

*It is intended that this policy is 'fair to all'. Where any part could potentially lead to unequal outcomes, the policy then justifies why this is a proportionate means of achieving a legitimate aim.*

**EP COLLEGE** 

## **INSTITUTIONAL POLICIES AND PROCEDURES**

**Title:** Academic Misconduct Policy

**Date:** June 2019

**Review Date:** June 2021

**Owner:** Vice Principal Quality and Curriculum

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**What is Academic Misconduct? – Academic Misconduct is any activity or behaviour by a student that may give that student or another student an unfair academic advantage in a formal assessment.**

Academic Misconduct will result from, but is not exclusive to, any of the following actions which are deemed to be cheating or attempting to gain an unfair advantage in assessment:

- **Collusion**- working with a peer to complete an assessment task collaboratively using your combined knowledge and understanding
- **Plagiarism**- attempting to pass off another person work as your own; this means you have not acknowledged the source of your supporting information through referencing
- **Falsification**- this happens if you submit evidence, data or research information which is not actual or true
- **Duplication**- this is attempting to gain marks for an assessment task, which wholly or in part has been submitted for academic credit before; this includes your own previous work
- **Substitution**- this means the work submitted has been produced by someone else; this includes copying another's work and also includes work you have purchased, in whole or part, which you submit as your own. This also includes allowing another person to undertake an assessment task for you.

Academic Misconduct can also relate to other unfair practice such as:

- Making false claims about academic or professional achievements
- Providing false documentation, such as references, permissions, or employer support declarations
- Failing to make robust ethical considerations relating to collection of data for research purposes, or not gaining ethical approval prior to the involvement of participants, using the relevant Ethical Guidance and paperwork provided.

## **1. Policy Objective**

**To ensure that the work that every student submits for every assessment is their own work and is not subject to any unfair academic advantage.**

Whilst we encourage students to use relevant source materials for research purposes, the information or ideas from these sources must be expressed in their own words and a critical approach adopted towards any material that is not their own. **This material must always be acknowledged.**

The college aims to support students through their teaching and learning, and offers information provided as part of taught sessions and by the Learning Development Centre, verbally, electronically and in paper guidance. This information encourages and supports students to be responsible for maintaining their own academic conduct, through an understanding of the issues which can arise in assessment practice, and how this will impact their studies. This particularly applies to plagiarism which can be minimised by referencing correctly and appropriately.

In Higher Education, students will normally upload assessments to 'Turn-it-in', a web based tool which allows assessments to be uploaded and marked electronically. This tool also acts as a plagiarism detection software, checking the originality of work against all databases, including all students' work, which then highlights where work has been used before, giving a total percentage of 'matched' information found within the work. Any suspected cases of plagiarism, where the percentage of match found is high, resulting in a low amount of originality, can be referred to the HE Office for investigation, whether this has been identified through Turn-it-in or by other means.

Tutors and assessors should be aware of the requirements of their awarding organisation with respect to academic misconduct and ensure the College's rules on academic misconduct are made clear to each student at the start of the course.

The Guidelines (see appendix A for FE and B for HE) should be distributed and explained in induction and students asked to sign to say that they have understood the rules. They should be further reinforced in unit/module delivery and tutorials throughout the year.

If a tutor or assessor suspects academic misconduct they should act accordingly in line with this policy and the appropriate awarding organisation guidelines, these will vary depending upon the awarding organisation and the seriousness of the alleged academic misconduct.

## **2. Scope**

**The seriousness of the offence will determine the course of action taken, the following are indicators of minor, moderate and major examples of failing to acknowledge another's help or work and should be used in line with the published advice of the awarding organisation.**

### **a) Minor Offence**

If it is concluded that the offence has occurred as a result of *poor academic practice*, this may be deemed a minor offence. This can be defined as the result of a lack of referencing, or understanding how to reference accurately, poor attempts to paraphrase in order to show

understanding of another's work or theory, or the pressures of other issues which may lead to rushing, or not paying due care and attention to the work produced.

The investigating staff will aim to establish, and possibly obtain evidence which supports the notion that the student did not intend to cheat, or there was no intent in committing the offence. This may be their planning, draft work, notes or evidence of sources.

Examples of a minor offence are, but not limited to:

- Including a picture or graphic which is not attributed to the source
- Having a small section of work which is the same as a peers work
- Including small amounts of information from a lecture without acknowledging the source
- Having a paragraph/s which the student has attempted to paraphrase but insufficiently
- Having a paragraph/s which is a verbatim quotation, that has not been identified as such by the use of quotation marks
- Where the sources used in the text (as citations) are not listed in the Reference page
- Where evidence provided as an appendices has not been anonymised (*please note this can be a Major Offence where confidentiality is breached in the case of sensitive information regarding children or vulnerable adults such as in Health and Safeguarding information*).

Where the case relates to collusion, both students will be interviewed independently, and staff will be consulted to establish the information provided to the students with regards to any group work assessment which may be permitted.

Minor offences for Academic Misconduct will normally only be applied to first year students, and students for whom this is the first offence. If the investigation identifies poor academic practice, the student must take steps to improve their understanding of academic conventions, in order to reference correctly, and prevent a reoccurrence of this nature. Generally, Minor Offences should not contribute to the overall standard and originality of the work, and no advantage should be gained through this action.

## **b) Moderate Offence**

Moderate offences can also be the result of poor academic practice that has persisted and been identified in a student on a second/third year of a programme. In this case examples of the offences would be largely the same as those indicated under Minor Offences.

Moderate Offences can also arise as a result of a student having already been given a penalty for a Minor Offence, during their current programme duration. This will depend on the severity of the second offence, which could also be deemed a Major Offence in certain circumstances.

Examples of Moderate offences are, but not limited to:

- A repeat of a Minor offence (of the same nature)
- Including pictures or graphics which are not attributed to the source Having some sections of work which is the same as a peers work
- Including some information from a lecture without acknowledging the source
- Having several paragraphs which the student has attempted to paraphrase but insufficiently
- Having several paragraphs which is a verbatim quotation, that has not been identified as such by the use of quotation marks
- Where the sources used in the text (as citations) are not listed in the

- Reference page and/or the reference list is inaccurate or incomplete
- Work is found to include significant amounts of information which has been substituted and is not the student's original work, and would gain an unfair advantage in the resulting grade
- Where evidence provided as an appendices has not been anonymised, and/or used inappropriately to provide data or information given as factual which is found to be false (*please note this can be a Major Offence where confidentiality is breached in the case of sensitive information regarding children or vulnerable adults such as in Health and Safeguarding information*).

Moderate Offence will often be the conclusion whereby meeting with the student, results in an admission of poor academic practice or explanation as to why the offence occurred. They may also admit to having *some* knowledge that this was the case, although intent may not be fully proven. The decision to categorise an offence as Moderate will be made after taking into account the evidence provided and the student's position. Moderate Offences generally will have made a contribution to the overall standard and originality of the work, which would have resulted in the student gaining some unfair advantage in terms of the requirements of the assessment, coverage of Learning Outcomes, presenting work to the deadline, or the final summative grade awarded.

### c) Major Offence

A Major Offence will usually be an action that has resulted in the student committing the offence with **intent** to gain an unfair advantage.

The college recognises that students may come under pressure during assessment periods and this is why it is important that any poor academic practice is highlighted and addressed in feedback throughout the student journey.

Students are also encouraged to apply through the Mitigating Circumstances/ Extension request process if they are aware of something which is beyond their control, which will affect their performance during the assessment period. This could be poor health of themselves, or a family member, bereavement or a personal issue (see Mitigating Circumstances Guidelines for more information) this will prevent some of the pressures which may occur during assessment in some cases, avoiding potential misconduct. However, once a case of Academic Conduct is identified, the student may not claim Mitigating Circumstances retrospectively, to avoid any penalty, although the circumstances which led to the offence may be taken into consideration by the investigating staff if deemed appropriate.

Examples of a Major Offence may be, but are not limited to, the following:

- A repeat of a Moderate Offence
- Repetition of a Minor Offence where intent is proven
- Copying from a peer in large amounts without their consent
- Deliberately presenting work which is the result of collaboration to gain unfair advantage
- Extensive copying of another's work without acknowledging the source of this information
- Purchasing work from another and substituting as your own
- Using work previously submitted, including your own
- Seeking external help with an assessment from another educational institution or professional with the aim of gaining unfair advantage
- Providing false claims or evidence of professional or academic achievements

- Falsifying information provided in support of your programme from employers, mentors or other professionals
- Deliberate falsification of data/research findings provided in support of your work
- Inclusion of confidential/sensitive information which may relate to the personal records of a child or vulnerable adult which have not been anonymised, nor has permission to use such evidence been provided (*this would include but is not limited to, Health, Social, Financial, Educational and Safeguarding information*).

### **3. Procedures**

#### **3.1 Procedure for FE cases**

If academic misconduct is suspected, the exact nature of the problem should be identified and explained to the student. Their response to the allegation should be recorded in writing by the course tutor. If the course tutor feels that this falls into the minor case category and it is the student's first offence then the Course Tutor may issue an official warning to the student. This should be in writing, and should be kept on the student's ePDP until the completion of their course. The student will be retrained how to avoid academic misconduct and will also be requested to re-submit the work. The course tutor should notify the Vice Principal Quality and Curriculum of the incident stating the action taken.

If it is considered that the case of academic misconduct is of a more substantive nature, then the following procedure will be followed.

- The case will be referred to the Curriculum Manager who will contact:
  - a) The awarding organisation to seek advice. Their procedure should then be followed as directed until the awarding organisation are satisfied that the case is closed and communicated the penalty that they have agreed. Usually a report on the case, including the student's response to the allegations, will be submitted to the awarding organisation for their consideration.
  - b) the student's parent/guardian if under 18 and explain the incident and the actions taken to date.
  - c) The Vice Principal Quality and Curriculum to make them aware of the case.
- Following completion of the awarding organisations procedures, the student will then be requested to attend a disciplinary hearing following the college's student disciplinary procedure, the hearing may result in one of the following penalties:
  - A Verbal Warning plus awarding organisation sanction
  - Written Warning plus awarding organisation sanction
  - Formal Exclusion

#### **3.2 Procedure for HE cases**

Suspected cases of Academic Misconduct are referred to the Higher Education Manager, who will investigate the claim and may assign a HE Officer to conduct further investigation on their behalf.

Students involved will be invited to a meeting with the assigned member/s of staff, (no more than two) who will go through the alleged offence, explaining how the issue was identified, and under which aspect of academic misconduct the student's action is being investigated i.e. plagiarism.

Where the offence relates to an assessment offence, Turn-it-in originality reports, staff or student statements, or other evidence will be tabled at the meeting, to give the student under

investigation opportunity to explain their position. Students may be accompanied at the meeting, for support, but this must be agreed in advance of the meeting with the HE Office; this person is not permitted to be acting in a legal capacity.

Following the meeting with the student the investigating staff shall conclude the severity and nature of the offence and decide on an appropriate penalty.

This will be communicated to the student within 10 working days of the meeting.

For complex cases, on occasion, the student may be notified that the decision will be delayed for specified reasons such as, more evidence has come to light, more evidence is needed, or a further meeting is necessary to ensure a satisfactory conclusion is reached.

## **Penalties**

### **Dismissal of Case**

On occasion the evidence provided does not support further investigation of the case, as it is not substantial enough to suggest an offence has occurred. In such cases, a letter will be sent to the student confirming there is no case to answer

The following penalties are applicable if misconduct is proven at each level or if the student concedes to having knowledge that an offence was committed.

#### **a) Minor Offence**

- i. Student receives a written warning
- ii. Student must take remedial action to correct the work and resubmit for marking
- iii. Marks can be deducted from the assessment
- iv. The student must do the assessment again.

#### **b) Moderate Offence**

- i. Reduction of the assessment grade
- ii. Refer the work to the Examination Board with no recorded grade
- iii. Resit an alternative assignment/Exam
- iv. Notify the awarding body.

#### **c) Major Offence**

- i. Assign a zero grade
- ii. Withdraw the right to resubmit the work
- iii. Withdraw the student from the programme
- iv. Inform the External Examiner
- v. Notify the awarding body of the offence
- vi. Notify the employer or professional body where a serious breach of confidentiality has occurred.

### **Appeal of an Academic Misconduct decision**

A student may, within 10 days of the decision letter, appeal against a decision, only if evidence has now come to light which, had this been available at the time, would have changed the decision made.

All appeals should be made using the college complaints procedure, and all evidence must be submitted in support of the appeal.

## **Franchised provision with University partners**

This information is intended to support all students at New College Swindon in their awareness of academic misconduct issues. Our guidelines are broadly in line with those of other Higher Education Institutions, however students on franchised provision will be investigated according to the relevant University regulations for Academic Misconduct.

For Oxford Brookes: <https://www.brookes.ac.uk/regulations/current/appeals-complaints-and-conduct/c1-1/>

For University of Gloucestershire: <https://www.glos.ac.uk/docs/Pages/default.aspx>

## Appendix A

### Appropriate Academic Conduct Guidelines for FE Students

As a College student you are required to follow certain guidelines regarding the work you produce for assessment.

It is your responsibility to ensure that you cannot be accused of cheating or plagiarism\*, both of which are forms of academic dishonesty. You should therefore make sure that:

- 1) You hand in only your own original work for assessment
- 2) You are careful about sharing your ideas and ensure that drafts or electronic copies of your work are not given to other students
- 3) When making notes, you record which words come directly from material you have read and acknowledge them through correct Harvard referencing (guidance available in LDC)
- 4) If you use material downloaded from the Internet, you reference the source properly.
- 5) If you are discovered or suspected of any form of cheating or plagiarism, then action will be taken. This could range from asking you to re-submit the work in your own words or exclusion from the course or the College or not being allowed to take any qualifications associated with an awarding organisation, depending upon the seriousness of the case.
- 6) A record of all discussions and outcomes will be held on your student file. It may also affect any future references requested from the college on your behalf.
- 7) You should therefore take care to ensure that your work is original and correctly sourced and referenced and remember that careless plagiarism is still regarded as cheating.

\*Using someone else's words or ideas but not mentioning (acknowledging) this in your work

I have read the guidance above and in the course handbook about academic misconduct (e.g. plagiarism, cheating). I have also taken part in activities in my course induction that covered how to avoid academic misconduct.

Name:

Date:

Signature:



## Appendix B - Academic Misconduct

### Guidelines for Higher Education Students

#### 1. Introduction

These guidelines are provided for students to explain the process of dealing with, and penalties resulting from Academic Misconduct. It applies to all Higher Education programmes owned and delivered by New College Swindon, and will offer guidance and direction for programmes franchised by University partners.

#### Defining Academic Misconduct

Academic Misconduct occurs when there is a breach of what is considered appropriate and fair study behaviour, where a student must always be fair in acknowledging the work of others, their own achievements, their conduct during assessments and in maintaining ethical principles throughout their research and study; not attempting to gain unfair advantage.

Academic Misconduct will result from, but is not exclusive to, any of the following actions which are deemed to be cheating or attempting to gain an unfair advantage in assessment:

- **Collusion**- working with a peer to complete an assessment task collaboratively using your combined knowledge and understanding
- **Plagiarism**- attempting to pass off another person work as your own; this means you have not acknowledged the source of your supporting information through referencing
- **Falsification**- this happens if you submit evidence, data or research information which is not actual or true
- **Duplication**- this is attempting to gain marks for an assessment task, which wholly or in part has been submitted for academic credit before; this includes your own previous work
- **Substitution**- this means the work submitted has been produced by someone else; this includes copying another's work and also includes work you have purchased, in whole or part, which you submit as your own. This also includes allowing another person to undertake an assessment task for you.

Academic Misconduct can also relate to other unfair practice such as:

- Making false claims about academic or professional achievements
- Providing false documentation, such as references, permissions, or employer support declarations
- Failing to make robust ethical considerations relating to collection of data for research purposes, or not gaining ethical approval prior to the involvement of participants, using the relevant Ethical Guidance and paperwork provided.

#### Identification of the offence

Academic Misconduct issues are usually raised by staff during the summative marking process, or on occasion when looking at formative work. Other students may also raise concerns about a peer.

The college aims to support students through their teaching and learning, and offers information provided as part of taught sessions and by the Learning Resource Centre, verbally, electronically

and in paper guidance. This information encourages and supports students to be responsible for maintaining their own academic conduct, through an understanding of the issues which can arise in assessment practice, and how this will impact their studies. This particularly applies to plagiarism which can be minimised by referencing correctly and appropriately.

In Higher Education, students will normally upload assessments to 'Turn-it-in', a web based tool which allows assessments to be uploaded and marked electronically. This tool also acts as a plagiarism detection software, checking the originality of work against all databases, including all students' work, which then highlights where work has been used before, giving a total percentage of 'matched' information found within the work. Any suspected cases of plagiarism, where the percentage of match found is high, resulting in a low amount of originality, can be referred to the HE Office for investigation, whether this has been identified through Turn-it-in or by other means.

### Investigation

Suspected cases of Academic Misconduct are referred to the Higher Education Manager, who will investigate the claim and may assign a HE Officer to conduct further investigation on their behalf.

Students involved will be invited to a meeting with the assigned member/s of staff, (no more than two) who will go through the alleged offence, explaining how the issue was identified, and under which aspect of academic misconduct the student's action is being investigated i.e. plagiarism.

Where the offence relates to an assessment offence, Turn-it-in originality reports, staff or student statements, or other evidence will be tabled at the meeting, to give the student under investigation opportunity to explain their position. Students may be accompanied at the meeting, for support, but this must be agreed in advance of the meeting with the HE Office; this person is not permitted to be acting in a legal capacity.

Following the meeting with the student the investigating staff shall conclude the severity and nature of the offence and decide on an appropriate penalty.

This will be communicated to the student within 10 working days of the meeting.

For complex cases, on occasion, the student may be notified that the decision will be delayed for specified reasons such as, more evidence has come to light, more evidence is needed, or a further meeting is necessary to ensure a satisfactory conclusion is reached.

### Level of Offence

#### **a) Dismissal of Case**

On occasion the evidence provided does not support further investigation of the case, as it is not substantial enough to suggest an offence has occurred. In such cases, a letter will be sent to the student confirming there is no case to answer.

#### **b) Minor Offence**

If it is concluded that the offence has occurred as a result of *poor academic practice*, this may be deemed a minor offence. This can be defined as the result of a lack of referencing, or understanding how to reference accurately, poor attempts to paraphrase in order to show

understanding of another's work or theory, or the pressures of other issues which may lead to rushing, or not paying due care and attention to the work produced.

The investigating staff will aim to establish, and possibly obtain evidence which supports the notion that the student did not intend to cheat, or there was no intent in committing the offence. This may be their planning, draft work, notes or evidence of sources.

Examples of a minor offence are, but not limited to:

- Including a picture or graphic which is not attributed to the source
- Having a small section of work which is the same as a peers work
- Including small amounts of information from a lecture without acknowledging the source
- Having a paragraph/s which the student has attempted to paraphrase but insufficiently
- Having a paragraph/s which is a verbatim quotation, that has not been identified as such by the use of quotation marks
- Where the sources used in the text (as citations) are not listed in the Reference page
- Where evidence provided as an appendices has not been anonymised (*please note this can be a Major Offence where confidentiality is breached in the case of sensitive information regarding children or vulnerable adults such as in Health and Safeguarding information*).

Where the case relates to collusion, both students will be interviewed independently, and staff will be consulted to establish the information provided to the students with regards to any group work assessment which may be permitted.

Minor offences for Academic Misconduct will normally only be applied to first year students, and students for whom this is the first offence. If the investigation identifies poor academic practice, the student must take steps to improve their understanding of academic conventions, in order to reference correctly, and prevent a reoccurrence of this nature. Generally, Minor Offences should not contribute to the overall standard and originality of the work, and no advantage should be gained through this action.

### **c) Moderate Offence**

Moderate offences can also be the result of poor academic practice that has persisted and been identified in a student on a second/third year of a programme. In this case examples of the offences would be largely the same as those indicated under Minor Offences.

Moderate Offences can also arise as a result of a student having already been given a penalty for a Minor Offence as identified on page 3, during their current programme duration. This will depend on the severity of the second offence, which could also be deemed a Major Offence in certain circumstances.

Examples of Moderate offences are, but not limited to:

- A repeat of a Minor offence (of the same nature)
- Including pictures or graphics which are not attributed to the source
- Having some sections of work which is the same as a peers work
- Including some information from a lecture without acknowledging the source
- Having several paragraphs which the student has attempted to paraphrase but insufficiently
- Having several paragraphs which is a verbatim quotation, that has not been identified as such by the use of quotation marks
- Where the sources used in the text (as citations) are not listed in the

- Reference page and/or the reference list is inaccurate or incomplete
- Work is found to include significant amounts of information which has been substituted and is not the student's original work, and would gain an unfair advantage in the resulting grade
- Where evidence provided as an appendices has not been anonymised, and/or used inappropriately to provide data or information given as factual which is found to be false (*please note this can be a Major Offence where confidentiality is breached in the case of sensitive information regarding children or vulnerable adults such as in Health and Safeguarding information*).

Moderate Offence will often be the conclusion whereby meeting with the student, results in an admission of poor academic practice or explanation as to why the offence occurred. They may also admit to having *some* knowledge that this was the case, although intent may not be fully proven.

The decision to categorise an offence as Moderate will be made after taking into account the evidence provided and the student's position. Moderate Offences generally will have made a contribution to the overall standard and originality of the work, which would have resulted in the student gaining some unfair advantage in terms of the requirements of the assessment, coverage of Learning Outcomes, presenting work to the deadline, or the final summative grade awarded.

#### **d) Major Offence**

A Major Offence will usually be an action that has resulted in the student committing the offence with **intent** to gain an unfair advantage.

The college recognises that students may come under pressure during assessment periods and this is why it is important that any poor academic practice is highlighted and addressed in feedback throughout the student journey.

Students are also encouraged to apply through the Mitigating Circumstances process if they are aware of something which is beyond their control, which will affect their performance during the assessment period. This could be poor health of themselves, or a family member, bereavement or a personal issue (see Mitigating Circumstances Guidelines for more information) this will prevent some of the pressures which may occur during assessment in some cases, avoiding potential misconduct. However, once a case of Academic Conduct is identified, the student may not claim Mitigating Circumstances retrospectively, to avoid any penalty, although the circumstances which led to the offence may be taken into consideration by the investigating staff if deemed appropriate.

Examples of a Major Offence may be, but are not limited to, the following:

- A repeat of a Moderate Offence
- Repetition of a Minor Offence where intent is proven
- Copying from a peer in large amounts without their consent
- Deliberately presenting work which is the result of collaboration to gain unfair advantage
- Extensive copying of another's work without acknowledging the source of this information
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- Falsifying information provided in support of your programme from employers, mentors or other professionals
- Deliberate falsification of data/research findings provided in support of your work
- Inclusion of confidential/sensitive information which may relate to the personal records of a child or vulnerable adult which have not been anonymised, nor has permission to use such evidence been provided (*this would include but is not limited to, Health, Social, Financial, Educational and Safeguarding information*).

## Penalties

The following penalties are applicable if misconduct is proven at each level or if the student concedes to having knowledge that an offence was committed.

### **d) Minor Offence**

- Student receives a written warning
- Student must take remedial action to correct the work and resubmit for marking
- Marks can be deducted from the assessment
- The student must do the assessment again.

### **e) Moderate Offence**

- Reduction of the assessment grade
- Refer the work to the Examination Board with no recorded grade
- Resit an alternative assignment/Exam
- Notify the awarding body.

### **f) Major Offence**

- Assign a zero grade
- Withdraw the right to resubmit the work
- Withdraw the student from the programme
- Inform the External Examiner
- Notify the awarding body of the offence
- Notify the employer or professional body where a serious breach of confidentiality has occurred.

## **Appeal of an Academic Misconduct decision**

A student may, within 10 days of the decision letter, appeal against a decision, only if evidence has now come to light which, had this been available at the time, would have changed the decision made.

All appeals should be made using the college complaints procedure, and all evidence must be submitted in support of the appeal.

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This information is intended to support all students at New College Swindon in their awareness of academic misconduct issues. Our guidelines are broadly in line with those of other Higher Education Institutions, however students on franchised provision will be investigated according to the relevant University regulations for Academic Misconduct.

For Oxford Brookes: <https://www.brookes.ac.uk/regulations/current/conduct-and-complaints/c1/>  
 For University of Gloucestershire: <http://www.glos.ac.uk/study/Pages/study-with-us.aspx>