



Academic Misconduct Policy

September 2023

Version 1.0
Approved by the Board of Governors

Introduction

- 1.1 Academic Misconduct (sometimes termed “unfair practice”) consists of acts that either deliberately or inadvertently undermine the validity of an assessment, the certification of qualifications and/or damage the authority of those responsible for conducting the assessment and certification.
- 1.2 The College expects its staff and students to act with integrity when undertaking or facilitating formative assessments; academic integrity means honesty and responsibility in scholarship and embodies values such as avoidance of cheating or plagiarism, maintenance of academic standards, and honesty and rigor in research. Therefore, all work submitted by a student should be a true and accurate representation of their own abilities and efforts.
- 1.3 This policy sets out the procedures to be followed where Academic Misconduct is suspected or identified in any formative assessment.
- 1.4 The College understands the consequences that allegations of Academic Misconduct can have on a student or staff member’s academic or professional standing, as well as their personal reputation. The College will therefore ensure that it has robust, fair and reliable procedures for determining if Academic Misconduct has occurred and will conduct its investigations confidentially; no acknowledgement of an investigation will be made to anyone not directly involved whilst that investigation is ongoing.
- 1.5 This policy has been developed with due regard for the UK Quality Code for Higher Education. It should be read in conjunction with the relevant Assessment Regulations.
- 1.6 The procedures outlined herein are separate from those that deal with instances of non-academic Misconduct, which can be read in the College’s Student Code of Conduct and Disciplinary Procedures.

Definitions

- 2.1 The following are examples of the types of Misconduct that may be committed by students. This list is not exhaustive and other instances of Misconduct may be considered by the College at its discretion:

Minor Misconduct

Examinations

- Removing any script, paper, or other official stationery (whether completed or not) from an examination room, unless specifically authorized by an invigilator or examiner,
- Communicating with another student or with any third party other than the invigilator/examiner during an examination or test,
- During an examination or test, copying or attempting to copy the work of another student, whether by overlooking his or her work,

Coursework

- Allowing another student to copy your work,
- Submission for assessment of work submitted previously by the student or work submitted for assessment that has previously been published elsewhere, where the duplication concerned is isolated (minor plagiarism or self-plagiarism).
- False declaration of authenticity in relation to the contents of a portfolio or coursework.

Serious Misconduct

Examinations

- Colluding with another person in the preparation or submission of work which is to be assessed. This does not apply to collaborative work authorised by the relevant Course Co-Ordinator,
- Deliberate destruction of another's work,
- Fabrication of results or evidence,
- Paying or otherwise rewarding another person for sitting an assessment in the student's place,
- Possession or use of devices of any kind other than those specifically permitted in the examination rubric,
- Possession of crib sheets, revision notes (including, for example, those held on digital media devices) or accessing the internet in contravention of the examination rubric,
- Taking into an examination a pre-written examination script for submission and exchanging it for a blank examination script,
- Obtaining access to an unseen examination or test prior to the start of an examination/test,

Coursework

- Plagiarism (defined as the use, without adequate acknowledgement, of the intellectual work of another person in work submitted for assessment). A student cannot be found to have committed plagiarism where it can be shown that the student has taken all reasonable care to avoid representing the work of others as his or her own).
- Contract cheating, namely the commissioning of a piece of work by a third party, beyond basic proofreading; this may be where a student engages an essay mill to request that the essay mill produces a piece of assessed work for the student
- Using another student's work and submitting some or all of it as if it were the student's own,
- The presentation of data in field research, projects etc. based on work purporting to have been carried out by the student but which has been invented, altered or falsified,
- Extensive use of quotes or close paraphrasing without the use of quotation marks and/or referencing, where the student has not properly cited this material in the bibliography,
- Stealing another student's work and submitting it as the student's own work (where the originator is not denied the opportunity of submission),

- Paying or otherwise rewarding another person for writing or preparing work to be submitted for assessment - the submission of assignments written by other people such as ghost writers is strictly forbidden,
- Stealing another student's work and submitting it as the student's own work (where the originator is denied the opportunity of submission).

Staff Misconduct

2.2 The following are examples of the types of academic Misconduct that may be committed by the College's staff. This list is not exhaustive and other examples of Misconduct may be considered by the College at its discretion:

- Facilitating or allowing any of the forms of misconduct in 2.1.
- Improper assistance to candidates in an assessment (e.g., coaching them on how to answer a specific formative assessment task, or giving assistance on an exam question),
- Inventing or changing marks for internally assessed work (course work or portfolio evidence) where there is insufficient evidence of the candidates' achievement to justify the marks given or assessment decisions made,
- Fraudulent submissions that could lead to false claims for certificates,
- Inappropriate retention of certificates,
- Producing falsified witness statements, for example for evidence the student has not generated,
- Allowing evidence, which is known by the staff member not to be the student's own, to be included in a student's assignment/task/portfolio/coursework,
- Facilitating and allowing impersonation,
- Misusing the conditions for special student requirements, for example where students are permitted support, this is permissible only up to the point where the support has the potential to influence the outcome of the assessment,
- Failing to keep assessment/examination/test papers secure prior to the assessment/examination test,
- Falsifying records/certificates. For example, by alteration, substitution, or by fraud.

Scope

3.1 The This policy and procedure apply to all internal assessments and examinations.

3.2 However, where the College's awarding bodies have their own published procedures, these will take precedent over the College's policy.

3.3 Programme Leaders should, during staff induction, introduce new members of staff to this policy.

3.4 Lecturers, tutors, and markers must ensure they follow the robust internal moderation/verification procedures.

3.5 Students should be introduced to this policy during the induction period and reminded of the policy during preparation for assessments. Students should also be briefed on the correct form for referencing the work of others in their own submissions. The College uses the Harvard system of referencing and will provide students with comprehensive guidance on how to include proper citation and compile reference lists.

Detecting Potential Academic Misconduct

4.1 Disciplinary action for Academic Misconduct can usually only be taken where a student has submitted summative assessment containing Misconduct. Disciplinary action cannot usually be taken prior to submission. If an academic member of staff notices Misconduct in work prior to it being submitted, it is reasonable to expect that the member of staff would warn the student of the consequences of committing Misconduct.

Use of Turnitin

4.2 The College uses a specialized online application (Turnitin) to detect where a student has submitted work which has been taken from another source without use of proper citation (plagiarized). This application produces a similarity report which indexes all unoriginal content and where it can be found. If the similarity index indicates a submission is composed of 25% or greater unoriginal content, the script will be flagged up for further investigation. However, smaller percentage similarities may also be investigated in relation to single excerpts, or where a marker gives cause for concern.

4.3 Staff will receive training in how to correctly interpret Turnitin reports; a flagged report will initiate the College's investigative procedures, and not of itself be the basis on which Academic Misconduct is automatically assumed.

Where documentary evidence of Academic Misconduct is not available

4.4 The College will use the following to detect and flag instances where there is likelihood, but no documentary evidence, that a student has submitted the work of another person as their own:

- Comparison with the quality of the student's previous summative submissions if these are available,
- formative (informal) assessment activities already undertaken to gauge a student's ability and compare this with the work they submit for a summative assessment.

- 4.5 It is understood that markers will not have the time compare every piece of work they mark to a previous assignment or formative assessment submission; markers should use sound judgement and familiarity with their students' abilities in deciding how and when to investigate an assignment submission.

Investigation Procedures

- 5.1 Any suspicion of Academic Misconduct should be notified to the corresponding Programme Leader, who will initiate investigation in a form proportionate to the nature of the allegation, except where the allegation concerns the Programme Leader, in which case it will be handled by the Principal.
- 5.2 The College will make the individual(s) aware by letter/email at the earliest opportunity of the nature of the alleged academic offence and of possible consequences should the Misconduct be proven.
- 5.3 The investigation will proceed through the following stages:

Stage 1

5.3.1. Preliminary investigation, conducted by the Programme Leader, into the allegation to determine whether there is sufficient evidence for an allegation to be progressed. Reference should be made by the Programme Leader to the Assessment Regulations (and where appropriate to the Academic Regulations of the awarding body).

5.3.2. If plagiarism or collusion is suspected, the Programme Leader will invite the student to be tested on subject knowledge by a viva voce examination. In such cases, the viva shall be conducted by a member of academic staff with knowledge of the subject being investigated and shall submit a report on the viva to the Programme Leader.

5.3.3. If an allegation against a member of staff appears to have substance, then all assessments by this member of staff should be halted until the investigation is complete. For cases of staff Misconduct, the Human Resources Office will decide whether to proceed instead under the Staff Disciplinary Procedure.

5.3.4. In cases where there is insufficient evidence, the Programme Leader will mark the work in the normal way as per the Colleges' Assessment Regulations.

5.3.5. In cases where there is sufficient evidence for an allegation to be progressed, the Programme Leader shall produce a report of their findings for the attention of the

Academic Misconduct Panel (and where it involves staff, the Human Resources Office). The student will be informed by letter/email that there is sufficient evidence to support the allegation and will be invited to make any submissions in response to the allegation within a period of 10 working days. The letter/email shall include:

- A copy of the allegation and all evidence in support of it,

- A copy of this Policy,
- The options available for a review of the decision and how to request such a review; and

5.3.6. Any submissions provided by the student will be considered before a decision about the allegation is made. If the student fails to make such submissions within the time period, or at all, the decision will be that the allegation is found to be proven and an appropriate penalty imposed.

5.3.7. During the investigation the College will give the individual the opportunity to respond to the allegations made. A student shall, within 10 working days from the date of receipt of the notification of the alleged academic Misconduct, reply by letter/email with evidence in support of her/his statement to the Program Leader. The student shall clearly state whether s/he:

- Accepts the allegation;
- Disputes the allegation;
- Should have any mitigating factors considered in deciding the penalty (e.g. duress/coercion by another student).

Valid/Invalid Responses

5.3.8. In responding a student shall identify and explain the reasons that form the basis of the case upon which the student is relying and should be accompanied by all relevant evidence in support of her/his statement. Requests that do not identify and explain the reasons upon which the student is relying shall be deemed invalid by the Programme Leader. The student shall be notified in writing of this and shall be deemed to have accepted the allegation.

5.3.9. Where students do not respond within the stated deadline they will be deemed to have accepted the allegation against them and, where necessary, the Panel shall determine the appropriate category of academic Misconduct. Program Leader shall inform the student by letter/email of the Panel's decision. The notification letter/email shall be deemed to have been received by the addressee on the second postal delivery day following that on which it was posted if sent by letter, or the same day if sent by email.

Stage 2

5.3.10. Where a student disputes the allegation, the Academic Misconduct Panel shall consider the allegation and the evidence in support of it alongside the student's submission. The Panel shall then determine whether there is sufficient evidence of academic Misconduct to, on the balance of probability, substantiate the allegation.

5.3.11. Where the student accepts the allegation, does not respond within the time limit, or the Panel determines that the allegation is substantiated, the Panel shall consider any mitigating evidence provided by the student in their response and apply the appropriate penalties in Section 4 of this procedure.

5.3.12. Where the Programme Leader's report (and any student response) indicates that there has been Academic Misconduct then Section 4 of this procedure should be consulted for appropriate penalties.

5.3.13. Where the student is enrolled on a course where the awarding body is a validating university, and the report indicates that the Misconduct is likely to fall within the definition of Serious Misconduct, the Program Leader must consider whether to refer the matter to the validating university for resolution under their Academic Regulations.

5.4. All stages of the investigation shall be documented by the person leading the investigation.

5.5. The student will be informed of the avenues for appealing against any judgments made.

Penalties

6.1 The penalty for Academic Misconduct will be determined according to the seriousness of the offence and will take into account the stage of study. For example, cheating or plagiarism in the early stages of a course of study may be considered within the context of developing appropriate scholarly behavior, the same in later stages will normally attract automatic failure and/or expulsion. The student's previous record will also be taken into account.

6.2 Second and subsequent offences will be considered Serious Misconduct, in absence of compelling mitigating evidence.

6.3 In the case where cheating or plagiarism has been established a report will be made to the appropriate Examination Board/Progression Board.

Minor Misconduct

6.4 The penalties that may be imposed in relation to proven Minor Misconduct are as follows:

6.4.1. The student is warned and a record of the warning will remain on the student's file indefinitely.

6.4.2. The element(s) of assessment is failed. The student may have the opportunity to re-sit the assessment, capped at a bare pass.

6.4.3. Failure in the element(s) of assessment as per 4.4.2, and the module is capped at a bare pass.

Major Misconduct

6.5. Where Major Misconduct is proven, the Panel may, in addition to the penalties set out in above, consider the application of the following penalties:

6.5.1. Failure in the module. The student must re-register for the same module at the next opportunity where the re-registered module result will be capped at a bare pass. Where a re-

registration of the same module, or suitable alternative, is not permissible the student will not be able to continue on the course.

6.5.2. Recommendation to the appropriate Examination Board that the final classification of any award be downgraded by one level.

6.5.3. Expulsion, which will be automatic where two or more penalties for Major Misconduct are imposed in any academic year, or a previous penalty has already been applied.

6.6. The student will normally be notified of the decision and penalty within 5 working days of the meeting of the Panel considering the case.

6.7. Where expulsion is the appropriate penalty for a student on a validated course, the decision of the Panel will be referred to the university's Student Casework Office, who will arrange for the penalty to be approved or rejected by a Head of College of the university in accordance with their Procedures on Student Misconduct. Where a valid request for review is made under section 5 below, the penalty will be referred by the Assessment Board if it is upheld by them.

Review and Other Procedures

7.1 A student may request a review of a decision of the Academic Misconduct Panel within 10 working days of receipt of the letter/email notifying him/her of the decision. The student may request a review of:

- the finding that an allegation is proved; and/or
- the penalty imposed.

7.2. A request for Review must be made by letter/email to the Program Leader within 10 days of the notification of the panel's outcome. It must specify the grounds and explain the reasons which clearly demonstrate the grounds; and if sent by letter must be signed by the student. Where a request for review is not made on one of the valid grounds in 7.3 below, the Program Leader shall refuse the Review and notify the student within 5 working days.

7.3. A Review may only be requested on the following grounds:

7.3.1. That the student was unable to respond to the allegation within the timeframes provided in this Policy for valid reasons beyond the student's control;

7.3.2. That there has been a procedural irregularity other than one for which the student is responsible, or clear third-party evidence of bias, resulting in substantial unfairness to the student;

7.3.3. That the evidence of alleged Misconduct was insufficient to substantiate the allegation; or,

7.3.4. That a penalty of expulsion or downgrading was unfairly imposed.

7.4. Where a valid request for review is made, the Program Leader shall notify the student within 5 working days and refer the allegations for review by the next meeting of the Academic Board. The decision of the Assessment Board is final.

7.5. Where Assessment Board determines that an appeal has demonstrated that the allegation was not proved, or an obvious unfairness to the student and the Board considers that it would be in the interest of fairness, the original penalty may be cancelled or modified. Where the Assessment Board determines that the student's ground of appeal has not led to obvious unfairness to the student the original penalty shall stand.

7.6. Where the decision relates to a student on a validating university degree course, students may make a further appeal in writing to the validating university under their Academic Regulations or Procedures on Student Misconduct, within 10 working days of the letter/email notifying him/her of the Academic Board's Review decision.

7.7. In all other cases, Vantage will issue a Completion of Procedures Letter for purposes of the OIA Scheme within 28 days of the decision of the Assessment Board. The OIA

7.8. After receipt of a Completion of Procedures Letter from Vantage, students on higher education courses (HND level or above) may complain to the Office of the Independent Adjudicator (OIA). Guidance on the circumstances in which complaints can be made to the OIA is available here: <https://www.oiahe.org.uk/making-a-complaint-to-the-oia/can-the-oia-look-at-my-complaint-complaints-wizard.aspx>

7.9. A complaint to the OIA must be made within 12 months of the date of the Completion of Procedures Letter, and should be made on their complaints form: <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>

Policy Review

This Policy will be reviewed every year, unless there are internal or legislative changes that necessitate earlier review. The Policy will be approved by the College's Board of Governors.

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