

Malta Business School

Guidelines for Addressing Violations

| Revision History | | | |
|------------------|---------------|------------|-----------------------|
| Version Number | Revision Date | Revised by | Summary of changes |
| Version 0 | 01-10-2025 | SG, CC | Set up of guidelines. |

MBS Guidelines for Addressing Violations

1. Document scope

This document synthesizes the formal procedures used by Malta Business School (MBS) to address various types of misconduct, violations of the Code of Ethics, and learner complaints related to services and tuition.

2. Addressing academic misconduct (learners)

This mechanism is used specifically when there is a suspicion of Academic Malpractice (e.g., plagiarism, cheating, collusion). This procedure is detailed in the MBS Academic Misconduct Process.

2.1 Initial investigation and charge

- **Suspicion flagged:** A suspicion of academic malpractice is flagged by a tutor, staff member, or other party.
- **Academic team discussion:** the Academic Team discusses the case.
- **Learner notification:** The learner is notified of the suspicion and invited for an open non-confrontational discussion with 2 members of staff of which one shall be a manager.
- **First decision:** The Academic Team can decide:
 - a) **Decision 1:** Not Occurred. Suspicions are cleared, and the learner is notified. The process stops.
 - b) **Decision 2:** Valid Suspicion Exists. The learner is charged with malpractice and a meeting with the learner is held to provide the required guidance on way forward.

2.2 Possible penalties for major misconduct

If major academic misconduct is established, the penalties are severe:

- **Established at end of studies:** The learner is deemed to have failed the program and receives an attendance-only certificate.
- **Established mid-way (first offence):** The learner is suspended and withdrawn from the program. Only a certificate of attendance is issued.
- **Established mid-way (expulsion):** The learner is expelled from the School and will not be allowed re-admission. An attendance certificate is issued with a statement reflecting withdrawal due to misconduct.
- **Visa holders:** If withdrawn or expelled from the School, cases are referred to the relevant governmental authorities.

2.3 Appeal mechanism

When a learner is charged, they can appeal the penalty or the decision:

| Type of appeal | Process | Final Authority |
|---|---|-----------------------------|
| Appeal of penalty (accepts misconduct, but not the penalty) | The Dean or an ad-hoc panel is set up to meet with the learner. | Academic Review Board (ARB) |
| Appeal of decision (does not accept misconduct decision) | An ad-hoc panel is set up to meet with the learner. | Academic Review Board (ARB) |
| Repeat offence | The MBS academic team informs the ARB, which decides whether a further penalty (expulsion) is issued. | Academic Review Board (ARB) |

3. Addressing general complaints (learners)

This procedure is for complaints about misinformation, poor quality of tuition, administration, facilities, or unfair treatment by a staff member that does not relate to academic malpractice or appeals against assessment results. The process has four stages (as per MBS Complaints Procedure for Learners).

3.1 Stage 1: Informal resolution

- **Action:** Learner raises the issue (verbally) with the relevant person (e.g., coordinator or manager).
- **Timeline:** Must be raised within 10 working days of the event.
- **Resolution:** The relevant person must aim to resolve the issue within 5 working days.

3.2 Stage 2: Formal complaint to the Director/Dean

- **Trigger:** Dissatisfaction with the stage one outcome.
- **Action:** Learner submits a formal, written complaint to the general manager.
- **Timeline:** Must be lodged within 10 working days of the stage one outcome.
- **Decision:** The general manager notifies the learner of the decision within 10 working days of receiving the formal complaint.

3.3 Stage 3: Review by the relevant board (internal appeal)

- **Trigger:** Dissatisfaction with the stage two outcome.
- **Action:** Learner appeals in writing within 5 days of receiving the email correspondence about the case. The Dean sets up an ad-hoc panel to review the case and meet with the learner. Following the appeals meeting, the ad-hoc panel will present their recommendations to the relevant Board (Academic Review Board - ARB, or Management Review Board - MRB) depending on the case. (Further information can be found in the MBS Appeals Policy.)
- **Decision:** The Board reviews the case, and the learner is notified of the final decision within 10 working days of the Board meeting.

3.4 Stage 4: External appeal

- **Trigger:** Still dissatisfied after the internal review.
- **Action:** Learner has a final right of complaint with the Malta Further & Higher Education Authority (MFHEA)

4. Addressing code of ethics and staff grievances

All members of the MBS community (Learners, Staff, and Tutors) are bound by a MBS Code of Ethics, which outlines expectations regarding professionalism, fairness, integrity, and respect. Violations by staff or tutors, or staff grievances against the school, are handled by dedicated internal policies.

| Area of concern | Governing documents and mechanism |
|--|--|
| Staff/Tutor misconduct (Violation of the Code of Ethics for Staff and Tutors) | The misconduct would be managed through the internal Disciplinary Procedure referenced implicitly in the <i>Employee Handbook</i> . The Code sets the standard for expected professional conduct. |
| Staff grievances (Complaints by an employee against the school or another staff member) | These are addressed via the MBS Grievance policy and procedure for Staff , as explicitly mentioned in the <i>MBS Employee Handbook</i> . |
| Harassment | The <i>MBS Employee Handbook</i> explicitly lists the MBS Harassment policy as the governing document for addressing such issues. |

5. Review and revision of document

Unless internal operational requirements or external regulatory changes necessitate an earlier update, this document is planned for review and revision every four years.

6. Related documents

- MBS academic misconduct process
- MBS complaints procedures for learners
- MBS Appeals policy
- MBS Code of Ethics for learners
- MBS Code of Ethics for staff and tutors
- MBS Employee Handbook