

Policy/Procedure Name: Higher Education Academic
Misconduct Policy and
Procedure

Policy/Procedure Number: HE002

Date of Approval: November 2024

Review Date: November 2027

Role Responsible: Assistant Principal Curriculum

Approved by: Executive Team

Policy Version Control & Worksheet

Please ensure you complete the below table once you have checked this policy, to log acknowledgement of the sign off process.

| Name | Date | Comments Made (Y/N) |
|--------------------|----------|---------------------|
| Sarah Clancey | 11/11/24 | Yes |
| Christine Ricketts | 11/11/24 | Yes |
| Lorne Richardson | 11/11/24 | Yes |
| Allan Tyrer | 11/11/24 | No |
| | | |
| | | |
| | | |
| | | |

| Document Version | Date of Approval |
|------------------|------------------|
| Version 1.0 | November 2024 |
| | |
| | |
| | |
| | |

1. Introduction

Brooklands Technical College, Higher Education, adopts an approach of awareness and prevention of engagement with unfair means to enhance performance, in this way promoting a culture of academic and research integrity amongst our staff and students. Students are provided with clear guidance and instruction early in their programme of study, via the HE Tutorial Scheme, on the appropriate preparation for and presentation of work, including writing and citation requirements. Guidance is also given on the consequence of, and penalties associated with, academic misconduct.

This policy on the expectations and core practices of the UK Quality Code for Higher Education (2018) and the Office of the Independent Adjudicator (OIA) Good Practice Framework for Disciplinary Procedures (2018).

2. Scope

This policy applies to all HE students, alleged to have employed unfair means in their summative assessment or examination, and adheres to our awarding body requirements. Any allegations of unfair means shall be investigated in accordance with this policy and procedure.

3. Definitions of Academic Misconduct/Unfair Means

Academic Misconduct or Unfair Means is defined as any conduct by a student which enables them to gain an illegitimate advantage, whether deliberate or unintentionally, which creates an advantage over others.

This policy will be applied to students acting alone or in collaboration with others, including conduct which may be seen as attempting to induce or coerce others into use of unfair means.

This policy covers, but is not limited to, the following examples of unfair means:

Plagiarism – where a student presents the work and/or ideas of another student or person, as their own, without acknowledging the source appropriately.

Collusion - where a student collaborates with another student or individual for the purpose of submitting work as if it were entirely his/her own or that of the other student.

Cheating – where a student takes unauthorised materials into the exam room; copies or attempts to copy the work of another student; gains unauthorised access to an exam question in advance of their release; impersonates another student during an exam or other assessment related event and/or submitting work which has been produced in whole or in part by another person on their behalf; enables another student to copy all or part of his/her own work.

Falsification – where a student is presenting data or falsifying information which has not been realised by the student or has been obtained by unfair means, and includes the falsification of references or supporting data.

Other – includes the use of false statements, transcripts or other official documents; presenting false evidence, in support of a request to withdraw from an exam or obtain an assessment extension or application for extenuating circumstances.

3.1 Under Examination Conditions:

3.1.1 If a student is suspected of unfair means during a formal exam or time constrained test they will be informed by the Invigilator that the circumstances will be reported to the Exams Coordinator. The student may continue with the exam and any subsequent exam(s) without prejudice to any investigation or judgement of the Academic Misconduct Panel. An Invigilator who suspects a student is engaging in unfair practice must confiscate any relevant material (such as unauthorised notes or equipment), retain any evidence and submit a written report in accordance with the Instructions for Invigilators. The Invigilator will also initial the examination script at the point of the detection of the unfair means.

4. Penalties

Brooklands Technical College has based its penalties for academic misconduct on the work undertaken by plagiarismadvice.org and the AMBeR project. Penalties relate to a points-based tariff system to ensure consistency and fairness in the handling of academic misconduct.

https://marketing-porg-statamic-assets-us-west-2.s3-us-west-2.amazonaws.com/main/Tennant_referencetariff-1506356085.pdf

5. Procedure for Academic Misconduct

5.1 Stage 1 – Academic Concern

The purpose of Stage 1 is as follows:

- To inform the student of the academic concern/allegation
- To allow a discussion about the concern/allegation to take place between the student and module tutor or nominated staff member.

Where it is suspected that the assessment is not the work of the student, the student may be invited to an interview with the module tutor to demonstrate their understanding of the work in question. All evidence to support the concern/allegation must be made available to the student prior to the Stage 1 meeting. This must accompany the Academic Misconduct Notification Pro Forma on submission to the Quality & Standards office, so that it can be distributed to the student alongside the meeting invitation. Further evidence submitted at a later date may not be able to be considered during the investigation.

Following the interview, the module tutor will consider all the evidence and will make a decision on what outcome should be applied based on the balance of probabilities. Should the allegation be upheld it will then be referred the Quality office for investigation.

Supporting evidence includes the following:

- Copies of work highlighted to show relevant sections;
- Copies of any available sources highlighted and mapped to the sections of the student work;
- Turnitin reports,
- Notes from any prior meeting(s) with the student where the issue has been discussed.
- Written statement from the individual making the allegation;
- In the case of suspected plagiarism or collusion, the student(s) work cross referenced against the source material and the results of detection reports (such as a Turnitin report).

5.2 Stage 2 - Investigation and Panel

The purpose of Stage 2 is to undertake an Investigation and hold a Panel:

5.2.1 To determine whether or not an assessment offence has been committed and;

5.2.2 To dismiss the case on the grounds that no offence has been committed and no further action is required or;

5.2.3 To advise and counsel the student where the case constitutes poor academic practice rather than an assessment offence.

5.2.4 On consideration of an allegation the Panel must decide whether the student is eligible for a caution.

5.2.5 To determine that the student is guilty of an offence and recommend a penalty in accordance with the tariff of penalties detailed in Appendix One.

5.3 Composition of the Panel

The Panel will comprise:

Assistant Principal of Curriculum

Programme Manager and Director of Faculty

Head of Quality & Standards

Higher Education Coordinator

The student shall be informed in writing of the time, date and venue of the Academic Misconduct Panel, at least 5 working days in advance of the Panel meeting. At which time all paperwork being considered by the Panel will be sent to the student, along with the details of any witness or other party to be called by the Panel and a copy of any relevant statement made by the said witness or other party. The student will be asked to confirm their attendance to the Higher Education Coordinator within five working days from the notification of the Panel. The student is entitled to be accompanied by a supporter, who may be a friend, a family member, a support worker, or a Students' Union Advice

Service representative. This person is there to advise and support the student and would not normally act as their advocate.

Where a student responds and provides a mitigating reason for being unable to attend on the specified date, the Panel shall be re-arranged. Should the student fail to attend the Panel without providing reasonable mitigation as to why they cannot attend, the Panel may proceed in the student's absence.

The student shall be entitled to waive the right to attend, by notifying the Panel Secretary in writing at least two working days prior to the date of Panel, in which case the Panel shall proceed in the student's absence. If the student admits to the offence and opts not to attend, he/she may submit a statement by way of explanation or mitigation providing it is received within five working days from the notification of the Panel date.

A student who does not attend the Panel meeting waives the right of appeal except where an unavoidable inability to engage with the process can be demonstrated.

5.4 Proceedings

The Panel will initially meet in private to discuss the alleged offence, the presentation of evidence and any matters requiring further explanation.

If the Chair determines that there is no prima facie evidence, the matter shall be considered closed and the student, and person or persons making the allegation, shall be written to within five working days of the date of the Panel. In the case of suspected plagiarism or collusion, where it is a first offence and depending on the nature and extent of the unattributed work, the findings may constitute poor academic practice leading to a caution. In such instances, the student should receive appropriate guidance on academic conduct. The student will be asked to resubmit the work, by a given deadline (Level Four students only), making certain the work is correctly referenced, but without the imposition of a capped penalty. Any further alleged assessment offence will not be considered poor academic practice but will automatically proceed to full investigation.

Where enough evidence is determined to support an allegation of unfair means, the Panel shall proceed to:

- Summarise the allegation and any supporting evidence;
- Give the student the opportunity to admit or deny the allegations in any such response; and
- Where the allegation is admitted, giving the student the opportunity to make any statement by way of explanation or mitigation;
- Determine the penalty or penalties to be imposed.

Any statement by way of explanation or mitigation, submitted with such an admission shall be considered by the Panel in determining the penalty.

The Panel shall be empowered to call any witness or other person whom it deems qualified to provide relevant evidence. Other than in exceptional circumstances as defined by the Panel, the student shall be entitled to be present while such evidence is presented, and

thereafter to ask the witness fair and relevant questions. Where the Panel deems it inappropriate to allow the student to be present, the student shall afterwards be fully appraised of the evidence given by the witness, and may be permitted to have questions put to the witness by the Panel in his or her absence.

The Chair will invite the student to present their case if he or she wishes to do so, including any circumstances he/she wishes the Panel to take into consideration. Panel members will be invited to raise any questions or seek clarification on any of the information presented by the student.

Once the Panel is satisfied that sufficient evidence has been presented and the student been given fair and reasonable opportunity to respond, the Panel shall consider its decision in private to determine whether or not the allegation has been proved and, if proven, to determine a penalty in accordance with the penalties tariff (Appendix 1).

The Chair will advise the Chair of the Assessment Board of the offence and subsequent penalty and record on REMS/Promonitor the offence and penalty applied against the student's record.

6. Findings

The student shall be informed in writing within ten working days of the decision made by the Panel, any penalties imposed and any recommendation to be made to the Assessment Board.

Where applicable, the student will receive further guidance on good academic practice and acceptable referencing conventions appropriate to the particular discipline.

7. Appeals

The student must notify the Head of Quality & Standards no later than ten working days after the Panel decision being issued to the student, should they wish to appeal.

The grounds for appeal are as follows:

- a) The student can demonstrate that a material irregularity occurred during the procedure;
- b) The student can demonstrate that the Panel reached an unreasonable decision and/or the penalty was disproportionate;
- c) The student has extenuating circumstances which for good reason could not be presented/evidenced earlier;
- d) There was bias or reasonable perception of bias in the procedure.

If the appeal is rejected the original decision will stand. If the appeal is successful the original decision may be changed or it may stand but the penalty applied may be altered.

8. Related Documents

Academic Internal Regulations

https://marketing-porg-statamic-assets-us-west-2.s3-us-west-2.amazonaws.com/main/Tenna nt_referencetariff-1506356085.pdf

Appendix 1

AMBer Tariff for Academic Misconduct

History of Academic Misconduct

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

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

Level/Stage

| | |
|----------------------|------------|
| Level 4 | 70 points |
| Level 5 | 115 points |
| Level 6/Postgraduate | 140 points |

Value of Assignment

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

Additional Characteristics

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

Award penalties based on the points

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 | <ul style="list-style-type: none">No further action beyond formal warningAssignment awarded 0% - resubmission required, with no penalty on mark |
| 330 - 379 | <ul style="list-style-type: none">No further action beyond formal warningAssignment awarded 0% - resubmission required, with no penalty on markAssignment awarded 0% - resubmission required but mark capped or reduced |
| 380 - 479 | <ul style="list-style-type: none">Assignment awarded 0% - resubmission required but mark capped or reducedAssignment awarded 0% - no opportunity to resubmit |
| 480 - 524 | <ul style="list-style-type: none">Assignment awarded 0% - no opportunity to resubmitModule awarded 0% - re-sit required, but mark capped or reducedModule awarded 0% - no opportunity to re-sit, but credit still awarded |
| 525 - 559 | <ul style="list-style-type: none">Module awarded 0% - re-sit required, but mark capped or reducedModule awarded 0% - no opportunity to re-sit, but credit still awardedModule awarded 0% - no opportunity to re-sit, and credit lostAward classification reducedQualification reduced (e.g. Honours -> no Honours)Expelled from institution but credits retainedExpelled from institution with credits withdrawn |
| 560 + | <ul style="list-style-type: none">Module awarded 0% - no opportunity to resit, and credit lostAward classification reducedQualification reduced (e.g. Honours -> no Honours)Expelled from institution but credits retainedExpelled from institution with credits withdrawn |

Penalties – Formative work

| Points | Available Penalties (select one) |
|-----------|---|
| 280 - 379 | <ul style="list-style-type: none">Informal warning |
| 380 + | <ul style="list-style-type: none">Formal warning, with record made contributing to the student's previous history |