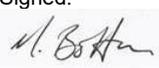


ACADEMIC MISCONDUCT PROCEDURE



Policy Review				
Author/Owner	Position	Approved by SMT	Approval date	Review date
Susie Peart	Quality Manager	Signed: 	30.11.21	30.11.22

PURPOSE OF THE PROCEDURE

Plagiarism, cheating, collusion and attempting to obtain an unfair academic advantage are forms of academic misconduct and are entirely unacceptable for any student. This procedure defines what the College means by plagiarism, gives examples of the categories of other forms of unacceptable academic misconduct outside examinations, determines the procedures to be adopted in suspected cases and indicates the academic penalties which may be appropriate in proven cases.

SCOPE

In creating this procedure, the College is seeking to maintain the integrity of its academic awards and to give any students affected a fair opportunity to respond to any allegation of academic misconduct.

A breach of any part of Yeovil College academic regulations relating to assessment, or of the instructions issued in relation to a piece of assessed work, will be considered an offence, irrespective of the intentions of the students concerned. The procedure is for use in all cases except awarding organisations' examinations, where the examining board or awarding organisation and JCQ procedures will apply.

This process can also cover previous students and can be applied to marks that have already been approved, in exceptional cases. In such cases, the nature of the evidence presented; the seriousness of the offence; the time which has elapsed; the reasons why it was not discovered earlier; and the regulations of any professional validating and accrediting body will be taken into account when determining whether or not to take action. Outcomes could include the recommendation to rescind an award, where this is permitted by the awarding organisation.

The use of the word "academic" throughout this document is not intended to restrict its application to any particular group of courses and programmes.

Academic Misconduct

The following are dishonest and therefore unacceptable and not allowed by the College:

- Taking someone else's work, images or ideas and passing it off as your own (this is called plagiarism)
- Using the computer, either the internet or information stored on a hard disk or external device such as a flash drive, which belongs to someone else, and passing it off as your own
- Cheating by acting unfairly or dishonestly in any way that has the potential to give you an unfair advantage

- Secretly agreeing with others to cheat or deceive (this is known as collusion)
- Falsification or attempting to falsify submission details (e.g. dates, times)
- "Self-plagiarism" i.e. using the same assignment/work for different course assessments
- Trying to convince others to breach these Academic Misconduct regulations, or being aware of others attempting to cheat or otherwise breach these regulations and not informing a member of college staff
- Making false declarations in an attempt to gain examination concessions or special consideration (e.g. extenuating circumstances)

Further explanation is included in Appendix 1.

All these are examples of **Academic Misconduct**. If a student is discovered or suspected of doing any of the things shown in the list above, the College will investigate and may take action against them.

The College will seek to ensure that students are helped to avoid Academic Misconduct. Guidelines of appropriate steps to be taken by staff are given in Appendix 2.

ACTIONS TO BE TAKEN WHEN ACADEMIC MISCONDUCT IS SUSPECTED

Yeovil College University Centre: Please see **Appendix 3** for the process to be followed where there is a suspected case of academic misconduct by a University Centre student.

For all other (non-YCUC) Yeovil College students:

If a minor case is suspected, the Programme Leader should:

- Discuss the incident with the student in an informal interview
- Warn the student about future conduct
- Keep a record of the meeting
- Return work to be re-done and resubmitted for marking

If a minor case is repeated, or a moderate or serious case is suspected, the member of staff should share the evidence with the Programme Leader. If the Programme Leader identifies the suspected misconduct, they should ask their CAM or an experienced member of the Programme teaching team for their opinion.

If both parties agree that there is a possibility that misconduct has taken place, they should carry out an investigation as follows:

Investigation of Academic Misconduct

The senior staff member involved should convene a meeting of other relevant staff to investigate the allegation, the student's work, other relevant work, or other appropriate evidence. The student should be invited to any such meeting and has the right to be accompanied by a friend or relative.

A record of the meeting should be kept, and the student informed in writing of the outcome.

The possible outcomes of any such investigative meeting are:

- No academic misconduct has taken place and the procedure ceases

- The student accepts that misconduct has taken place, sanctions are applied and the College Learner Disciplinary Procedure (Conduct) is implemented if appropriate
- Without the student's agreement, the senior staff find that academic misconduct has taken place, sanctions are applied and the College Learner Disciplinary Procedure (Conduct) is implemented

Any or none of the following sanctions may be applied:

- Return the work to be redone and resubmitted for marking
- Award a reduced grade/fail for the assessment, or withhold the grade completely
- Withdraw the right of the student to re-sit the exam or test or withdraw the right to resubmit work for assessment
- Disqualify the student from the course
- Recommend expulsion of the student from the College
- Inform the awarding organisation in line with their procedures

Appeals

Appeals against decisions made under the Academic Misconduct Procedure may be made as detailed in the College Learner Disciplinary Procedure (Conduct).

RELATED POLICIES, PROCEDURES, DOCUMENTS, DEFINITIONS

R42 - Learner Disciplinary Procedure (Conduct)

DEFINITIONS

Plagiarism

Plagiarism is the presentation of someone else's work, words, images, ideas, opinions or discoveries, whether published or not, as one's own, or alternatively appropriating the artwork, images or computer-generated work of others, without properly acknowledging the source, with or without their permission.

Examples of plagiarism include:

- Directly copying from written physical, pictorial or electronically stored material, without crediting the source
- Paraphrasing someone else's work without crediting the source
- "Self-plagiarism" is using the same assignment/work for different course assessments without the explicit permission from the Programme Leader to do so. Presenting the same assignment/work again could lead to a student gaining credit twice for a single piece of work.

Cheating and Collusion

Examples of other forms of academic misconduct (such as cheating, collusion and attempting to obtain an unfair academic advantage) include:

- Getting someone else to produce part or all of the work submitted
- Colluding with one or more student(s), or other people, to produce a piece of work and submitting it individually as your own, including the use of online essay writing services
- Copying the work of another person, with or without their permission
- Knowingly allowing another student to copy your own work
- Using forbidden notes, books or technology in producing assigned work or tests
- Fabrication of results (including experiments, research, interviews, observations)

GUIDELINES FOR STAFF TO AVOID ACADEMIC MISCONDUCT

To prevent the occurrence of academic misconduct, staff should:

Inform students clearly of the need for academic integrity and honesty:

- Include statements on academic misconduct where appropriate in College policies and student handbooks
- Make students aware of the penalties for academic misconduct at the earliest stage of the course
- Provide students with guidance on the format of formal acknowledgement of source material
- Inform students, in writing if possible, of the extent to which they can collaborate in coursework
- Be aware that most students are very computer literate and can scan text and surf the web for model essays etc with ease. Ensure that students are adequately supervised when using computers to prevent students from copying or printing out other people's work as part of their own
- Devise procedures for assessing work in such a way that plagiarism, cheating and collusion are more detectable. These might include: ensuring that coursework assessment is supported by unseen and supervised work under test conditions; changing assignment topics yearly, on at least a three-yearly cycle; making less use of generic assignments in favour of tailored assignments; getting to know the style of students' writing/submissions early on in the course; comparing subsequent work to initial assessment tests; assessing a class group's coursework on a single occasion, to enhance the likelihood of the assessor spotting plagiarised passages, or other collusion
- Fully investigate all instances of suspected academic misconduct utilising the proper disciplinary procedures

YEOVIL COLLEGE UNIVERSITY CENTRE PROCESS**IF ACADEMIC MISCONDUCT IS SUSPECTED**

In very minor cases, the Programme Leader involved should raise the issue with the student informally. They should discuss how the issue could end up amounting to academic misconduct if it is not resolved. The Programme Leader should keep a record of this conversation, for example by sending a follow-up email to the student. This would be applicable in cases such as where a student has not followed referencing protocols correctly, but has attempted to clearly indicate where the work has come from, or where a Programme Leader becomes aware that a study group are veering towards working collaboratively on assignments although have not yet colluded on a piece of assessed work.

In all other cases, if a member of staff suspects a breach of the College's Academic Misconduct Procedure or the awarding institution's regulations, they should share the work in question with the Programme Leader. If the Programme Leader identifies the suspected misconduct, they should ask their CAM or an experienced member of the Programme teaching team for their opinion.

If both parties agree that there is a possibility that misconduct has taken place, they should inform the HE Assistant via email. The email should include a brief account of who has been involved in this discussion, and why they have decided misconduct may have taken place.

Marks for the assessment in question should not be released to the student until the investigation has taken place. If the alleged offence has been discovered very shortly before the scheduled return date, this should be brought to the HE Assistant's attention.

YCUC PANEL OF INVESTIGATION

When the HE Assistant is made aware of suspected academic misconduct, they will call a YCUC Panel of Investigation.

A panel will comprise:

- A chair (usually a member of the Senior Management Team)
- Two further panellists - members of the College Management Team or experienced HE Programme Leaders who do not teach the student in question.

The Administrator should give staff the opportunity to recuse themselves if they feel they have a conflict of interest, or that it is reasonable to think there would be a perception of bias.

The Programme Leader will be invited to attend the panel meeting to present the case, answer any questions that arise and provide relevant subject-specific context, but will not be able to influence the final decision made.

A YCUC Administrator or nominee will act as secretary and minute taker to the panel.

Where possible, the panel meeting should be arranged for a day when the student would normally have teaching in order to ensure availability.

In most cases, the panel meeting should be organized so the student has 1-3 weeks' notice. In certain circumstances, for example vacation periods, it may take longer to arrange the meeting. Panel meetings may be called with less notice in exceptional circumstances, such as where this will allow the matter to be resolved before an Assessment Board, or if there is a very serious matter under investigation.

The student will be informed in writing of the suspected academic offence, the purpose of the panel meeting, and the date and time it is scheduled to take place. They will be informed of their opportunity to accept or contest the allegation, the opportunity provide evidence in mitigation, and any timescales for doing so. They will have the opportunity to attend the meeting, if they choose. They may also request to call witnesses, although should give the HE Assistant at least five working days' notice of this. A document will be supplied to support the student to put together a statement of mitigation, outlining potential mitigating factors such as previous academic and behavioural record, intent, or extenuating personal circumstances.

A student can provide a written statement so that the meeting can take place without them, but they do not have the right to demand the panel meet at an alternative date or time.

The HE Assistant should send all panel members and the student in question the evidence of suspected misconduct at least five working days before the panel meeting. In cases involving multiple students, students themselves will only be sent copies of their own work. The HE Assistant should also inform the student of any witnesses the College are calling to speak at the meeting. The Programme Leader is responsible for ensuring the HE Assistant has this information in good time.

The panel meeting should begin with the Chair briefing the other panel members, followed by the Programme Leader presenting the relevant evidence. Then the student will be invited to join, discuss the evidence of suspected academic misconduct, and share any evidence to contest the allegation and / or evidence in mitigation. The panel will have the opportunity to ask questions. The student will then be asked to leave whilst the panel deliberate and will be called back when they have decided an outcome. Where this is not possible on the day, the student should be informed of when they should expect to hear the outcome.

DECIDING UPON AN OUTCOME

When reaching a decision, the burden of proof is upon the panel to prove that 'on the balance of probabilities' academic misconduct has taken place.

When deciding upon a penalty, the panel should take into account any mitigating factors, and also unintended consequences of certain penalties, for example, the impact upon Visa status.

The penalties that will typically be applied by the College are laid out below. In cases of franchised university learners, then the appropriate list of penalties from the awarding institution may be used instead. The panel will work through the penalties from the most to least severe when deciding which to impose.

In addition to these academic penalties, penalties in line with the Learner Disciplinary Procedure (Conduct) may also be applied as appropriate.

Academic Misconduct has not been committed

- No further action to be taken
- The student to be cautioned about their conduct moving forwards, and a copy of the letter and meeting minutes will be kept on the student's file for future reference.

Academic Misconduct has been committed

In all of the instances below a copy of the letter and meeting minutes will be kept on the student's file for future reference.

- The work will be marked, omitting any portions affected by the academic misconduct.
- The student will be permitted an opportunity to repeat the assessment, uncapped.
- The student will be permitted an opportunity to repeat the assessment, capped at 40% / PASS.
- The student will receive a mark of zero for the piece of work in question.
- The student will receive a mark of zero for the module in question.

- The student will receive a mark of zero for the module in question and is barred from taking that module again.
- The student is withdrawn from their programme.
- The student is expelled.

All students should be informed of the outcome in writing, within five working days of the panel reaching their decision.

All decisions of the Academic Offences Panel will then be taken to the next available Assessment Board for approval. Where the Assessment Board does not approve the Academic Offences Panel's recommendation, a student should be informed of this, and the new outcome, in writing within five days of the decision being made.

APPEALS

A student has the right to appeal the decision of the panel. They should do so in line with the Learner Disciplinary Procedure (conduct). Appeals should be made within 10 working days of a student being sent the outcome of the panel in writing.

Upon completion of the appeal, a student should be issued with a Completion of Proceedings letter. If a student is still not satisfied they can appeal the decision with the Office of the Independent Adjudicator, the independent ombudsman service for higher education – oiahe.org.uk

JOINT ALLEGATIONS

In cases involving multiple students, the learners in question have the right to know who else is involved. However, it should be made explicit that any attempts to collude with other students to create a cover story, or any attempts to intimidate or coerce another student into sharing, or not sharing, certain information with the panel will be treated very strictly.

Effort should be made to ensure students involved attend the same panel. If this is not possible, it may mean an outcome is not reached for the first student until any subsequent students have also had the opportunity to meet with the Panel.

Students will be given the opportunity to speak to the panel individually. Once the panel has spoken to all students involved, they will then all be called to join the panel together, where the Chair will give a summary of whether individual accounts of the situation were consistent or if there were any discrepancies. As appropriate, students may then be given further opportunity to contest the issue and answer any questions as a group, or individually.

Different outcomes may be given for different students. However, the panel should be clear in their reasoning where there is a difference in outcomes / sanctions. Students do not have the right to know what outcome has been given to another learner.

PREVIOUS OFFENCES

Information about any previous academic misconduct investigations will be shared with members of the panel. This should not bias the panel, but may help to inform decisions about whether misconduct has been committed, and if so, what penalty to apply. For example, if a student has previously been explicitly informed by a panel about the extent to which collaborative working is permitted before becoming collusion, this will be relevant to a future case of suspected collusion if the student is claiming a lack of awareness of the regulations around collaborative working as a defence.

SUPPORT

Students can contact the HE Assistant or HE Student Liaison Officer for support.

BEING ACCOMPANIED TO PANEL MEETINGS

A student can be accompanied to the panel meeting by a friend, family member, or other appropriate support person such as the HE Student Liaison Officer. This person would attend to provide moral support, rather than to speak on the student's behalf. The student should give the HE Assistant at least two working days' notice if they would like to bring someone to accompany them to the meeting.

In particularly complex disciplinary cases where the consequences for the student may be severe, a student may request permission to bring a legal representative. Requests for a legal representative to attend will be considered by the Chair of the panel on a case-by-case basis and only granted in severe and exceptional circumstances.

A student may request to appoint someone else to speak on their behalf. This will be considered on a case-by-case basis, and decided upon by the panel's Chair. For example, in the case of a student with a disability who usually receives in-class support with communication this may be appropriate.

REPORT TO THE SENIOR LEADERSHIP TEAM

At the first HE group meeting of the each academic year, the HE Manager must report on the number of cases considered by the Academic Offences Panel, detailing the number where the allegation was found to be true, the nature of the allegation in each such case and the penalty invoked. The report shall not name individual students.

Document Control – Revision History

Author/Owner	Summary of Changes	Date	Date last reviewed by SED	Recommend to SED Y/N
Derrick Goddard	No changes.	12.09.17	11.11.15	No
Susie Peart	Integration of YCUC procedures, including addition of Appendix 3	04.08.20	11.11.15	No
Susie Peart	No changes except formatting	04.10.21		

Initial Equality Impact Screening	
Who has been consulted on this policy & procedure?	
All	
What evidence has been used for this impact screening (e.g. related policies, publications)?	
Declaration (please tick one statement and indicate any negative impacts)	
<input checked="" type="checkbox"/>	We are satisfied that an initial screening has been carried out on this policy/procedure and a full Equality Impact Assessment is not required. There are no specific negative impacts on any of the Protected Characteristics groups.
<input type="checkbox"/>	We recommend that an Equality Impact Assessment is required by the Equality and Diversity group, as possible negative impacts have been identified for one or more of the Protected Characteristics groups as follows: <ul style="list-style-type: none"> <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Race <input type="checkbox"/> Religion or belief <input type="checkbox"/> Sex <input type="checkbox"/> Sexual orientation <input type="checkbox"/> Marriage & civil partnership <input type="checkbox"/> Pregnancy & maternity
Completed by Author: Susie Peart Position: Quality Manager Date: 07.12.21	
<input type="checkbox"/> Reviewed by Equality & Diversity Group Date:	
<input type="checkbox"/> We confirm that any recommended amendments have been made	
Amended by Author: Position: Date:	
Summary of Comments/Recommendations from Equality & Diversity Group Review:	