegation is not proven, or is sufficiently minor that no further action is required;
- b) That the allegation is proven and that one of the following penalties shall be applied:
 - i. That the candidate is to be warned that their actions do not correspond with the integrity expected of a STEP member, but that no further action is required.
 - ii. That the candidate is to be warned that their actions do not correspond with the integrity expected of a STEP member, and that the mark obtained in the assessment(s) concerned is to be set at zero.
 - iii. That the candidate is to be warned that their actions do not correspond with the integrity expected of a STEP member, that the mark obtained in the assessment(s) concerned is to be set at zero, and that the candidate is not permitted to address the same essay question in the future.
 - iv. That the candidate is to be warned that their actions do not correspond with the integrity expected of a STEP member, that the mark obtained in the assessment(s) concerned is to be set at zero, and s/he is to be excluded from the Essay route.
 - v. That the candidate is to be warned that their actions do not correspond with the integrity expected of a STEP member, that the mark obtained in the assessment(s) concerned is to be set at zero, that s/he is to be excluded from the Essay route and that referral be made to the Disciplinary Panel, who will consider the facts and determine an outcome and/or Sanction according to STEP's Disciplinary Rules.

This policy has been created in conjunction with the Academic Malpractice: Policy & Procedure by STEP and Central Law Training International.