

## ACADEMIC MISCONDUCT PROCEDURES (Higher Education)

### Introduction

The Academic Misconduct regulations have been designed to ensure that the higher education courses and programmes for which the college is responsible for assessment are fully and fairly implemented. To this end the College will take action against any student who contravenes these regulations whether inadvertently or through negligence or deliberate intent and who, by so doing, could gain unfair advantage over other students.

The rules outlined below apply to all students enrolled on higher education programmes at Peter Symonds College and covers any academic misconduct which could result in a student gaining unfair advantage over other students in any form of assessment including written examinations, assessed course work (in whatever form the coursework might take) and oral/practical assessments.

### Definitions of Academic Misconduct

The following actions constitute academic misconduct:

#### Plagiarism

Plagiarism is cheating. It includes copying sections or all of a piece of work verbatim without acknowledgement from other sources including textbooks, the internet and the work of other students. All sources used must be acknowledged. Students who lend their work to others for the purpose of plagiarism are as culpable of cheating as the person to whom the work is lent. Accepting significant help from another person including a fellow student, teacher, or other adult is also deemed to be cheating.

All work submitted for assessment by students is accepted on the understanding that it is the students' own effort without falsification of any kind. Students are expected to offer their own analysis and presentation of information gleaned from research, even when group exercises are carried out. Insofar as students rely on sources, they should reference these in accordance with the appropriate convention in their discipline. It is not an offence if the material is acknowledged by the student as the work of another through the accurate use of quotation marks and the provision of detailed references and a bibliography.

#### Collusion

Collusion is a form of plagiarism involving unauthorised co-operation between at least two people, with the intent to deceive. It can take the following forms:

- the conspiring by two or more students to produce a piece of work together with the intention that at least one passes it off as his/her own work;
- the submission by a student of the work of another student in circumstances where the former has willingly lent the latter the work and where it should be evident to the student lending the work that by so doing an advantage is conferred on the other student. In this case both students are guilty of collusion; and
- in cases where there is unauthorised cooperation between a student and another person in the preparation and production of work which is presented as the student's own work.

Various forms of collaborative assessment undertaken in accordance with published requirements evidently do not fall under the heading of collusion.

#### Infringement or avoidance of assessment regulations

This includes any transgression of the assessment regulations that could gain unfair advantage.

### **Infringement of examination regulations**

This includes:

- any transgression of the College's examination room rules in such a manner that could gain unfair advantage;
- obtaining or seeking to obtain access to examination papers prior to an examination; and
- failure to comply with the invigilator's instructions.

### **Fraudulent representation**

This occurs where a student is party to an arrangement whereby a person other than the student would fraudulently represent him/her at an assessment.

### **Prejudicial behaviour**

This includes behaviour in a manner likely to prejudice the chances of another student.

### **Bribes and/or inducements**

This includes offering a bribe or inducement to invigilators, registry staff, examiners or other persons connected with the assessments.

### **Fabrication of evidence**

This includes fabrication of evidence that contributes towards assessment including falsifying data such as the origin of questionnaires; certificated or portfolio evidence in claims for the accreditation of prior learning; and entries and signatures in records of assessment of practice in the workplace which may lead to unauthorised registration to practice under the requirements of those bodies regulating certain professions.

### **Failure to seek ethical approval when appropriate**

This includes students embarking on research activities which require ethical approval without that approval being formally granted. It is a student's responsibility to apply for ethical approval.

### **Initial Procedures**

#### **Assessed course work (including assignments, projects, performances, exhibitions, oral examinations and practice based assessment)**

Where an internal or external marker suspects a student of contravening the assessment regulations in a way that could gain unfair advantage, having regard to the definitions in above, he/she will:

- Release the assessment at the same time as the rest of the group
- Endorse the student's work with a note using this standard wording where appropriate *"High level of like for like wording. Subject to further investigation under academic misconduct procedures. Any related grade will not be released until the investigation is complete"* The note should include the location of any allegedly plagiarised passages and/or any passages where collusion is suspected, this is best done by including the pdf from turnitin; and
- Report the allegation for information to the Programme leader and/or Curriculum Head.

#### **Written Examinations**

Where an invigilator suspects the student of infringing examination room rules or any other requirements relating to conduct as set out above, he/she shall, if possible in the presence of another invigilator or other member of staff to act as witness to the action taken:

- confiscate any unauthorised material in the possession of the student;
- endorse the student's script on the front cover with a note of the time when the alleged infringement is discovered. In the case of suspected collusion he/she should endorse the script of each student involved. Wherever possible he/she should require another invigilator to act as witness by countersigning the endorsement;
- where relevant, issue a new examination script booklet to the student(s) in question, clearly instructing them to continue (not to restart) the examination;

- inform the student(s) in question, at the end of the examination, that a report of the incident:
  - will be submitted to the Chair of the Academic Board;
  - give brief details of the incident on the invigilator's report; and
  - report the allegation to the Programme leader and or Curriculum Head.

### **Procedure for Reporting the Incident to the HE Administrator for Investigation**

It is important for Curriculum Heads to be aware that in some instances, particularly in the early stages of a course, it might not always be appropriate to proceed to a formal allegation. In particular the Curriculum Head should satisfy him or herself that the student has been given appropriate advice on attributing sources and the production of bibliographies prior to assessment.

Those bringing an allegation to the attention of the HE Administrator or his/her nominee should include the following documentation along with the written allegation:

- the student's name, learner number and course/programme/route details;
- a report of the incident;
- the invigilator's report, where relevant;
- a copy, or the original of, unauthorised material used in an examination;
- a copy of the original script marked with the allegedly plagiarised passages or passages where there is suspected collusion;
- a copy of source material marked with passages which have allegedly been plagiarised or where there is suspected collusion;
- a copy of the instructions given to the student regarding the component of assessment and a copy of the referencing instructions given to the student where relevant;
- information about the level and status of the component of assessment (e.g. whether the work contributes to a final award); and
- a copy of any relevant material that has allegedly been falsified, for example: the record of practice or work-based evidence; research data; and certificated or portfolio evidence in claims for accreditation of prior learning.

### **Procedure for Investigation by the HE Administrator**

Upon receipt of any allegation the HE Administrator shall decide if there is sufficient evidence to suggest that the student has contravened assessment regulations and by doing so could gain unfair advantage.

Whilst an investigation is being carried out the Academic Board may note the incident and defer judgement. Where possible, every effort should be made to resolve the matter before the meeting of the Academic Board.

If the HE Administrator decides there is not sufficient evidence, he/she shall request the Academic Board to consider the work on its academic merits and remove all record of the alleged academic misconduct from the student's record.

If the HE Administrator decides there is sufficient evidence to suggest that the student has contravened the regulations, he/she shall write to the student concerned:

- to put the allegation;
- to request a written statement to explain how the allegation may have arisen;
- to request a reply within ten working days of the date on which the letter is sent;
- to enclose a copy of this policy; and
- if appropriate, to enclose copies of any evidence or report.

The letter from the HE Administrator to the student shall be copied to the Head of Curriculum, the Chair of the Academic Board, and the appropriate Student Support nominee.

If a written reply to the allegation is not received from the student within ten working days of the date on which the letter is sent, or if he/she replies accepting the allegation, the HE Administrator shall report accordingly to the Chair of the Academic Board.

If the student does reply within the time limit denying the charge the HE Administrator shall invite the student to attend an investigative meeting with the Director of Adult & Higher Education and the HE Administrator. The student may be accompanied at the meeting by a person of his/her choice and the Director of Adult & Higher Education shall be accompanied by his/her PA who will take a note of the meeting.

While the allegation remains unresolved the student shall have the right to attend the next part or stage of the course or to recommence the stage or part of the course on which he/she was last enrolled.

### **Investigative Meeting with the Director of Adult & Higher Education**

The Director of Adult & Higher Education shall explain that the purpose of the meeting is to establish whether an offence of academic misconduct has been committed. He/she will put the allegation to the student and make available for scrutiny any relevant documentary evidence, including any statements by staff or students, sources of allegedly plagiarised passages and/or passages where collusion is suspected, annotated coursework or scripts, and falsified documents. The student will be invited to respond to the allegation and produce any evidence he/she deems appropriate.

If at the conclusion of the meeting the Director of Adult & Higher Education finds that there is no case to answer, then he/she will inform the student accordingly and request the Academic Board, via the Chair of the Academic Board, to consider the work on its academic merit, and to remove all record of the alleged academic misconduct from the student record.

If the student admits the offence the Director of Adult & Higher Education shall invite the student to put this in writing for forwarding to the Chair of the Academic Board. The student will be advised that a note of the meeting, which will include the Director of Adult & Higher Education's commendations for a penalty, will be sent to the Chair of the Academic Board with a copy sent to the student.

If, at the conclusion of the meeting, the Director of Adult Education finds that an offence of academic misconduct has been committed he/she will advise the student accordingly, clearly stating the reasons. The student will be advised that a note of the meeting, which will include the Director of Adult Education's decision and recommendations for a penalty, will be sent to the Chair of the Academic Board with a copy sent to the student.

At any time during the meeting the Director of Adult & Higher Education may decide to suspend proceedings in order to seek more evidence. The student will be advised of the action that will be taken and the date of the reconvened meeting, which will be conducted as set out above.

### **Decision of Academic Board**

Where an allegation of academic misconduct is not sustained following investigation the Academic Board shall assess the work concerned on its academic merit and remove all record of the alleged misconduct from the student's record.

Where an allegation of academic misconduct is sustained, either by admission of the student or following investigation, the Academic Board shall decide, based on the available evidence, on the degree of unfair advantage obtained and take account of any recommendations in any report from the Director of Adult & Higher Education or report from the HE Administrator. In cases where the student admits culpability, the guidelines below are followed in deciding the appropriate penalty:

- Report the decision to the HE Administrator and Director of Adult & Higher Education for their information;

- Inform the student in writing of the decision of the Academic Board within five working days of the meeting of the Board;
- Where the student concerned is in employment and where the employer has a material interest in the matter, inform the employer of the decision of the Board in writing, within the same timescale;
- Where Professional and/or Statutory bodies are involved, determine, in conjunction with the HE Administrator, whether to inform the relevant body of the decision of the Board in writing. Such a report should not be made until the period for lodging an appeal has passed or until any appeal is fully considered;
- Any re-assessment following the Academic Board's decision to fail the student in one or more units of assessment shall be at the absolute discretion of the Academic Board under the course assessment regulations; and
- A student may appeal the verdict of academic misconduct and/or the penalty imposed.

### **Guidelines for Penalties for Academic Misconduct**

All confirmed offences must be recorded on the student's record and students notified that this may be used in references. All records of unsubstantiated offences must be deleted from the student's record.

The following criteria are guidelines only. The Academic Board is not obliged to implement the recommended penalty but if the Board does not do so, they should notify the Director of Adult & Higher Education and the HE Administrator of the reasons for not so doing and of the reasons for applying any alternative penalty.

**For Chichester University Programmes any assessment where academic misconduct is proven must be resubmitted within two weeks of the finding of academic misconduct.**

In addition penalty points will be allocated after the Investigative meeting has agreed that the misconduct is proven and recommended the penalty to the Academic Board. The points will be assigned based on the following criteria:

#### **Malpractice – extent (% of the assessment)**

Up to 25%	10 points
Between 25% and 50%	20 points
Above 50%	30 points
Commissioning	50 points
Cheating in an examination	50 points
Falsification of data	50 points

#### **Programme level**

Level 4	0 points
Level 5	10 points
Level 6	20 points
Level 7	30 points

#### **Weighting of the assignment/examination**

Standard (50% or less)	10 points
Large (51% or more)	20 points
Dissertation	50 points

**History (previous incidences of malpractice)**

1 <sup>st</sup> offence	10 points
2 <sup>nd</sup> offence	20 points
3 <sup>rd</sup> offence	30 points

Penalty (total scores, 1 from each of the 4 areas)

POINTS TOTAL	PENALTY
>30 points	Written warning
40-50	Assessment item capped at 40%
60-70	Module capped at 40%
80-90	Assessment item capped at 0%
100-110	Module capped at 0%
120-130	Recommend expulsion with award as appropriate
140+	Recommend expulsion with any award withheld

**Guidelines for Additional Action by Academic Board**

- no right to re-assessment in the module(s);
- Academic Board may determine that the student should fail the entire assessment stage;
- Academic Board may determine whether the student should be re-admitted to the course at any stage;
- Academic Board may require the student to repeat the year with a restriction to a capped pass mark in each module retaken;
- Academic Board may require the student to terminate his/her studies;
- Academic Board may recommend that the student be referred to Professional Misconduct/Unsuitability Committee.

**Reporting of cases of academic mal-practice to partner universities**

- All proven cases of academic mal-practice must be reported to the partner university.

Students may appeal under the provisions of the College's Appeals against Assessment Procedures. This is available in the college Student Handbook (Adults) or from the Adult Education Division Reception. Students wishing to appeal against a verdict of academic misconduct will proceed directly to stage three of the Appeal process.

Reviewed 2018

Next review date: June 2022