Higher Education

Academic Misconduct Procedure

Owner	HE Office
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Contents

INTRODUCTION

This Academic Misconduct procedure is designed to support the College to determine whether or not academic misconduct has taken place within formative and summative assessments**.** It should be noted that academic misconduct in both formative and summative work can, if proven, incur a penalty which could contribute to any future consideration of academic misconduct (see Appendix 1).

Allegations of academic misconduct within formative and summative assessments will be considered via the following procedures.

- Academic Misconduct Panel (AMP) [See Appendix 3]
- Academic Misconduct Review Panel (AMRP) [See Appendix 4]

The College has formal authority to determine the academic progress of students because of delegation of this authority to the College by an Awarding Body, (subject to retaining ultimate responsibility for the exercise of such authority). The College body to whom this academic authority is delegated is the Academic Board. In turn, the Academic Board delegates to each Assessment Board the authority and responsibility for determining the academic progress of students. Any cases of academic misconduct proven under the process described in this procedure, will be reported to the relevant Assessment Board.

PROCESS

1.0 Definition

1.1 Academic misconduct is defined by the College as any activity or behaviour by which a student seeks to gain an academic advantage over their peers.

2.0 Principles of the Procedure

2.1 The College's primary approach to managing academic misconduct is to educate students to develop good academic practice to help them avoid academic misconduct. In so doing, the College provides the following support:

- Advice and guidance from Programme Teams.
- The Learning Resource Centre [LRC] provides writing and study skills support.
- The provision of self-help resources via the VLE.
- The provision of e-detection software (see Appendix 2).

2.2 The consideration of work submitted by students for assessment is based on the principle that the work has been carried out by that student and is their own.

2.3 Student work that fails clearly to identify the work done by others, may attract the charge of academic misconduct.

2.4 Any text or opinion that has been quoted, paraphrased or relied upon to support a student's work, must be properly attributed. Similarly, students must acknowledge the source of any images (including designs and plans), computer code or other such media created by another person.

2.5 While the College accepts that a student's work may be inspired by what they have read, the use of someone else's ideas must be cited as such. Students should refer to the sources of advice outlined above if they are unsure how to do this.

2.6 The College provides specific instructions to Invigilators and students in examination settings. See the Examinations Handbook.

2.7 An accusation of academic misconduct is not in itself proof that a student is guilty of the offence. Any such decision would only be reached upon conclusion of the process contained in this procedure. The burden of proof rests with the College and must be based on cogent evidence.

2.8 Normally, students will be allowed to progress with their academic studies while an investigation into allegations of academic misconduct is taking place. However, students subject to professional body requirements may be required to suspend their studies pending the outcome of this procedure. The Professional, Statutory or Regulatory Body [PSRB] requirements that would affect this decision, are referred to in the programme's approval documentation.

2.9 If a student is found guilty of academic misconduct, any reassessment judged to be necessary will take place at the next available opportunity. NB – this could lead to a delay in progression. Any such decisions will be made according to the academic regulations of the awarding body.

2.10 Students accused of academic misconduct must be informed at an early point in proceedings and have the right to challenge the accusation.

2.11 Any student found guilty of academic misconduct, will have the charge recorded on their record. All papers relating to each proven case will be retained by the HE Office in case there is a request for a review by the student. These papers will be destroyed one academic year after the case is closed.

2.12 All cases of academic misconduct that are not proven - or withdrawn - will not be recorded on the student's record. However, all papers relating to each proven case will be retained by the HE Office in case there is a request for a review of the process. These papers will be destroyed one academic year after the case was closed.

2.13 Anonymous statistical data on all cases of academic misconduct will be kept by the HE Office for reporting purposes.

2.14 The range of penalties that may be imposed for proven academic misconduct are based on the tariff recommended by the Academic Misconduct Benchmarking Research (AMBeR) Project. See Appendix 1.

2.15 All students have the right to be advised of the College procedure for dealing with alleged academic misconduct and the penalties which may be imposed. This information will be made publically available via the College web-site. In addition, programme teams will draw this to the attention of students during induction and through programme handbooks.

2.16 Any member of staff who suspects that academic misconduct has taken place will follow the process outlined in this Procedure.

2.17 All communication including letters, evidence and invitations will, wherever possible, be sent via email.

2.18 Staff who sit as Panel members must have had no previous involvement in the student's case.

3.0 The process for managing an alleged case of academic misconduct

3.1 Any suspected case of academic misconduct should be brought to the students(s) attention as soon as is practicable by the programme team.

3.2 All alleged cases of academic misconduct will be evaluated by the AMP (see Appendix 3.)

3.3 It will be the responsibility of the AMP to determine and impose any penalty as defined in the AMBeR tariff.

3.4 Students must be notified of the allegation of academic misconduct at an early point in the process and must be kept informed of the proceedings and any outcome.

3.5 The College will make reasonable adjustments to the process where a student is not living in the local area to ensure parity in all cases.

3.6 The AMP must be convened as soon as possible following the allegation of academic misconduct.

3.7 If a case is proven, then the AMP will determine the penalty to be applied according to the AMBeR tariff and report the recommended penalty to the relevant Module Assessment Board for implementation.

3.8 Students may make written representation requesting a College Academic Misconduct Review Panel to review a recommendation from AMP as to whether or not academic misconduct has occurred. See Appendix 4.

4.0 Students' right to view alleged Academic Misconduct materials

4.1 Wherever possible, students will be given a copy of the original work in which the alleged academic misconduct has taken place, prior to AMP being held.

4.2 Where it is not possible to provide a copy because of the volume of work or the nature of the academic misconduct, students will have the right to view work under supervision. It is the responsibility of the student to submit any such request to the programme team who will facilitate the viewing.

4.3 When viewing the work, the student may be accompanied by a friend or a representative from Student Services.

4.4 No documentation can be removed from the premises and during this viewing.

4.5 The role of the member of staff supervising the viewing is only to observe and they will not be able to comment on the allegation or process.

5.0 Academic judgement of inconsistent student performance

5.1 The College reserves the right to investigate all suspected cases of academic misconduct, including those based entirely on the academic judgement of staff.

5.2 The basis of any such investigation should be supported by the judgement of the member(s) of staff, that work submitted by a student is significantly inconsistent with their previous performance, either in assessment or class based activity.

5.3 In accordance with the guidance in 2.7 of this procedure, it is up to the College to prove that academic misconduct has taken place.

5.4 The AMP will normally direct that a *viva voce* be carried out with the student to determine the validity of the allegation. This activity is a question and answer session to establish that the work in question is the student's own work. The *viva voce* will be conducted by two members of staff with expertise in the subject area. Students may be accompanied by a friend, but the friend will not be allowed to speak on the student's behalf during the *viva voce*.

5.5 Students should be advised to bring any supporting information that would evidence the development of the work in question and that supports their claim it is their own work.

5.6 Following the *viva voce*, the academic staff will submit confirmation in writing to the Chair of the AMP that in their view either, academic misconduct has taken place, or, that academic misconduct has not taken place.

5.7 If the academic staff are unable to reach a formal conclusion following the *viva voce* that they believe to be beyond reasonable doubt, the allegation must be withdrawn. In such circumstances, the notification to the Chair of the AMP should be that academic misconduct has not taken place.

5.8 All alleged exceptional cases will be considered as if they were purchased from an essay mill or ghost-writing service and incur the points for such offences as allocated by the AMBeR tariff if proven.

5.9 The process for considering allegations of academic misconduct based on inconsistent performance, will follow the same procedure outlined in Section 3. Before reaching this point however, the member of staff who suspects academic misconduct may have occurred must seek authorisation from the

Academic Misconduct Panel to carry out a viva voce. The viva voce should not be carried out without Academic Misconduct Panel approval.

5.10 The application to conduct a viva voce is provided in the template in Appendix 4.

5.11 Before applying a viva voce as part of the Academic Misconduct process, authorisation should be sought from the AMP, see Appendix 3, Section 4.0 and Appendix 5.

6.0 Academic Misconduct Review

6.1 The student has the right to request a review of the decision of the AMP as to whether or not academic misconduct has occurred on the following grounds, that:

a) the Academic Misconduct Procedure was not followed and that this failure prejudiced the student in some way;

b) the evidence upon which the AMP decision was based was false, inaccurate or incomplete;

c) additional evidence has come to light since the decision of the AMP, which could not have been expected to have been produced at the time of the consideration of the case.

6.2 Students awaiting the outcome of a review are allowed to continue with their programme of study, pending the outcome of the review. However, this is at the student's risk and will not necessarily change the penalty awarded.

6.3 Students are not permitted to challenge academic judgement and the decision of the AMRP is not subject to further internal appeal.

6.4 The AMRP does not have the authority to change the penalty. See Appendix 4 for guidance on the process relating to an Academic Misconduct Review Panel.

7.0 Awarding University Partner

A student who is dissatisfied with the decision of the AMRP, may refer his/her complaint to the Awarding University Partner.

8.0 Advice to Students

At all stages, students must be advised that they can gain support from Advisers based in Student Services, and must be encouraged to consult with them.

9.0 Range of Penalties

9.1 The range of penalties that may be applied to cases of academic misconduct are determined by the AMBeR tariff (see Appendix 1).

9.2 The AMBeR tariff is a points-based tariff designed to minimise the extent to which individual judgement is relied upon to determine the penalty for academic misconduct. The tariff provides a score based on a range of factors, including;

9.2.1 Any previous history of academic misconduct.
9.2.2 The amount/extent to which work has been plagiarised.
9.2.3 The level/stage of study.
9.2.4 The value of the assignment.
9.2.5 Additional characteristics.

9.3 The final total score is used to determine the penalty from a range available.

9.4 The AMBeR tariff will be used to determine the academic penalty to be applied to any proven case of academic misconduct. However, if the programme of study leads to professional registration or qualification, there may be an additional penalty determined by any associated PSRB. The AMP will recommend the higher of the two penalties to the relevant Assessment Board.

9.5 Any student found guilty of academic misconduct, will not be eligible for compensation if they subsequently fail the module concerned.

9.6 Any student who is withdrawn from a programme of as a result of academic misconduct, will not be allowed to study additional credits to complete the award.

APPENDICES

A1: Academic Misconduct Benchmarking Research (AMBeR) Project (from plagiarismadvice.org)

1.0 Assign points based on the following criteria

1.1 History

1st Time	**100 points**
2nd Time	**150 points**
3rd/+ Time	**200 points**

1.2 Amount/Extent

Below 5% **AND** less than two sentences	**80 points**
As above but with **critical aspects*** plagiarised	**105 points**
Between 5% and 20% **OR** more than two sentences but not more than two paragraphs	**105 points**
As above but with **critical aspects*** plagiarised	**130 points**
Between 20% and 50% **OR** more than two paragraphs but not more than five paragraphs	**130 points**
As above but with **critical aspects*** plagiarised	**160 points**
Above 50% **OR** more than five paragraphs	**160 points**
Submission purchased from essay mill or ghostwriting service †	**225 points**

** Critical aspects are key ideas central to the assignment*
† Some institutions may consider this to be a separate form of academic malpractice

1.3 Level/Stage

Level 1	**70 points**
Level 2	**115 points**
Level 3/Postgraduate	**140 points**

1.4 Value of Assignment

Standard weighting	**30 points**
Large project (e.g. final year dissertation)	**60 points**

1.5 Additional Characteristics

Evidence of deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection **40 points**.

2.0 Award penalties based on the points

2.1 Penalties (Summative Work)

In all cases a formal warning is given and a record made contributing to the student's previous history

Points	Available Penalties (select one)
280 - 329	• No further action beyond formal warning • Assignment awarded 0% - resubmission required, with no penalty on mark
330 - 379	No further action beyond formal warning • Assignment awarded 0% - resubmission required, with no penalty on mark • Assignment awarded 0% - resubmission required but mark capped or reduced
380 - 479	• Assignment awarded 0% - resubmission required but mark capped or reduced Assignment awarded 0% - no opportunity to resubmit
480 - 524	• Assignment awarded 0% - no opportunity to resubmit • Module awarded 0% - re-sit required, but mark capped or reduced • Module awarded 0% - no opportunity to re-sit, but credit still awarded
525 – 559	• Module awarded 0% - re-sit required, but mark capped or reduced • Module awarded 0% - no opportunity to re-sit, but credit still awarded • Module awarded 0% - no opportunity to re-sit, and credit lost Award classification reduced • Qualification reduced (e.g. Honours -> no Honours) • Expelled from institution but credits retained • Expelled from institution with credits withdrawn
560+	• Module awarded 0% - no opportunity to resit, and credit lost • Award classification reduced • Qualification reduced (e.g. Honours -> no Honours) • Expelled from institution but credits retained • Expelled from institution with credits withdrawn

2.2 Penalties (Formative Work)

280 - 379	Informal warning
380+	Formal warning, with record made contributing to the student's previous history

A2: Plagiarism E-detection

The College encourages students and staff to make use of software such as Turnitin designed to detect the possibility of plagiarism.

Any score or output from e-detection software is not used alone to determine if, or the extent to which, work has been plagiarised. The validity of any such score will be determined through a process of review by a subject expert. However, if confirmed, the score produced by the software is used as a basis upon which the amount/extent to which any submitted work has been plagiarised, which in turn will determine the penalty allocated.

Recommended Good Practice

- Programme Teams should introduce e-detection software to students in the first term of the commencement of their studies at the College. Encouraging students to make use of e-detection software is an important part of the process of educating them about academic misconduct and how to avoid it.

- Regular updates on the use of e-detection software should also be included throughout all programmes of study, at all levels.

- Programme teams should give additional consideration to students who have gained direct entry to second or third stages of a programme of study. Similarly, direct entrants at Level 6 or post-graduate students should not be assumed to be familiar with the use of e-detection software.

- Wherever possible, assessments and/or assessment submission should be designed to enable the use of e-detection software.

- Students should be encouraged to make use of e-detection software as a self-checking tool, throughout their studies. They should also be reminded that staff will use it as a matter of routine checking of all submissions.

A3: Academic Misconduct Panel

The purpose of the AMP meeting is as follows, to:

- decide whether academic misconduct has occurred;
- determine the penalty to be imposed using the AMBeR tariff;
- report the penalty to the relevant Assessment Board.

The following format outlines the sequence of events which must be followed once a decision has been taken that an AMP meeting is necessary.

1. Information provided to the student(s)

The Programme Team will contact the HEO who will arrange the AMP. The HEO will provide the student(s) with a minimum of five working days' notice of the meeting. Notification must be provided in writing and include:

a. The details of the alleged academic malpractice.

b. Copies of all relevant documentary material or other evidence of the alleged academic malpractice. Or, if this is not possible an explanation of how the student(s) can view the material prior to the meeting.

c. The date, time and venue of the AMP.

d. The right of the student to seek support from Student Services.

e. The right of the student to be accompanied at the AMP by a friend, who is entitled to speak or act on their behalf and may be a representative from Students Services.

f. A copy of this Procedure.

g. Notification that the AMP will proceed in their absence if they do not attend unless there are approved extenuating circumstances.

h. How the student(s) will be required to submit any extenuating circumstances they wish the Panel to be aware of.

1. Constitution of the AMP

The AMP will normally consist of three members:

a. The Director of Higher Education or deputy will normally act as Chair.

b. A second senior member, nominated by the HEO.

c. A secretary to record the proceedings and actions.

2. Academic Misconduct Panel Meeting

a. The process for the meeting should be explained, and the student informed that a formal record of the meeting will be taken and correspondence confirming the recommended outcome of the meeting will be forwarded to them within fiive working days. This will include the recommended penalty based on the AMBeR tariff, which will be submitted to the relevant Assessment Board.

b. The nature of the alleged academic misconduct by the student must be stated.

c. The staff who made the allegation against the student should outline the basis of their decision and identify any supporting evidence.

d. The student and friend must be allowed to respond to the allegation and make any relevant statements.

e. If, at any time, evidence is brought forward which needs further investigation, the meeting must be adjourned, and a time and date agreed for it to be reconvened.

f. Following their presentations, both sides will be given the opportunity to ask questions and seek clarification.

g. The Student must be allowed to advise the Panel of any extenuating circumstances they feel should be taken into consideration. If, after consideration, the Panel decide that the extenuating circumstances are legitimate and relevant to the case, the extenuating circumstances will only affect the decision on the penalty to be awarded and not the decision as to whether academic misconduct has occurred. Where additional evidence is required to support the extenuating circumstances this additional evidence should be requested, and ratification of the decision deferred until the evidence is received. Students must also be advised that any extenuating circumstances considered at the meeting will only apply to the assessment that is the subject of the allegation.

h. The main points concerning the alleged academic misconduct and the statements provided by both sides must be summarised to ensure that nothing has been overlooked by either side.

i. After hearing the evidence, the non-panel members, with the exception of the secretary, will leave the meeting and the AMP will consider all of the points raised and any reason given by the student to explain their conduct. The AMP will decide whether there is cogent evidence of academic misconduct and if so, identify the appropriate penalty recommended in the AMBeR tariff.

j. If it is decided that academic misconduct is not proven, the Panel must reject the allegation and instruct the HE Office to remove the allegation from the students(s) record.

k. When a conclusion has been reached, the non-panel members will be invited back into the meeting. The decision of the Panel and the penalty to be applied must be read out. The student(s) and staff may ask questions to ensure they understand the decision. They may not question or challenge the decision however.

3. Post Academic Misconduct Panel

a. The decision of the AMP must be communicated in writing to the student(s) within five working days of the meeting.

b. The student should be advised that they can submit a request for a review of the AMP decision, if they meet the qualifying criteria (see Appendix 4).

c. A record of the AMP decision and all material relating to the decision managed according to the process described in 2.11 – 2.13.

d. Notification of any penalty applied as a result the AMP decision, must be communicated to the relevant Assessment Board.

A4: Academic Misconduct Review Panel

1. Any student can request a review of the decision made by the AMP on the following grounds, that:

a. the Academic Misconduct Procedure was not followed and that this failure prejudiced the student in some way.

b. the evidence upon which the AMP decision was based was false, inaccurate or incomplete.

c. additional evidence has come to light since the decision of the AMP, which could not have been produced at the time of the consideration of the case.

2. Application Process

a. A student requesting a review must submit a written application to the HEO within 15 working days of the AMP meeting, stating the grounds for the request.

b. The HEO will liaise with the Chair of the AMRP, and decide whether the application meets one of the criteria outlined in 1a – 1c of this appendix.

3. Constitution of the Academic Misconduct Review Panel

The AMRP will normally consist of the following four members:

a. Chair - VP Quality and Standards or nominee.
b. Senior representative of the College not related to the case.
c. Student Services representative not previously involved in the case.
d. An administrator to take minutes.

4. Information provided to the student(s)

The HEO will provide the student(s) with a minimum of five working days' notice of the meeting. Notification must be provided in writing and include:

a. The date, time and venue of the AMP.

b. The right of the student to seek support from Student Services.

c. The right of the student to be accompanied at the AMRP by a friend, who is entitled to speak or act on their behalf and may be a representative from Students Services.

d. A copy of this Procedure.

e. Notification that the AMRP will proceed in their absence if they do not attend unless there are approved extenuating circumstances.

5. Academic Misconduct Review Panel Meeting

a. Excluding medical conditions (supported by evidence), requests by the student to change the date of the MRVP will not be accepted and the panel will go ahead without the student(s) present.

b. The AMRP will consider the student application and may consult with any relevant persons.

c. The presentation of any new documentation on the day of the AMRP, will only be accepted in extenuating circumstances with the agreement of the Chair of the Panel. This may result in a suspension of proceedings to provide all parties with the opportunity to consider the new documentation.

d. During the Review Panel Hearing:

i. The Chair will explain the procedure of the AMRP to all parties.

ii. The student and/or friend will be asked to present their case in support of their appeal.

iii. Any further clarification from academic staff will be provided (if it was deemed necessary for them to attend).

iv. The Chair of the AMP will be asked to provide any clarification (if it was deemed necessary for them to attend).

v. Non-panel members will be asked to leave and the Panel will consider the evidence in private and reach a decision.

e. The AMRP has the authority to adjourn the meeting if it requires further information or evidence as it deems appropriate to assist in making its decision.

6. Academic Misconduct Review Panel Decision

After consideration of the available evidence relating to an application, the Review Panel may:

a. Reject the application

b. Refer the application, and all relevant documentation available to the AMRP, to the AMC, inviting reconsideration of the earlier decision in the light of the information now available.

c. The AMRP shall keep a record of its proceedings. The decision shall be circulated to the student, and the Academic Board, so that any issues of principle or general interest may be identified and acted upon.

7. Post Academic Misconduct Review Panel

a. The decision of the AMP must be communicated in writing to the student(s) within 5 working days of the meeting.

b. Where an application is not upheld, the decision of the Review Panel shall be effective immediately and the student shall be issued with a 'Letter of Completion' of internal proceedings.

c. A student who is of the opinion that their case is unresolved may apply to the Validating Partner for reconsideration of their case under the terms of its regulations.

d. When it is decided that a case shall be referred back to the AMP:

   i. The HEO will inform the student of the decision.

   ii. All information considered by the Review Panel will be sent to the Chair of the reconvened AMP (together with the relevant record of the Review Panel).

   iii. Where an application is referred back to a reconvened AMP, that Panel's ultimate decision shall be final.

   iv. The reconvened AMP shall meet as soon as possible to consider the evidence from the AMRP and make a decision on whether academic misconduct has occurred.

   v. The HEO will communicate the AMP decision to the student, normally within five working days of the AMP meeting.

   vi. In the event that the reconvened AMP decides to change the original penalty imposed, the AMP will advise the relevant Assessment Board.

A5: Application to Academic Misconduct Panel to Apply a Viva Voce

Available here.

Revision History		
Version	**Date**	**Detail**
1.0	September 2017	
1.1	August 2018	Document edited for clarity and to homogenise presentation and implement URLs to College website HE Essential Information page.
1.2	February 2020	Document edited to incorporate Amber Tariff.
1.3	January 2022	Checked for accuracy.
1.4	July 2023	Addition of appendix 5 and updated explanation in paragraph 5.9 – 5.11