



2020

Academic Misconduct (HE11)

 **Partnership**
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Description:

Whilst taking into account the regulations of partner universities, this code of practice makes clear the processes that must be adopted in relation to unacceptable behaviour in the pursuit of an award that the TEC Partnership delivers. The code of practice is a reflection of the TEC Partnership's commitment to ensuring governance over academic standards and that judgments relating to conduct in summative assessment are carried out with rigour, fairness and probity.

If you need any further advice on how the regulations work, you should contact the HE Quality Office.

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This document is available in alternative forms

Version	Changes
1.0	New
1.7	1.4 removed reference to Teesside University 1.5 adds that Academic Misconduct will be reported into the Academic Authority and Standards Senior Committee. 2.5 has been deleted as Teesside University is no longer a validating partner. 8.0 'Process for Academic Misconduct for University of Teesside programmes' has been deleted and the remaining sections renumbered. 12.2 Appeals – the process is clarified that students should be following HE16 Academic Appeals.

1.0 Introduction

1.1 This Code of Practice makes clear the TEC Partnership's expectation regarding conduct in summative assessment relating specifically to academic misconduct. Summative assessment within this Code means any form of assessment that contributes to the final mark of a module and excludes draft/ formative work.

1.2 The Code details the procedures that must be followed in cases of academic misconduct, meaning acts committed whereby an individual may have attempted or obtained for himself/herself or for another, an unpermitted advantage.

1.3 The Code governs matters relating to the criteria and decisions for issuing cautions or penalties for cases of proven academic misconduct practice for Grimsby Institute of Further and Higher Education and Pearson Edexcel awards.

1.4 The Code does not govern matters relating to the criteria and decisions for issuing cautions or penalties for cases of proven academic misconduct practice for programmes awarded by University of Hull; in every instance the relevant University's regulations and/or code of practice will be applied.

1.5 A report will be made of trends, outcomes and proposed enhancements for Academic Misconduct into the Academic Authority and Standards Senior Committee.

2.0 Academic Misconduct Definitions

2.1 Academic misconduct is defined as any student conduct (successfully or unsuccessfully attempted; carried out alone or in collusion with others) that may lead to an unfair advantage over another.

2.2 Whilst not an exhaustive list, the following provides examples of academic misconduct:

i) 'cheating' in an examination by possessing and/or using unauthorised materials in the examination room (once a student has officially entered the room regardless as to whether the exam has started) such as a book, manuscripts, data or loose papers, information obtained from an electronic device or any other source of prohibited information

ii) impersonating a candidate or allowing oneself to be impersonated during an examination, assessment or other related event

iii) collusion (some assessments require students to work together. However collusion occurs where the assessment submitted involves two or more students working together without tutor authorisation and where a student submits the work as their own without acknowledging the contribution of others)

iv) conspiring with another or others to have work completed including offering work, whether for sale or not, for use by another without acknowledgement

v) falsifying laboratory, field-work, research or other forms of data collection and analysis

vi) falsifying work-based learning logs, records, statements or reports

vii) submitting work for assessment which is substantially the same work as submitted for a previous assessment (sometimes referred to as 'self-plagiarism')

viii) using false statements, or presenting false evidence, in support of mitigating circumstances, a request to withdraw from an examination, obtain an assessment extension, or explain any form of absence or default

ix) falsifying a transcript or other official document

2.3 Academic misconduct can take many forms. In its most simple sense it can be defined as the absence of quotation marks and inadequate acknowledgement of sources and authorities in text and/or reference notes in bibliographies or lists of sources

2.4 Plagiarism can exist in differing forms. Whilst not an exhaustive list, the following examples illustrate the varying forms of plagiarism.

- i) Unacknowledged verbatim copying throughout.
- ii) Unacknowledged verbatim copying with occasional alteration of word order, omission of words, phrases or sentences, and insertion of linking words or phrases, over a paragraph or section of a paragraph, or a number of paragraphs. This method is sometimes referred to as 'paraphrasing'.
- iii) Paraphrasing which includes unacknowledged verbatim phrases from the other text or texts.
- iv) Substantial and unauthorised use of another person's ideas without acknowledgement.

3.0 Identification of Plagiarism

3.1 When a tutor identifies academic misconduct within any summative assessment he/she must download or print off the Turnitin originality report or indicate in a manner appropriate to the medium in which the work was completed (whether computer program, practical piece or essay), which parts of the work are plagiarised.

3.2 Where the tutor submits supportive secondary sources to identify plagiarism in student work for example a download or print from a web page or book, the relevant text within these sources that corresponds to the text within the student's work must be highlighted.

3.3 The tutor should decide whether the plagiarism is 'minimal'. If he/she decides it is minimal he/she should complete the examining process, advise the candidate that a minimal amount was plagiarised, and refer the candidate to appropriate sources of guidance.

3.4 Where the tutor suspects plagiarism but believes he/she would have difficulty proving it, he/she should advise the candidate that s/he has 'concerns' about possible plagiarism, refer the candidate to appropriate sources of guidance, but take no other action. In such cases a penalty, including any formal written warning, of any form must not be issued.

3.5 If the tutor decides that the plagiarism is not minimal he/she must forward the work to the TEC Partnership's HE Quality Officer, with academic misconduct allegation pro-forma HE11A along with supporting evidence as defined in 5.3.

4.0 Communicating with Students

4.1 Tutors should provide feedback to students on the assessment (considered to be plagiarised or produced as a result of academic misconduct) as per the timescale and requirements defined within the Group's Code of Practice: Assessment (HE09).

4.2 Tutors should inform the student at the point of giving formal summative feedback that there is a suspicion of academic misconduct and that the assessment has been referred to the TEC Partnership's Academic Misconduct Board for further investigation.

4.3 Tutors should refer students to this Code of Practice for further information relating to the process and timescales of investigation.

5.0 Presentation of Academic Misconduct Cases for Investigation

5.1 All allegations of academic misconduct must be presented to the TEC Partnership's HE Quality Officer.

5.2 All allegations must be presented on the academic misconduct allegation pro-forma (HE11A).

5.3 The following evidence must also be submitted by the tutor.

- i) The module tutor's rationale for the allegation and estimation of the percent of work affected by the use of academic misconduct.
- ii) The assessment (student output) alleged to relate to the academic misconduct.
- iii) The assessment brief.
- iv) An unbiased mark for the piece of work (had the academic misconduct not taken place).
- v) A copy of the originality report from Turnitin.

vi) Any other information as appropriate for example exam invigilator's report.

6.0 Timescales and Student Notification

6.1 Within the confines of this code, 'days' relates to working days and excludes weekends, bank holidays etc.

6.2 Upon receipt of the alleged case and supportive documentation the TEC Partnership's HE Quality Officer will notify the student in writing of the suspected academic misconduct within 5 working days.

6.3 The student is permitted to formally respond in writing to the HE Quality Officer within 21 days of the letter being posted (posted meaning the date on which the notification was served using email): the response should detail their agreement or disagreement with the allegation and outline any further explanation or information that they see fit and relevant to the case.

6.4 Giving at least 5 working days' notice, the TEC Partnership's HE Quality Officer will notify the student in writing of the time, date and venue of the academic misconduct board hearing.

6.5 Notification of the academic misconduct board hearing will be made to the student by email and will:

- i) detail any witness or other party to be called to the hearing;
- ii) include a copy of the assessment alleged to relate to academic misconduct; and
- iii) include a copy of any relevant Code of Practice and regulations as appropriate.

6.6 Upon a decision being made by an academic misconduct board the student must be notified in writing by the TEC Partnership's HE Quality Officer within 5 working days of the board convening and agreeing an outcome.

6.8 A copy of the letter must also be supplied to the student's programme leader.

7.0 Operation of the Academic Misconduct board for Grimsby Institute of Further and Higher Education and University of Hull programmes.

7.1 All board hearings (subject to partner University regulations) will be chaired by a senior HE academic member of staff.

7.2 Membership of the academic misconduct panel must include a member of staff from the TEC Partnership's HE Quality office and one member of academic staff from another school to the one the student is studying in.

7.3 All board hearings will be constructed in line with awarding body regulations and will be formally minuted.

7.4 The student has the right to not attend and should notify the TEC Partnership's HE Quality Officer accordingly. The academic misconduct board has the right to convene and proceed in a student's absence.

7.5 The student has the right to be heard in person and to be accompanied by a third party (such as a friend, relative or success coach) however the third party must not speak on behalf or advocate for the student unless invited to do so by the chair of the board and subject to partner University regulations.

7.6 A student may be accompanied by their tutor if they so request and the tutor agrees, however the tutor may also be required to provide evidence to the board upon request.

7.7 The board will call any witness or other individual to the hearing that it deems suitably equipped to supply evidence.

7.9 The student is entitled to be present through the presentation of evidence unless exceptional circumstances exist and the chair of the board approves the presentation of evidence in a 'closed' hearing and asks the student to temporarily leave the board hearing.

7.10 The chair will determine when satisfactory evidence has been received following which the board must make their decision in private. The decision will require the board to consider whether the allegation is proven or unproven. If proven, the board must determine what penalties will be imposed.

8.0 Cautions and Penalties for Partner University awards

8.1 When determining what cautions or penalties must be imposed, the academic misconduct board will adhere to the relevant awarding body regulations and take into account the nature and severity of the conduct, the number of breaches, stage of study and any mitigating circumstances.

9.0 Cautions and Penalties for Grimsby Institute of Further and Higher Education awards

Development Engagement

9.1 For students studying at foundation year (level 3) or level 4, where academic misconduct is not extensive (does not represent more than 20% of the element of the assessment) and is a first offence, the programme leader can deal with this through developmental engagement and will inform him/her of the details of the academic misconduct that may have occurred.

9.2 The programme leader will inform the student that if academic misconduct occurs in the future it will be dealt with through a formal meeting: the Academic Misconduct Board.

9.3 As the developmental engagement meeting with the programme leader is developmental in nature, students should be advised how to avoid academic misconduct in the future, should be referred to material on the website or should be referred to the Academic Achievement Coach.

9.4 At the meeting the programme leader must complete a Developmental Engagement proforma (HE11B) which will outline the advice given, and be signed by both the student and programme leader.

9.5 A log of each developmental engagement will be maintained in order to take appropriate action if further offences occur. The element of assessment will be marked and no cap will be applied.

Academic Misconduct Board

9.6 Where an allegation of academic misconduct falls outside of Stage 1, the matter shall be investigated and determined by the Academic Misconduct Board.

9.7 Where there is evidence of academic misconduct in multiple assignments that were submitted at the same time this type of practice shall be treated as a single occurrence.

9.8 The following tariff of penalties is to be applied to students found to have committed acts of academic misconduct in assessed work other than examinations. It will be incumbent upon the Chair of the Academic Misconduct Board or equivalent to consider whether or not a particular penalty should be applied or lessened in the light of any statement of mitigation submitted by a student and/or any other factors deemed relevant.

9.9 It is not necessary for intent to be proven. It is sufficient that the particular act has occurred. A case will be considered on the base of evidence.

9.10 Where academic misconduct has occurred at level 3 (foundation year) and 4 (except in formal written invigilated examination) the following penalties must be awarded.

- i) For a first offence where the academic misconduct is extensive (i.e. greater than 20% of the element of assessment) a written warning and a mark of 0 for the element will be given. The mark of 0 will be carried forward to the module board of examiners. The student will be able to resit the work at the next available opportunity.
- ii) For a second offence in any module within the same programme of study a further warning and a mark of 0 for the module in which the second offence occurred will be given. The mark of 0 will be carried forward to the module board of examiners. The student will be able to resit the work at the next available opportunity.
- iii) For any subsequent offence anywhere within the same programme of study the student will be terminated from programme.

9.11 Where academic misconduct has occurred at level 5 (except in formal written invigilated examination) the following penalties must be awarded.

- i) Where there is no previous record in any academic level of academic misconduct and it represents not more than 20% of the element of assessment; a mark of 0 for the element will be given. The student will be able to resit the work at the next available opportunity.
- ii) Where there is no previous record in any academic level of academic misconduct and it represents more than 20% of the element of assessment a mark of 0 for the module will be given. The student will be able to resit the work at the next available opportunity.
- iii) For any subsequent offence anywhere within the same programme of study the student will be terminated from programme.

9.12 Where academic misconduct has occurred during a formal written invigilated examination at any level of the programme the following penalties must be awarded.

- i) Where there is no previous record of in any level of academic misconduct within the same programme of study a mark of 0 will be awarded to the module in which the examination sits. The student will be able to resit the examination at the next available opportunity.
- ii) For any subsequent offence anywhere within the same programme of study the student will be terminated from programme.

10.0 Pearson Edexcel awards

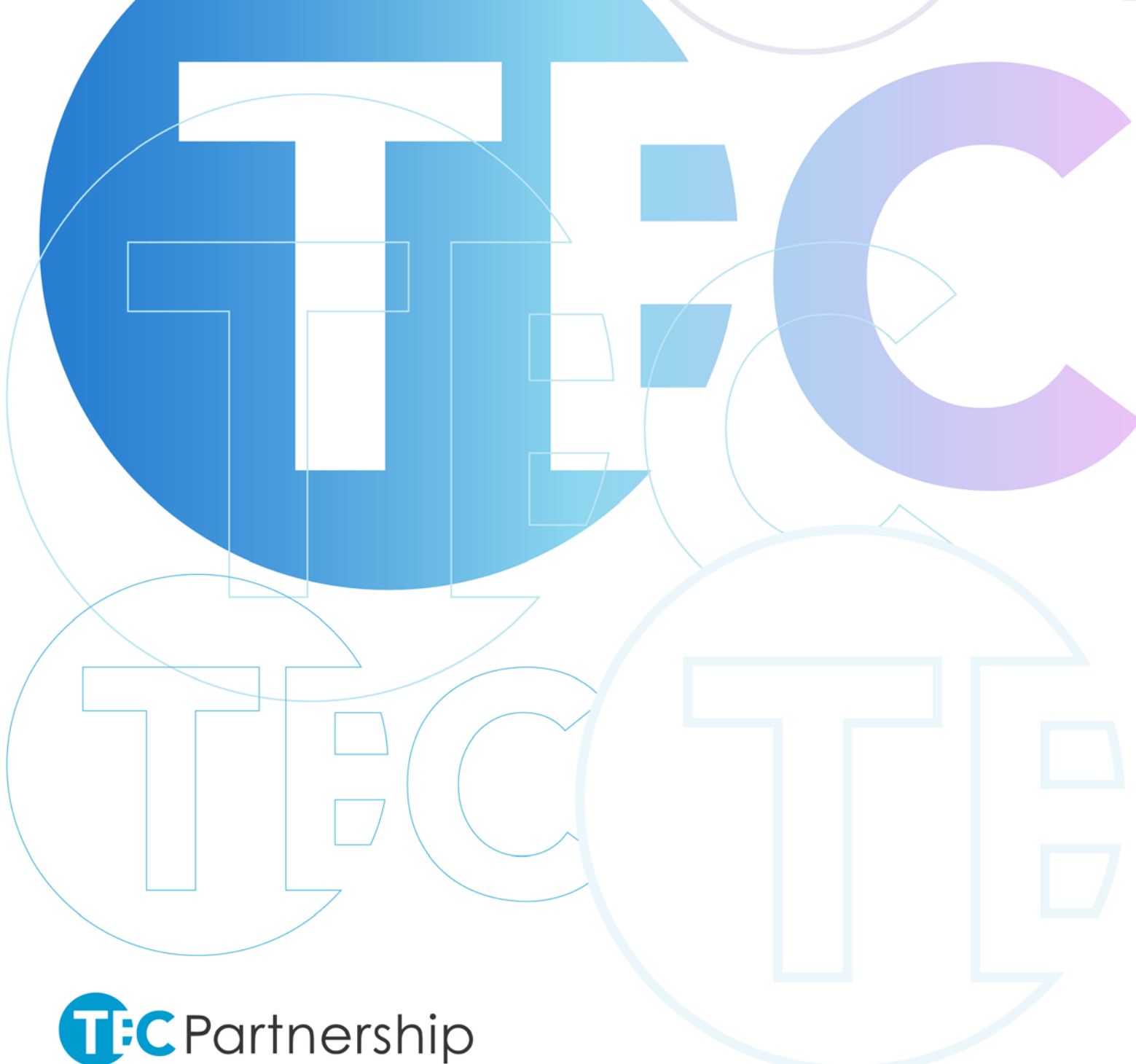
10.1 For Pearson Edexcel provision the following will also apply.

- i) Where the conduct is a first offence, minimal and the student is studying on the first year of the programme, a caution letter may be issued and no other penalty applied.
- ii) Where the conduct ranges from minimum to moderate, the penalty must be imposed via a reduction of the mark to the module for example Distinction to Merit, Merit to Pass or Pass to Fail. However, where the conduct is extensive and exact, the penalty must be a fail.
- iii) Where a previous breach has been committed (and has not occurred at the same time as the second, or the student has not had notification of the first breach before committing the second), the board must begin with the presumption of a maximum penalty.
- iv) The maximum penalty is a termination of the programme of study.

11.0 Appeals

11.1 A student may lodge an appeal against the decision of the academic misconduct board within 14 days of the date on which the outcome of the board's decision is served to the student (served meaning posted using email).

11.2 Appeals must be made under the provision of HE16 Academic Appeals, details of this policy and how to lodge an appeal can be found the college website.



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