



## Academic Misconduct Policy

<b>Policy no:</b>	2.1
<b>Version date</b>	23 November 2023
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<b>Version number</b>	V05
<b>Next review due</b>	01 December 2024
<b>Related policies</b>	<ul style="list-style-type: none"> <li>- Safeguarding Policy</li> <li>- Disability Policy</li> <li>- Student Disciplinary Policy</li> <li>- General Student Handbook</li> <li>- Fitness to Study and Practice Policy</li> <li>- Programme-specific Student Handbook</li> <li>- Learning, Teaching and Assessment Strategy</li> </ul>
<b>External reference points</b>	Office of the Independent Adjudicator for Higher Education's (OIAHE) Good Practice Framework for Handling Complaints and Academic Appeals

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## **1. Purpose**

The College places a strong emphasis on academic integrity and expects all students to adhere to the ethical principles of the academic community. Systems are in place to prevent and address instances of academic dishonesty to uphold the quality of education. The Academic Misconduct Policy and Procedures outline the rules for identifying and addressing academic misconduct, providing guidance for students and staff on how to prevent it and the possible consequences if it occurs. It also details the steps to be taken when misconduct is alleged, and notes that non-academic conduct issues will be addressed through other relevant policies. The College reserves the right to adjust the procedure for fairness or safety reasons, while also staying compliant with legal obligations such as the Equality Act 2010 and Data Protection Act 2018. The policy defines different forms of misconduct, explains how concerns are reported and investigated, and lists potential penalties.

## **2. Scope**

The Academic Misconduct Policy is applicable to all students who have enrolled in a course at the College. A student is defined as anyone who has signed a Student Declaration with Trent Education Centre, regardless of their enrolment status (full-time, part-time, or attending short courses). This policy is in effect constantly and is not limited to specific times or locations, or only to activities related to the College. Students are required to refrain from any behaviour that constitutes Academic Misconduct as outlined in this policy.

Academic Misconduct is viewed as identical to Academic Malpractice by the College. The College differentiates, however, between Academic Misconduct and poor academic practice, attributing the latter to inexperience or lack of knowledge. This distinction is considered a matter of academic judgement. Students displaying poor academic practice will receive guidance and feedback from academic staff, while concerns related to Academic Misconduct will be addressed through a specific procedure under this policy

### **3. Examples of Academic Misconduct**

Academic misconduct refers to any actions that are done deliberately to unfairly benefit oneself in assessments. These actions can include cheating, copying someone else's work without proper citation (plagiarism), working together with others when collaboration is not allowed, or any other attempts to gain an advantage in graded work. This can apply to different types of assessments including written assignments, online tests, presentations, oral exams, portfolios for recognizing prior learning, and standard exams. Examples of academic misconduct include:

- 3.1. Plagiarism: Using someone else's work, artefacts, designs, ideas, words or otherwise without proper citation or acknowledgment.
- 3.2. Cheating in academics refers to engaging in dishonest or unfair practices to gain an advantage, such as falsifying information or using unauthorised resources or assistance during exams or assignments.
- 3.3. Presenting content generated by Artificial Intelligence (AI) as one's own original writing.
- 3.4. Helping or trying to help another student in the College gain an unfair academic edge, referred to as collusion.
- 3.5. Impersonation involves someone sitting an exam or assessment on behalf of another person, by pretending to be that person.
- 3.6. Using or obtaining someone else's work and presenting it as your own, either by purchasing it or through other means.
- 3.7. Fabrication or falsification of data, making up research findings or altering data to support a desired outcome.
- 3.8. Violations of any College regulations, policies, or procedures regarding academic work or assessments.
- 3.9. Failure to comply with a decision made through this process could be seen as misconduct and could lead to further examination under the Student Disciplinary Procedure.

## 4. Academic Misconduct Board (AMB)

The Academic Board is the final decision-making body in the College for dealing with allegations of Academic Misconduct and includes the following members:

- Head of Higher Education (Chair)
- Head of Quality (Secretary)
- Programme Leaders
- Head of Operations (Secretary)
- Student Representative

The Academic Board receives reports from the Assessment Committee, and the Assessment Committee receives reports from the Academic Misconduct Board AMB about all cases of Academic Misconduct.

The Secretary to the Academic Misconduct Board is responsible for maintaining records of proceedings and outcomes of any allegation of misconduct cases.

If there is an allegation of Academic Misconduct, the AMB will meet and do the following:

- 4.1. Look at the evidence and decide if academic misconduct has occurred
- 4.2. Decide and inform the student(s) accordingly
- 4.3. Make sure the student is aware of their right to appeal against the decision and inform them about the **Appeals Procedures** provided with this policy below.
- 4.4. Determine what if any penalty should be imposed based on those in the Penalties for Academic Malpractice Table below

## 5. Reporting of Concerns

If a student is suspected of Academic Misconduct, the issue should be brought to the attention of the Head of Higher Education for evaluation. If the issue is found to be outside the scope of this procedure, the Head of Higher Education may choose to dismiss the concern or refer it to be reviewed under a different College regulation or procedure.

If Turnitin, the College's similarities checking software shows that a student has significant similarities in their first submission, or a high AI score of 30% or more, the Head of Higher Education should be notified. The Head of Higher Education may consider this to be poor academic practice rather than Academic Misconduct. In this situation, the Head of Higher Education or their delegate may issue a warning to the student and allow them to resubmit their work by the deadline. Depending on the regulations of the Awarding Organisation, the grade for the work may be capped at a Pass (e.g., for HND students).

If the Head of Higher Education believes that Academic Malpractice may have occurred, an AMB meeting will be called within 7 days to make an initial decision about the case.

## 6. Decision of the AMB

When making its decision, the AMB will be guided by the table of Penalties for Academic Misconduct below. The AMB may make one of the following decisions:

- 6.1. If it is found that poor academic performance has occurred rather than misconduct, the allegation will be disregarded. The student will receive a warning about the importance of adhering to academic standards and will be provided with resources for support and information on how to improve their academic performance in the future.
- 6.2. Assigning one of its members the responsibility of serving as an independent Investigating Officer (IO) to investigate the matter further if additional evidence or input is required before deciding.
- 6.3. Refer the concern for consideration under another College policy or procedure
- 6.4. If the situation is deemed less serious, such as when a student has no prior record of Academic Misconduct, issue a warning to the student with no further action.
- 6.5. If the situation is deemed more severe, which could involve a student with past instances of Academic Misconduct, apply sanctions based on the Penalties for Academic Misconduct Table.

## 7. Investigation

If the AMB determines that more evidence or information is needed to decide, an Investigating Officer (IO) may be appointed to investigate the matter. The IO will contact the student(s) involved to inform them of the investigation and may take one of the following actions:

- 7.1. Explain to the student the nature of the allegation, the purpose of the investigation, and provide a copy of this policy and procedure
- 7.2. Advise the student that failure to participate in the investigation may result in the process continuing without their input; Copy this communication to the student's Programme Leader.

The investigation may include the gathering of written, oral, and other information from relevant sources.

The Investigating Officer may request to meet the student during the investigation and will normally:

- 7.3. Inform the student of the purpose of any such meetings in advance
- 7.4. Give the student at least 5 working days' notice of any such meetings
- 7.5. Inform the student of their entitlement to be accompanied and/or represented

Records will be maintained for any meetings with the student throughout the investigation, and the student will receive a copy of these notes.

Where appropriate, the Investigating Officer may invite the student to provide a written response to concerns and to present any supporting information. The Investigating Officer will normally give the student 10 working days to respond.

At the end of the investigation, the Investigating Officer will submit a report and relevant information to the Academic Misconduct Board (AMB). The AMB will then decide on the matter.

The report should be copied to the student. The AMB will either:

- Select one option from those listed in the **Decision of the AMB** above.
- Call for an Academic Misconduct Hearing.

## **8. Academic Misconduct Hearings**

A concern may require the AMB to conduct an Academic Misconduct Hearing.

Where a case involves multiple students, the AMB will determine whether each student's case should be heard at the same time or at different AMB hearings, and by the same or different members of the AMB.

The ruling of the Chair of the AMB on any point of procedure relating to the conduct of a hearing will be final.

The Secretary to the AMB will contact the student normally at least 5 working days prior to the date of the Academic Misconduct Hearing and set out in writing the following:

- 8.1. The date, time and place of the hearing, and the name of the AMB members
- 8.2. The student's right to be accompanied to and/or represented at the hearing
- 8.3. A copy of this procedure
- 8.4. A statement setting out the College's case and the allegation of Academic Misconduct that is being made against the student, with reference to this policy and procedure.
- 8.5. A copy of the evidence and documentation in support of the allegation that will be submitted to the AMB
- 8.6. The student's right to call witnesses to appear at the hearing

This submission should outline the student's perspective on the allegations made against them, addressing any evidence presented by the College and providing any relevant documentation or information to support their case. The submission should also address any mitigating factors that the student believes should be taken into consideration by the AMB.

The student should ensure that their submission is clear, concise, and focused on addressing the specific allegations of Academic Misconduct. They should avoid irrelevant information or arguments that do not relate to the case at hand.

Where a student chooses not to acknowledge the date of a hearing or provide a written submission in advance, the hearing may still proceed.

A student may ask the Secretary to the AMB that a hearing is postponed and should provide a good reason for the request supported by evidence. The Chair may also determine that a hearing should be postponed. The final decision to postpone a hearing will be taken by the Chair of the AMB.

Once its consideration of the case is concluded, the AMB will normally take one or more of the following actions:

- 8.7. Dismiss one or more of the allegations, either because the student had no case to answer or because the allegation has not been proven and determine that no further action should be taken
- 8.8. Determine that one or more of the allegations has been proven and that the student has committed Academic Misconduct
- 8.9. Determine that the allegation relates to poor academic practice, in which case it will be dismissed, and the student will be warned about future malpractice and directed to sources of guidance and information

Refer the case for consideration under another College policy or procedure

- 8.10. Where it considers that the allegation has been proven, the AMB will determine which, if any, penalty should be applied as set out in the Penalties for Academic Misconduct Table .

The AMB Secretary will inform the student in writing, normally within 5 working days of the decision, of the outcome of the Hearing and will set out the reasons for the decision.

The student's Programme Leader will be informed of the outcome of the Academic Misconduct Hearing.

Where the Panel applies a penalty, the student may submit a request for an appeal against the decision following the appeals procedure below.

## 9. Penalties for Academic Misconduct Table

The table below shows what penalties may be imposed upon a student according to the degree of Academic Misconduct the student has committed.

Type of Misconduct	Examples Academic Misconduct	Penalty
First time poor academic practice such as: <ul style="list-style-type: none"> <li>• Poor referencing</li> <li>• Unattributed citations</li> <li>• Poor paraphrasing</li> <li>• Incorrect or incomplete citations</li> </ul>	Plagiarism or AI score of 10%-30% of submitted work	An informal warning and the student must attend a development activity through the College's additional support and personal tuition services
The second minor offence	Plagiarism or AI score of 10%-30% of submitted work	Assignment must be resubmitted, with mark capped at a Pass
The first medium offence	High similarity or AI score of 30%-50% of submitted work	Student must provide an explanation to the Tutor/Assessor before being permitted to resubmit. Mark capped at a Pass
A second medium offence	Plagiarism or AI score of 30%-50% of submitted work	Student may be suspended by the AMB. If permitted to resubmit, their mark is capped at a Pass.
A first major offence	Plagiarism or AI score of 50%-100% of submitted work  Evidence of paying an Essay Mill  Submitting someone else's work as your own	Suspended from the College. Resubmission is required, with mark capped at a Pass.
A second major offence	Plagiarism or AI of 50% - 100% of work  Evidence of paying an Essay Mill  Submitting someone else's work as your own	Expelled from the College.

## 10. Appeals to the Academic Misconduct Review Panel (AMRP)

Students who are not happy with the decision taken by the AMB may appeal to the Academic Malpractice Review Panel (AMRP).

The AMRP includes the Executive Principal and Head of Compliance. If either member of the AMRP is unavailable, other members of the Academic Board may be invited by the Secretary to form the AMRP. They should not be members of the Academic Malpractice Board (AMB). This panel will consider the student's appeal and may request additional information or evidence from both the student and the AMB before deciding.

A student may appeal on one or more of the following grounds:

- 10.1. That there has been a procedural irregularity
- 10.2. That there was bias on the part of the decision-maker or decision-making body
- 10.3. That the decision is unreasonable and/or that the penalty is disproportionate
- 10.4. That there is new material evidence which the student can demonstrate was for good reason not previously available

An appeal should be submitted in writing to the AMRP within 10 working days of the written decision taken by the AMB.

The student should specify why they wish to appeal.

Where an appeal is received outside of 10 working days, and no evidence of a good reason for the delay is presented by the student, the AMRP may dismiss the appeal and issue a Completion of Procedures Letter.

The AMRP will consider the appeal and may refer to other available documentation where necessary.

The AMRP will take one of the following actions:

- 10.5. Invite the student to a meeting to discuss the appeal, followed by 10.6 or 10.7
- 10.6. Dismiss the appeal, either in whole or in part
- 10.7. Uphold the appeal, either in whole or in part

Where an appeal is upheld, either in whole or in part, the AMRP will take one or more of the following actions:

- 10.8. Determine that no further action should be taken against the student
- 10.9. Apply a different penalty as set out in the penalties table above

The AMRP may consider any mitigating circumstances presented by the student when applying any of the penalties set out in Penalties Table above and will apply a penalty that is appropriate in all the circumstances.

The Chair of the AMRP will inform the student in writing, normally within 5 working days of the decision and will set out the reasons for the AMRP's decision. Where appropriate, a Completion of Procedures Letter will be issued. The decision of the AMRP is final.

## **11. The Office of the Independent Adjudicator**

Decisions taken under this procedure may be eligible for review by the Office of the Independent Adjudicator for Higher Education (OIA), which is an independent body set up to review student complaints. More information about the OIA can be accessed at <http://www.oiahe.org.uk/>. The OIA can be contacted at 0118 959 9813 or [enquires@oiahe.org.uk](mailto:enquires@oiahe.org.uk). Where applicable, students will be provided with a Completion of Procedures Letter (CoP) and information about how to apply to the OIA for a review of a decision taken under this procedure.

## 12. Appendix 1: Academic Misconduct Flowchart

