

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

<b>1.</b>	<b>POLICY TITLE</b>	<b>ACADEMIC MISCONDUCT POLICY</b>
<b>1.1</b>	<b>Policy number:</b>	<b>AS-E-010.2</b>
<b>1.2</b>	<b>Category:</b>	<b>Organisational</b>
<b>1.3</b>	<b>Approval date:</b>	<b>April 2011</b>
<b>1.4</b>	<b>Revision due date:</b>	<b>April 2013</b>
<b>1.5</b>	<b>Unit responsible</b>	<b>Fellowship Services</b>

## **2. POLICY DECLARATION**

This policy identifies conduct considered unacceptable amongst persons seeking membership or admission (by any approved pathway) to Fellowship of the College, or members otherwise dealing with the College, and outlines consequences of any such unacceptable conduct. Candidates, by the act of applying for membership or enrolling in any RACGP assessment activity or members otherwise engaging in any reporting process (including without limitation in respect of Quality Improvement and Continuing Professional Development (QI and CPD) activities) agree, by each such act, to abide by this policy and its procedures. The intent of this policy is to ensure that the conduct of members of the College and those seeking membership reflects the highest standard of integrity, thereby ensuring the community can have confidence that College assessments and records provide a true reflection of the competence and safety of a general practitioner to practise independently.

**This policy is approved by Council and authorised by the CEO.**

## **3. BACKGROUND**

### **3.1 Objectives**

The objectives of this policy are to:

- Provide procedures for the honest conduct of College assessments, admissions and reporting
- Articulate rules and processes that will ensure that the facts of any allegation in relation to academic misconduct are investigated properly whilst affording procedural fairness to those under investigation
- Ensure that penalties for identified academic misconduct are appropriate
- Prohibit activities by persons concerned that undermine the integrity of the assessment, admission and recording processes of the College.

The objective of all College policies is to continually improve the capacity of general practice to deliver the highest quality of general practice services to patients. This policy achieves this objective by helping to ensure that the results of assessments, admissions and reporting are a true reflection of the skills, knowledge and experience of each member or aspiring member as the case may be.

### **3.2 Specific Aims**

The specific aims of this policy are to describe all elements of the rules and procedures for the participation of members and/or aspiring members in College assessment, admission and reporting procedures, including (without limitation) to:

- Clearly articulate College policies and processes for maintaining proper academic conduct of members and/or aspiring members in relation to assessments, admissions and reporting
- Establish and explain the principles guiding College investigations and decision making regarding alleged academic misconduct
- Provide a framework for determination of the appropriate penalty to be applied following a finding of academic misconduct
- Articulate the process for persons aggrieved by a decision of academic misconduct to appeal that decision.

## 3.3 Definitions and interpretation

“Assessment” includes any step in any pathway towards Fellowship in respect of which the knowledge, skill and/or ability of a Candidate is tested or when any information, proof or other materials are submitted to the College by a Candidate as a matter of record or otherwise.

“Candidate” means a person who is either currently or seeking to become a member of the College, whether as a Fellow or otherwise, and, for removal of doubt, includes both persons seeking to be enrolled in any Assessment or presenting for or participating in an Assessment.

“Supervisor” means any person engaged by the College (with or without reward), including staff, consultants, and members, to be involved in the conduct or supervision or invigilation of any College Assessment or reporting or recording procedure.

In this policy:

- the use of the plural (e.g. Candidates, Supervisors) also implies the singular and, *vice versa*, the use of the singular (e.g. Candidate, Supervisor) also implies the plural.
- use of the word *including* and similar expressions are not, nor are they to be interpreted as, words of limitation.
- Any notice shall be deemed received within 2 working days of posting to a destination within Australia or 7 working days to a destination outside of Australia.

## 3.4 Standard of conduct

Academic misconduct is unfair to the Australian community which expects its general practitioners to have achieved and continue to maintain prescribed standards. For this reason academic misconduct must be properly investigated, and penalties must apply if a finding of academic misconduct is made.

College Assessments, including admissions and reporting activities, are conducted in a manner that reflects the College commitment to honesty, integrity, diligence and transparency. Assessments leading to the award of Fellowship of the College are designed to assess whether the skills, knowledge and experience of Candidates are adequate to enable them to practise as independent general practitioners. For this reason, College Assessments must be academically valid. To help ensure Assessments are valid, the conduct of Candidates before, during and following Assessments must be and remain of exemplary standard.

Similarly, the QI and CPD program maintained by the College is designed to ensure general practitioners maintain currency of knowledge and skills. Correctness of recording attendance at QI and CPD activities is a vital component in this process.

The College therefore reasonably expects Candidates will conduct themselves in an honest manner in relation to all Assessments, including admissions and recording activities.

## 3.5 Responsibility

The Censor-in-Chief (or delegate) and the Chief Executive Officer (or nominee) will each separately have responsibility to ensure that this policy is properly implemented in the case of any allegation of academic misconduct in respect of a member and/or Candidate.

## 4. BODY OF POLICY

### 4.1 What constitutes academic misconduct

The College has zero tolerance of academic misconduct which includes cheating, collusion, impersonation, disruption, engaging in prohibited activities that affect the academic validity of the Assessment process, making false statements, presenting falsified or false documents, and all other conduct of a like nature invoking lack of transparency, honesty or integrity in relation to a Candidate’s interaction with the College.

To constitute academic misconduct, the conduct complained of must relate to the Assessment process (including processes prior to, during or following an actual attendance at or undertaking an Assessment), admission to membership or Fellowship of the College (including with respect to eligibility) or reporting or recording any information to the College, regardless of the medium in which the communication or material be stored or provided.

College Assessment procedures covered by this policy include:

- applications for enrolment in any Assessment
- applications to present for any Assessment
- undertaking or participating in any Assessment process
- applications for special consideration
- ensuring the honesty, accuracy and academic validity of Assessments
- keeping confidential the academic content of any Assessment
- communicating the results of Assessments

Specific examples of academic misconduct include:

- (i) failing to strictly comply with the rules for Candidates presenting for Assessment set out in section 4.2 of this policy
- (ii) breaching an action or inaction by a Candidate for Assessment which is in breach of any lawful direction or directions issued by the College or any Supervisors at any time (including by publishing to Candidates prior to the relevant Assessment)
- (iii) conduct on the part of a Candidate for Assessment that impairs or may impair the reasonable freedom of any other person to pursue his or her studies or Assessment activities within the College process
- (iv) conduct on the part of a Candidate for Assessment that hinders the pursuit of academic excellence by circumvention of established College procedures in relation to Assessment
- (v) cheating (including seeking to obtain or obtaining an unfair advantage in an Assessment) by any means, attempting to cheat by any means, or doing anything which may assist another person to cheat in relation to any Assessment within the College.
- (vi) plagiarising the work of another person by adapting or incorporating that work in a piece of Assessment, or an application in relation to eligibility for Assessment, or in any other submission to the College (including for publication), without appropriate acknowledgement
- (vii) otherwise failing to acknowledge by joint authorship a work and/or contributions of others to a work presented or represented by a Candidate as their own
- (viii) unauthorised communication or collaboration with another Candidate for Assessment prior to, during and/or after an Assessment by any means
- (ix) in respect of electronic Assessments undertaken "on line", the shutting down, exiting, interruption or abusing of the Assessment process during participation in the Assessment or the opening or accessing during the Assessment of another computer program on the Candidate's browser
- (x) bringing unauthorised materials or prohibited devices into a secure Assessment area including an area where clinical or viva Assessments are undertaken
- (xi) making a false representation about matters affecting the Assessment, admission or QI and CPD status of a Candidate and/or member including impersonation, or submitting false documents, or making false statements, or staging non-genuine clinical encounters in the Candidate's own practice (including encounters for videotaped consultations or external clinical visits)
- (xii) making any other false or negligent representation in any materials otherwise provided to the College
- (xiii) disrupting or obstructing a Supervisor undertaking Assessment procedures or supervising Assessment procedures on behalf of the College
- (xiv) providing or seeking to provide, or receiving or seeking to receive, or creating or seeking to create, or storing or seeking to store, or disseminating or seeking to disseminate information about the content of previous examinations and other Assessments (It should be noted in this context that the College holds copyright in its examination questions and other Assessment content and a breach of the nature described in this paragraph may also constitute an infringement of copyright, which the College reserves the right to pursue as well as any associated academic misconduct)
- (xv) inciting, assisting, facilitating or encouraging academic misconduct in others

## 4.2 Rules applicable to Candidates presenting for Assessment

### (a) Time of arrival

Candidates must be in the waiting area:

- (i) for written Assessments, at least 10 minutes
- (ii) for clinical Assessments, at least 30 minutes

before the scheduled commencement time for the Assessment.

Punctuality must be strictly observed by Candidates in order to enable Supervisors to perform all necessary administrative procedures prior to allowing Candidates to commence the Assessment, and to avoid disruption of other Candidates.

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

The College urges Candidates to consider potential disruptions to travel timetables and schedules when planning their arrival times at Assessment venues. The College will not disrupt the Assessment process in the event that travel problems affect the arrival time of a Candidate.

**Candidates who are not in the appropriate waiting area by the required time will not be permitted to participate in the Assessment.**

## (b) Establishment of Identity

Candidates must present primary "Proof of Identity" to the appropriate Supervisor (invigilator, administrator or other) as a pre-condition to enrolling as a member or in the Assessment process and also immediately prior to presenting for an Assessment (and before entering the Assessment area), to ensure that the person enrolled and subsequently presenting for the Assessment is the same person. Candidates are advised that the Proof of Identify documentation that they present must be in the same name as the name used to enrol for the Assessment. Candidates whose name changes after the submission of an enrolment form (e.g. by marriage, divorce, deed poll etc) must advise the College's Membership Department as soon as possible after the change. A primary Proof of Identity document must be genuine and must:

- confirm the identity of the Candidate (in the Candidate's true name, showing the Candidate to be the person participating in the Assessment)
- be a current document
- be an original document (not be a copy or a certified copy)
- be a true document (not be a forgery)
- be valid (contain no errors, deletions, corrections, or forgeries), and
- include a true photograph of the Candidate.

Identity checks will be conducted for all Assessment.

A valid primary Proof of Identity documentation can include a genuine original of one of the following:

- (i) an Australian passport
- (ii) an overseas passport
- (iii) an Australian photo driver's licence
- (iv) a proof of age or identity card issued by an Australian state or territory police force
- (v) an Australian student identity card
- (vi) any other entitlement or identity card issued by the Australian government or an Australian state or territory government, which carries a photograph of the Candidate.

If a Candidate does not hold any of the primary Proof of Identity documents listed above, then the Candidate should notify **in writing** the College Faculty Office via which they will be undertaking the Assessment at least **14 days** prior to the date of the Assessment and follow instructions that will then be issued.

Candidates who fail to present a valid and genuine primary Proof of Identity document immediately prior to the Assessment, or who fail to notify the office of the College at least 14 days prior to the Assessment that they may not meet the identification requirements, will not be permitted to enter the Assessment area. **Such Candidates will not be permitted to participate in the relevant Assessment segment.**

## (c) Prohibited items

Candidates participating in an Assessment are advised that certain materials and items are not allowed in Assessment venues. Candidates will be given an opportunity prior to the commencement of the Assessment to surrender any such forbidden objects or materials inadvertently brought to the Assessment venue.

In order to prevent cheating and to ensure that the Assessment is fair, the following items are prohibited in all Assessment areas:

- writing paper
- notes
- books
- mobile telephones, or any device that enables communication by telephone, SMS or other electronic or wireless means
- computers
- calculators

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

- palm pilots
- any sound recording or sound reproduction device (e.g. MP3 players)
- Blackberrys, Blueberrys, Bluetooths, or any electronic devices that enable access to the internet, email or any form of information sharing and/or communication
- any other electronic devices
- hand bags
- other personal belongings a Supervisor at the venue may nominate, particularly if they may have information storage or retrieval capabilities or may conceal notes or information
- any other items from time to time advised to the Candidate prior to presenting for the relevant Assessment.

In order to ensure that Candidates do not disturb other Candidates during the conduct of an Assessment, a Supervisor may additionally prohibit any item in any Assessment areas that they determine may disturb other Candidates.

In the event that Candidates may be required to bring unusual items into a secure Assessment area, such as a mobility aid, the Candidate is required to notify the relevant College Faculty Office or Supervisor as soon as is practicable, and preferably 10 working days prior to the date of the Assessment, that such an item may need to be taken into the secure Assessment area.

A Candidate found to have brought a prohibited item into a secure Assessment area will receive an immediate warning and be instructed, during their warning, that they may complete the Assessment segment subject to imposition of any penalty deemed appropriate to the circumstances. Additionally, a Candidate bringing a prohibited item into a secure Assessment area will suffer removal and confiscation of all prohibited items from the Candidate's person. Candidates who refuse to allow a Supervisor to remove and confiscate prohibited items from the Candidate's person will be expelled from the Assessment and be awarded a zero score. Further penalties may also be applied.

Candidates for all College Assessments accept under the terms of this policy that any items deemed to be prohibited by a Supervisor will be confiscated by the College for the duration of any investigation of the incident. Candidates must therefore be aware that they risk losing access for some time (days or weeks) to any item so confiscated.

## (d) Admissible items

Candidates may bring the following admissible items into the Assessment area:

- pens, pencils, erasers and rulers (for the purposes of completing the Assessment, provided there are no notes written on the items)
- wallets - candidates will not access these items without permission from a Supervisor (failure to seek permission may result in penalties).

In respect of a clinical Assessment, Candidates may bring their personal medical equipment (e.g. stethoscope) into the Assessment area. Any other required equipment will be supplied. Supervisors may inspect anything that a Candidate brings into the Assessment area, and except for these admissible items, Supervisors may in their sole discretion forbid the admission to the Assessment area of any materials that they consider unsuitable.

Candidates who are assessed in observed clinical practice are expected to practise in their usual clinical environment, and provide their own equipment and facilities.

## (e) Responsibility for personal property

Candidates remain responsible for their personal property in or around the Assessment area. The College accepts no responsibility for the loss or damage of a Candidate's personal property in or around the Assessment area or following any confiscation.

## (f) Undertaking an Assessment

Candidates must:

- write using blue or black ink
- answer all questions in English – all Assessments are conducted in English
- have an appropriate Supervisor accompany them during the whole period of any absence from the secure Assessment area - Candidates are free to leave a secure Assessment area at any time (subject to (ix) below), but will not be re-admitted into the secure Assessment area after they have left it unless a Supervisor accompanies them during the whole period of their absence from the secure Assessment area
- obey any instruction given by a Supervisor

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

- (v) obey any instruction set out on the cover of any Assessment paper or answer book, or in any College policy
- (vi) leave behind in the Assessment area after completing the Assessment all Assessment papers, question books, answer books, or any other papers provided to the Candidate on which the Candidate has written any answers or notes or not written anything.
- (vii) not eat, drink or smoke in any Assessment area
- (viii) not create any noise or disturbance, or otherwise disrupt any other Candidate or the conduct of the Assessment
- (ix) not, in respect of written Assessments, leave the Assessment area during the first 30 minutes of the official Assessment time, nor during the last 15 minutes of the official Assessment time. For Viva examinations, Candidates must not leave during the 120 minutes without permission from the Supervisor
- (x) not communicate with or provide assistance to any other Candidate during the Assessment
- (xi) not look at another Candidate's Assessment paper or other Assessment work or workings for any purpose
- (xii) not accept assistance from any other Candidate during the Assessment
- (xiii) not permit any other Candidate to read or copy from his or her Assessment paper or work or workings
- (xiv) not instigate, facilitate or participate in any other form of academic misconduct
- (xv) not, in respect of clinical or Viva Assessments, discuss or communicate in any way with any other person, including other Candidates, about any aspect of any case used in the Assessment
- (xvi) not, in respect of written Assessments, write or attempt to write anything either before being instructed verbally or in writing by a Supervisor to commence writing or after being instructed verbally or in writing by a Supervisor to cease writing.

## 4.3 Investigating and managing academic misconduct during an Assessment

### (a) Authority of Supervisors

Any Supervisor who reasonably considers a Candidate may have committed or might or be about to commit academic misconduct shall have authority to question any Candidate, warn a Candidate, change a seating arrangement or remove a Candidate from the Assessment area, or confiscate any alleged offending material from a Candidate. The Supervisor shall also report such an incident to the appropriate College manager.

As Candidates are presumed innocent until an investigation finds otherwise, Supervisors will endeavour to minimise any disruption to Assessment processes and individual Candidates should an alleged incident of academic misconduct occur during an Assessment. If it is necessary to disrupt Assessment processes, a Supervisor may add equivalent additional time to the Assessment process to compensate for the disruption.

### (b) Warnings and confiscations following an occurrence of alleged academic misconduct

If a Supervisor reasonably believes that academic misconduct has occurred or is occurring or will or might occur, and that a Candidate is therefore reasonably likely to be or about to be in breach of this policy, the Supervisor will do any or all of the following as appropriate:

- (i) inform the Candidate of the nature of alleged or potential breach of this policy and particulars of the conduct complained of
- (ii) immediately confiscate any prohibited items that a Candidate may have brought into the Assessment area
- (iii) warn the Candidate that if the Candidate fails to comply with a request to allow offending materials or items to be confiscated, the Candidate may be expelled from the Assessment
- (iv) warn the Candidate that they may be penalised for their alleged conduct and that failing to comply with any reasonable and appropriate request (including to cease instigation of or participation in any form of alleged academic misconduct) may result in forfeiture of the Assessment result and/or further penalties
- (v) if it is suspected that two or more Candidates are acting in collusion, the Supervisor will follow the above process by providing a warning to each candidate as provided above
- (vi) before any Candidate involved leaves the Assessment area, inform the Candidate that a written report of the alleged incident of academic misconduct will be submitted and the matter may be fully investigated by the Board of Censors, advising the Candidate how to access this policy
- (vii) instruct the Candidate it is appropriate to attend any remaining segments of the Assessment currently being undertaken, which is a practical application of the presumption of innocence
- (viii) complete and promptly submit to the appropriate College manager a detailed report of the incident in the manner described under paragraph (e)

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

## (c) Rearrangements in the Assessment area

Once a Candidate has been given a warning concerning academic misconduct by a Supervisor, the Supervisor in their discretion may:

- (i) separate or move any Candidate and provide alternative seating arrangements
- (ii) otherwise make or alter arrangements in the Assessment area so as to avoid disturbances to the Assessment.

## (d) Removal of a candidate

Whilst a Supervisor will usually permit a Candidate to complete their Assessment, the Supervisor may remove the Candidate from the secure Assessment area if the Supervisor has reason to believe that the Candidate:

- (i) has refused to allow confiscation of any prohibited items brought into the Assessment area; or
- (ii) continues to breach this policy in relation to cheating or other prohibited conduct after a warning; or
- (iii) continues to disrupt the conduct of the Assessment.

## (e) Reporting alleged academic misconduct

In the event of an incident of alleged academic misconduct occurring during an Assessment, at least two Supervisors will, promptly after the Assessment, ensure that they each complete an incident report providing full details of the alleged misconduct, and that they promptly forward the same to the appropriate College manager.

(All Supervisors will be advised during training and/or briefing that, in the event that they detect an alleged incidence of academic misconduct, they should immediately seek at least one other Supervisor as a corroborating witness.)

Any incident report required to be submitted under this section will include the following details and materials:

- (i) the Candidate number
- (ii) the nature of the alleged misconduct by reference to the appropriate section of this policy
- (iii) a description of any offending prohibited material or items concerned
- (iv) whether any items were confiscated, enclosing them
- (v) the venue (city, and specific Assessment centre)
- (vi) the exact time and date
- (vii) a record that the Candidate has been made aware of the nature of their alleged contravention of this policy and has been shown how to access this policy

## **4.4 Investigating and managing academic misconduct**

### (a) Experience and the presumption of innocence

Whilst it could be said in some circumstances that novice students may make mistakes that might appear to be attempts to gain unfair academic advantage (for example, failing to cite the work of another person in a written piece of work), Candidates are reasonably considered to be experienced in academic pursuits, and are therefore expected to fully:

- realise what constitutes academic misconduct
- understand that academic misconduct is unacceptable.

The policy records, therefore, that a Candidate claiming to have participated in alleged academic misconduct by reason of inexperience will not be treated differently from any other, either in relation to a determination of whether academic misconduct has occurred, or in relation to an applicable penalty, and relative experience or inexperience shall not be a matter for consideration in arriving at any such determination.

This policy also records that in relation to all considerations of alleged academic misconduct, this policy and all persons applying it shall accord the presumption of innocence to the Candidate concerned in compliance with procedural fairness.

### (b) Role of the Censor-in-Chief – reviewing Supervisors' reports

The Censor-in-Chief, or a Censor as delegated, will initially review every incident report submitted by a Supervisor.

The Censor-in-Chief (or delegate) shall make an initial investigation "on the papers" of each report and other materials submitted in respect of the incident and determine, in his or her absolute discretion, whether either:

- A. the matter should be summarily dismissed because the alleged incident is:
  - relatively trivial in nature; or

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

- reasonably unlikely to lead to a finding of academic misconduct beyond reasonable doubt upon a full investigation; or
- demonstrably not impugning the honesty and/or integrity of a Candidate, the conduct concerned (whether relating to an Assessment or otherwise), or the College; or

B. the matter not falling within the description in A, the allegations should be subject of an investigation upon enquiry and review of evidence surrounding the incident to determine whether or not academic misconduct occurred and, if so, to assess the appropriate penalty.

The initial investigation of the Censor-in-Chief (or delegate) shall be concluded within 10 working days after the incident report shall have been received by the appropriate College manager and written notice of the outcome of the initial investigation must be provided to each person subject of the incident report within a further 5 working days after the Censor-in-Chief (or delegate) has concluded their initial investigation.

The Censor-in-Chief (or delegate), if determining upon initial investigation the matter should be subject of an investigation upon enquiry:

- (1) may, in respect of the Candidate, withhold ratification, notification and/or effectiveness of any related Assessment or admission or reporting activity as appropriate; and
- (2) shall, in all cases:
  - (i) arrange to be convened in each instance a committee (**Conduct Committee**) comprising of three persons including at least two Censors (of which one of whom may be the Censor-in-Chief or delegate performing the initial investigation) and may include the Chief Executive Officer (or delegate including a member of College staff) for the purpose of having future conduct of the matter; and
  - (ii) ensure the written notice of outcome of the initial investigation referred to above includes:
    - (a) a copy of each Supervisor's written report;
    - (b) a listing of the penalties that may be imposed if a finding of academic misconduct is made;
    - (c) any other relevant materials that the Censor-in-Chief (or delegate) proposes the Conduct Committee consider, and
    - (d) notification to the person concerned that he or she may provide a written submission for consideration by the Conduct Committee so long as it is received within 10 working days of receiving the notice, and which may:
      - dispute or otherwise comment on anything contained in any Supervisor's report;
      - dispute or otherwise comment on any other relevant materials that the Conduct Committee proposes to consider;
      - set out any mitigating circumstances that may persuade the Conduct Committee to impose a reduced penalty; and/or
      - set out any other information considered relevant by the person concerned.

## (c) Role of the Conduct Committee

The Conduct Committee will report to the Board of Censors and may, subject to this policy, conduct their deliberations as they see fit. Each member of the Conduct Committee is equally accountable and responsible for acting according to the principles associated with being a member of a Committee of the College.

The Conduct Committee shall conduct its deliberations upon the following principles:

- (i) The President and the Chief Executive Officer or their respective nominees (which may include a staff member of the College) may attend any meeting and either of them or their respective nominees may chair any meeting in the absence of the Censor-in-Chief.
- (ii) The Censor-in-Chief, if in attendance, will otherwise be Chair.
- (iii) A quorum shall comprise all three members and all decisions shall be made by majority vote in which the chair shall not have a casting vote.
- (iv) Staff of the College shall attend Conduct Committee meetings and provide secretariat support as requested by the chair.
- (v) The Conduct Committee may meet in person, by telephone, or by any other means of electronic or audio or audiovisual equipment.

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

- (vi) The Conduct Committee shall not be bound by the rules of evidence but may obtain any evidence upon oath in its discretion.
- (vii) The Conduct Committee may in its discretion afford the person concerned the opportunity of making a verbal submission and must do so if receiving a verbal submission from a Supervisor, College staff-member, or any Censor. Any opportunity afforded to the person concerned to make a verbal submission will be in writing and allow at least 10 working days' prior written notice of the time, date and place of the attendance. Such notice may be included with the notice required under section 4.3(b)(2)(ii) of this policy.
- (viii) A determination based upon a finding in respect of academic misconduct must be made beyond reasonable doubt after considering:
  - A. all materials copied to the person concerned pursuant to section 4.3(b)(2)(ii);
  - B. any Supervisor's reports;
  - C. any written submissions made by the person concerned;
  - D. any permitted verbal submission from any person (including the person concerned); and
  - E. any other relevant materials, but only after the person concerned has received a copy and been afforded a reasonable opportunity to dispute or comment on the same.

The Conduct Committee shall not consider:

- F. any written submissions received from the person concerned later than 10 working days after receipt by the person concerned of the notice referred to in section 4.3(b)(2)(ii); nor
- G. any prior allegations or findings of academic misconduct in respect of the person concerned (although the same may be considered for the specific purpose of fixing a penalty).

## 4.4 Penalties for academic misconduct

The penalties that may be imposed in respect of a finding of academic misconduct include any one or more of the following:

- (i) no penalty;
- (ii) a reprimand;
- (iii) a direction the person concerned receive counselling;
- (iv) a requirement the person concerned reimburse any costs incurred by the College in investigating and determining the allegation of academic misconduct in such quantum determined by the Conduct Committee;
- (v) any outcome obtained by virtue of the academic misconduct be vacated;
- (vi) the Candidate's score in the Assessment be revised downwards;
- (viii) the Candidate be awarded a zero score for the relevant Assessment;
- (ix) the Candidate be required to re-present for a another like Assessment;
- (x) the Candidate making any further applications in respect of an Assessment for such period (not exceeding four years from the date of the determination) determined by the Conduct Committee;
- (xi) the Candidate be expelled from the College Assessment process and/or membership or suffer a change in status of their membership;
- (xii) the intended outcome of the Assessment be withheld (e.g. no general practice experience would be allocated);
- (xiii) all fees payable by the Candidate referable to the Assessment be forfeit; and/or
- (xiv) the relevant medical registration board be notified of the Candidate's academic misconduct.

## 4.5. Outcome of determination

### (a) Notification of Conduct Committee determination

The Censor-in-Chief will ensure the person subject of the investigation be notified in writing of the decision of the Conduct Committee concerning the finding in respect of the alleged academic misconduct and of any penalty imposed within 10 working days after the decision is handed down by delivery (in any medium) to the appropriate College manager.

The notice will include the following:

- (i) whether or not the Conduct Committee made a finding that the person concerned had committed academic misconduct;
- (ii) if a finding of academic misconduct was made, a summary of the reasons for that decision being made;

# THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS

- (iii) if a penalty was imposed, particulars of the penalty and a summary of the reason or reasons for imposing that particular penalty;
- (iv) if a finding of academic misconduct was made, the fact that the finding of academic misconduct will be taken into account in fixing a penalty in the event of any future finding of academic misconduct (although not in the investigation of the facts of any future allegation), in the expectation that future breaches of this policy may be penalised more severely; and
- (v) advice that a person aggrieved by the decision of the Conduct Committee has a right to a review or subsequent appeal of that decision.

## (b) Review of determination

A person aggrieved by a finding of academic misconduct and/or imposition of a penalty by the Conduct Committee may make apply for a review or appeal of that determination in accordance with the College Appeals Policy

## **5. PROCEDURES**

### **5.1 Access to published policy**

Members, Staff, and the general public will have access to this policy.

### **5.2 Promulgation of published policy**

Relevant Members and Staff will have drawn to their attention the function and role of this policy. Staff will be further educated in how to use and apply this policy.

All Candidates will be provided with access to a copy of this policy at least one month prior to the date of an Assessment.

### **5.3 Training for Assessment Supervisors**

When providing training for Supervisors, the following information will be provided.

#### (a) Corroborating witnesses

In the event that Supervisors detect an alleged incidence of academic misconduct, they should immediately seek at least one other Supervisor as a corroborating witness.

#### (b) Making reports of academic misconduct

When making reports of alleged academic misconduct, all Supervisors must include the information required of the form attached to this policy as Appendix 1.

#### (c) Providing warnings

In order to provide consistency and avoid errors, the written summary of the content required of any verbal warning, as attached to this policy as Appendix 2, should be used as a guide by Supervisors when giving a warning.

#### (d) Keeping Supervisors safe

Supervisors must be instructed to avoid physical contact with Candidates, including during confiscation of prohibited items.

### **5.4 Review of this policy**

This policy will have a review cycle of three years.



**RACGP ASSESSMENT  
Incident Report**

<input type="checkbox"/> Adelaide	<input type="checkbox"/> Brisbane	<input type="checkbox"/> Bundaberg
<input type="checkbox"/> Canberra	<input type="checkbox"/> Darwin	<input type="checkbox"/> Dubbo
<input type="checkbox"/> Hobart	<input type="checkbox"/> Melbourne	<input type="checkbox"/> Newcastle
<input type="checkbox"/> Launceston	<input type="checkbox"/> Sydney	<input type="checkbox"/> Townsville
<input type="checkbox"/> Perth	<input type="checkbox"/> Remote Supervised Centre:.....	

**Report relates to**

- Applied Knowledge Test (AKT)
- Key Feature Problem (KFP)
- OSCE Case No: ..... Room No: .....
- Practice Based Assessment
- Other Assessment

**CandidateName:** ..... **RACGP No:** .....

*Surname: First name*

**Examiner(s)/Supervisor(s)** ..... **RACGP No:** .....

*Examiner/Supervisor 1*

**Examiner(s)/Supervisor(s)** ..... **RACGP No:** .....

*Examiner/Supervisor 2*

**\*\*\*\* Examiners / Supervisors to complete the section over the page \*\*\*\***

**Date of incident:** ...../...../..... (dd/mm/yy) **Time of incident:** ..... am  pm

**Candidate's description of incident** .....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

**Signature** ..... **Date** ...../...../.....(dd/mm/yy)

**Examiner / Supervisor description of incident** →

**1. Examiner 1 / Supervisor description of incident** *(including whether a warning was given, if relevant):*

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Signature ..... Date ...../...../.....(dd/mm/yy)

**2. Examiner 2 / Supervisor description of incident** *(including whether a warning was given, if relevant):*

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Signature ..... Date ...../...../.....(dd/mm/yy)

## Guide for Assessment Invigilators and Supervisors

### A2.1 Warnings and confiscations following an occurrence of alleged academic misconduct

This is a guide for Assessment invigilators and supervisors in the event that they may have reason to believe that academic misconduct allegedly has occurred or is occurring or will occur, and that a candidate is therefore in breach of anything in the "Academic Misconduct" policy, particularly Section 4.1 of the policy.

In the event that Assessment invigilators and supervisors may have reason to believe that academic misconduct allegedly has occurred or is occurring or will occur, they should follow the instructions in this appendix as a guide on how to handle the situation, including giving warnings (see Section 4.2.2 of this policy).

### A2.2 Guide to confiscation of prohibited items and materials

- (i) immediately confiscate any offending materials or items that a candidate brings into the secure Assessment area in breach of Section 4.1 of this policy

First, ask the candidate to hand over any offending items or materials

Make sure to enlist support of another supervisor as a witness

Be sure to avoid physical contact with the candidate

Advise the candidate that a report form will be completed and signed by two Assessment supervisors

- (ii) warn the candidate that if the candidate fails to comply with any reasonable and appropriate request to allow the supervisor to confiscate materials or items the candidate will not be able to rely on the materials as a defence at a later date.

### A2.3 Guide to giving warnings

- (i) warn the candidate that failing to comply with any reasonable and appropriate request to hand over any materials or objects, or to cease instigation of or participation in any form of academic misconduct, may result in forfeiture of the Assessment result and/or other penalties

Make sure to enlist support of another supervisor as a witness.

Make sure you advise the candidate of the existence of this policy.

- (ii) complete a detailed form of report (template attached, see Appendix 1) to be addressed to the Censor-in-Chief (see Section 4.2.5)

Advise the candidate that a report form will be completed and signed by two Assessment supervisors.

- (iii) if it is suspected that candidates are acting in collusion, the supervisor, invigilator or staff member of the College will follow the above process by providing a warning to each candidate

In such an instance, warnings should be given separately and confidentially to each candidate

- (iv) if it is suspected that candidates are acting in collusion, the supervisor, invigilator or staff member of the College will follow the above process by producing an incident report on the alleged misconduct of each individual person, documenting the suspected collusion on each separate report of the alleged misconduct incident.

- (v) before leaving the secure Assessment area the candidate involved will be informed that the alleged incident of academic misconduct will be reported in writing to the Censor-in-Chief, and may be fully investigated by the Board of Censors

Advise the candidate that the report form will be reviewed by the Censor-in-Chief in the first instance, and may be passed on by the Censor-in-Chief to the Board of Censors for action

- (vi) the candidate will be instructed to attend any remaining segments of the Assessment, which is a practical application of the presumption of innocence

Candidate must be advised of the presumption of innocence

- (vii) a written summary of the content required of any verbal warning is attached to this policy and should be used as a guide by Assessment invigilators and supervisors when giving a warning

That is, this Appendix 2.

- (viii) Assessment supervisors will ensure that a candidate who it has been alleged has breached this policy will be made aware of this policy and have access to this policy.

At least one copy of this policy should be available in an Assessment area.

## **A2.4 Managing Disruptions**

If it is suspected that academic misconduct allegedly has occurred or is occurring or will occur.

- (i) Make sure that you avoid physical contact with the candidate.
- (ii) Make sure that you minimise the disruption caused to the Assessment process
- (iii) Make sure that your safety is not jeopardised.