



TITLE	REF	VERSION
HE Academic Misconduct Procedure	HEPRO009	2

DEPARTMENT	Higher Education		
DATE	December 2021	REVIEW DATE	December 2022

HIGHER EDUCATION ACADEMIC MISCONDUCT PROCEDURE

1. Introduction

Activate Learning takes all reported incidences of academic misconduct very seriously and therefore makes considerable effort to help students understand the issue and how to avoid being suspected of and committing these offences. Activate Learning routinely makes use of various software packages to detect plagiarism e.g. Turnitin, and will take action against anyone who has committed it.

Activate Learning condemns academic malpractice and misconduct in all forms. This may include but is not limited to:

- Obtaining unauthorised access to assessment material
- Introducing unauthorised material into a room where an assessment is being conducted under controlled conditions
- Collusion or attempted collusion with other persons on assessments which are designed to be undertaken by each student individually
- Copying or closely imitating the work of another student, with or without that student's permission
- Exhibiting disruptive behaviour during examinations or other assessments conducted under controlled conditions
- Impersonation
- Submitting work that has already been assessed as part of the current or a previous course
- Submitting work which has been written or modified by another individual on behalf of the student
- Submitting another student's work whether or not it has been previously submitted by that student
- The inclusion of irrelevant offensive or obscene material in assessments submitted
- The alteration or falsification of any results or data
- Contract cheating where a student submits work which was provided by a third party
- Using an essay mill where an organisation or individual contracts with students to complete an assignment/s for a student for a fee
- Failure to reference or acknowledge sources adequately, in a way, which presents the work as if it has been authored by the student. This may, for example include:

- Using close paraphrasing of aspects of other authors work without acknowledging the source
- Directly quoting from a source but failing to include quotation marks
- Presenting substantial extracts from other sources without clearly indicating the origin with quotation marks and appropriate references

The above list is not exhaustive and other offenses may be considered by the Academic Misconduct panel at the discretion of Activate Learning.

These regulations relate to the provision of higher education programmes delivered at Activate Learning awarded by Pearson or one of our partner universities. Students undertaking a programme of study awarded by Oxford Brookes University¹, University of Greenwich², University of Reading³, and Kingston University⁴ may access the University's regulations below.

Academic Misconduct Regulations and Procedure has been produced in line with the guiding principles of:

[QAA UK Quality Code for Higher Education: Assessment \(Guiding Principle 10\)](#)

[QAA Contracting to Cheat in Higher Education](#)

[BTEC Centre Guide to Quality Assurance and Assessment \(Level 4-7\)](#)

[Centre guidance: Dealing with malpractice and maladministration in vocational qualifications](#)

The Guiding principle 10: Assessment encourages academic integrity states that

“Assessment is designed to minimise opportunities for students to commit academic misconduct, including plagiarism, self-plagiarism and contract cheating. Wherever possible, a suitable variety of assessment methods should be used, to minimise the availability of opportunities for students to incorporate plagiarised work by another author, or previous work by the student, either within the level of study or across levels. Policies and procedures relevant to academic integrity are clear, accessible and actively promoted rather than simply made available.” (QAA, 2018)

The Higher Education Learning Partnership (HELP) office publishes guidance on referencing and plagiarism through the online HE Student Handbook and regulations are part of the programme's induction process. In addition, students are encouraged to seek further guidance and help through a dedicated HE study support team.

2. Scope of the Regulations

These regulations cover all higher education provision, including programmes that form part of a higher or degree apprenticeships, or are delivered through a sub-contracting arrangement.

3. Academic Misconduct Definitions

Activate Learning recognises three types of academic misconduct:

a) Academic Negligence

¹ <https://www.brookes.ac.uk/students/student-disputes/student-conduct/academic-misconduct/>

² <https://docs.gre.ac.uk/rep/sas/academic-misconduct-policy-and-procedure-taught-awards>

³ <https://www.reading.ac.uk/cqsd/QualityAssurance/PoliciesandProcedures/cqsd-assessmenthandbook.aspx>

⁴ <https://www.kingston.ac.uk/aboutkingstonuniversity/howtheuniversityworks/policiesandregulations/>

This is regarded as the least serious offence and covers first time minor offences. It includes plagiarism that is small in scale, not related to the work of other students, and which is considered to have resulted from lack of understanding, ability or carelessness.

A case of academic misconduct that relates to academic negligence is normally investigated under the *'informal stage'*.

b) Academic Malpractice

This can include a 1st offence where more wide spread plagiarism is identified such as:

- Evidence of extensive paraphrasing of material with no acknowledgement of the source
- Systematic failure to reference
- Submitting work which has already been submitted for another assignment

When more than one assessment is found to be affected by plagiarism (where a number of pieces of work/assessments are handed in at the same time). When this happens the academic misconduct for all pieces of assessment should be considered and treated as **ONE** offence.

c) Academic Cheating

This is regarded as the most serious offence and includes:

- Plagiarism in dissertations/final year projects
- Collusion with other students
- Theft
- Contract cheating
- Falsification of results/data
- A third offence at Stage 1
- All examination irregularities

These regulations are intended to provide opportunity to conclude whether or not academic misconduct has taken place within summative assessments. It is expected that academic misconduct suspected in formative work will be drawn to the student's attention by staff.

Allegations of academic misconduct within summative assessments will be considered via the following staged procedures.

- Informal Stage
- Stage One
- Stage Two
- Appeal

4. Support for students

Wherever possible, students should have the opportunities to seek advice for any matters relating to academic misconduct before it becomes a concern. This should include guidance from relevant academic staff and HE study support explaining the importance of references and acknowledging source materials within their work. How to avoid academic misconduct and plagiarism should be a key component of the student induction programme.

Students will be entitled at any stage of the academic misconduct process to be accompanied and/or represented by one member of staff, friend, relative, or representative of the Students' Union. Students may not be accompanied or represented by a lawyer.

5. Reporting of Academic Misconduct

All College staff or representatives are responsible for reporting any instances where there are grounds for suspicion of academic malpractice or misconduct. Any instances should be reported as soon as possible by completing **an online Academic Misconduct Referral form** located on HE Portal under Awarding Body Regulations.

The HE Academic Registrar then determines what type of offence has occurred as described in section 2 (Academic Misconduct definitions) and which stage should be undertaken. The Academic Misconduct panel will convene for all stages with the exception of the informal stage. The panel's Terms of Reference can be found in appendix 1.

6. Stages of the process

6.1 Informal Stage (Academic Negligence)

If the offence is deemed 'Academic Negligence', the informal stage is implemented. This is the least serious offence and covers first time minor offences. It includes plagiarism that is small in scale, not related to the work of other students, and which is considered to have resulted from ignorance or carelessness.

The informal stage would normally involve the programme coordinator or module/unit leader as it will typically relate to one specific assessment for one unit. The programme coordinator is required to:

- Arrange a meeting with the student
- Discuss the reasons why the student has been suspected of academic negligence
- The student will receive a written warning (Warning letter) which acknowledges poor academic practice has taken place
- Identify and provide advice and guidance on how to avoid academic misconduct in future assessments
- Refer the student to the library and study support services to access the guidance and supporting documents available to them to help avoid plagiarism

Penalty: *Award a grade for the assessment (or components) ignoring the academic misconduct issues unless this is specified in the assessment criteria for the unit*

A record of admitted or found offences will be maintained by the HE Academic Registrar and remain on the student's file for the duration of their study in the college.

6.2 Stage One (Academic Malpractice)

This is normally deemed to be Academic Malpractice. It also includes a 1st offence where more wide spread plagiarism is identified such as:

- Evidence of extensive paraphrasing of material with no acknowledgement of the source
- Systematic failure to reference, as opposed simply to poor referencing
- Failure to follow tutor instructions as regards extent and limit of any group work
- Submitting work which has already been submitted for another assignment
- 2nd offence following an informal stage

The HELP office will arrange for a Stage One meeting to be convened at the earliest

convenience following assessment of alleged offence and will formally notify the student concerned, giving a minimum of 5 working days' notice.

The possible outcomes from a Stage One meeting are:

- Finding that no offence has occurred – no report of the investigation shall be made and all documentation relating to the allegation shall be shredded.
- Admission of the offence by the student concerned – a report of the matter will be produced for the purpose of recording the offence and the decision on any penalty will be made
- Non-resolution of the issue, the student has not admitted the offence - the Chair is required, without delay, to refer the matter to a Stage 2 Panel.

A record of admitted or found offences will be maintained by the HE Academic Registrar and remain on the student's file for the duration of their study in the college.

In the event that a student fails to attend the Stage One meeting without reasonable explanation or fails to communicate with the College in any way, the Stage One meeting will proceed in their absence. The student will be informed of the recommendation of the Stage One meeting via the Stage 1 outcome letter which must be sent to them normally within 5 working days of the meeting.

Penalty:

1st Offence:

The student to re-submit the entire piece of assessment in question, having rectified the academic misconduct issues. Work is uncapped for the component.

2nd and subsequent Offences:

The student is required to resubmit a brand-new piece of work. The unit capped at Pass.

6.3 Stage Two (Academic Cheating)

This is regarded as the most serious offence and considered Academic Cheating. It includes plagiarism of dissertations, collusion with other students, theft, falsification, modification, examination irregularities, purchasing/commissioning of a piece of work.

The Academic Registrar will arrange for a Stage Two meeting to be convened at the earliest convenience following assessment of alleged offence and will formally notify the student concerned, giving a minimum of 5 working days' notice.

The possible outcomes from a Stage Two meeting are:

- Finding that no offence has occurred – no report of the investigation shall be made and all documentation relating to the allegation shall be shredded.
- Admission of the offence by the student concerned - a report of the matter will be produced for the purpose of recording the offence and the decision on any penalty will be made. The Academic Misconduct Panel will write to the student and notify

them of the outcome. Outcome of the panel will be reported to the Assessment Board.

- Non-resolution of the issue, the student has not admitted the offence – the Stage Two panel will consider its decision. This will be reached on the basis of the written and oral evidence, and the standard of proof required is the balance of probabilities. The decisions open to the Panel are:
 - finding that no offence has occurred
 - finding that the alleged offence has occurred and submit a decision on the penalty to be agreed

A record of admitted or found offences will remain on the student's personal file for the duration of their study in the college.

There is a requirement to provide the student with the opportunity to appeal should they wish to do so.

If a student fails to attend the Stage Two meeting without reasonable explanation or fails to communicate with the College in any way, the Stage Two meeting will proceed in their absence. The student will be informed of the outcome of the Stage Two meeting via the Stage 2 outcome letter which must be sent to them normally within 5 working days of the meeting.

Penalty:

1st Offence:

The student is required to resubmit a brand-new piece of work. The unit capped at Pass.

2nd Offence:

Advise the student that there is no reassessment opportunity and a grade of fail for the unit will be recorded. The student will be allowed to repeat the unit at the next assessment opportunity

3rd and subsequent Offences:

Offences will be subject to the Student's Disciplinary Policy and may result in the student's withdrawal from the programme of study.

Any further recurrences of academic misconduct will be dealt with the Student Disciplinary policy which may lead to withdrawal from the programme of study. The student is advised that there are no further re-assessment opportunities and a mark/grade of zero/fail for the module/work will be recorded.

Following the Student Disciplinary process, the student may:

- be allowed to repeat unit if permitted. This is at the next assessment opportunity (normally the next academic year)
- result in their withdrawal from the programme study

7. Appeal process

Students may appeal against the outcome of the formal stage of this procedure by writing to the HE Academic Registrar within 10 working days of written notification of the Academic Misconduct panel decision, stating the ground(s) of appeal.

Grounds of appeal

Students may appeal against the outcome of academic misconduct panel decisions on the following grounds:

- that the decision reached was irrational and/or disproportionate and/or unsupported by evidence; and/or
- that there was a material and/or procedural irregularity by the academic misconduct panel which has prejudiced the student's case; and/or
- additional material evidence has come to light, since the decision of the academic misconduct panel, which could not have been expected to have been produced at the time of the consideration of the case.

Once the appeal has been reviewed the outcome of the appeal will be communicated to the student via 'the Completion of Procedures Letter'. A student who remains dissatisfied following the conclusion of the appeal process may apply to the OIA for reconsideration of the case under the rules of its scheme within twelve months of the issue of the Completion of Procedures Letter'. Information on the process may be obtained directly from the OIA at <http://www.oiahe.org.uk>

References:

QAA (29 November 2018) The UK Quality Code for Higher Education: Assessment, accessed on 28th March 2019, <https://www.qaa.ac.uk/en/quality-code/advice-and-guidance/assessment>

Appendix 1: Terms of Reference Academic Misconduct Panel

Terms of Reference Academic Misconduct Panel	
Chair	<ul style="list-style-type: none"> • Head of Quality Assurance (HE) •
Membership	<ul style="list-style-type: none"> • HE Academic Registrar (or nominee) • An academic member of staff not associated with the assessment
In attendance	<ul style="list-style-type: none"> • The member of staff asserting malpractice/ misconduct or their nominee • Student • A representative of the student body
Minutes	Secretary
Frequency	As required
Summary of purpose	<p>The academic misconduct panel exists as an impartial body to judge cases of alleged academic malpractice, based upon the evidence brought before it.</p> <p>The academic misconduct panel will only make a decision on the malpractice/misconduct itself and not take account of any other factors. The Assessment Board / Examination Committee will make the ultimate decision on the student's progression or award, failure and reassessment.</p>
Terms of Reference	<ul style="list-style-type: none"> • To consider the evidence as presented. • To interview the student and appropriate staff as necessary. • To review the process taken in the identification, investigation and awarding of the penalty. • To review the record of penalties applied to ensure the penalty applied is consistent. • Where it is determined that the process of investigation, decision taken, or penalty imposed is not in accordance with the College regulations.
Documentation available to the Panel	<p>The Programme Coordinator is responsible for, providing any relevant paperwork to the panel and the implicated student(s) prior to the meeting. Below is an indicative list of documents that may form part of the documentation; this list is not exhaustive and other documents may be included.</p> <ul style="list-style-type: none"> • The academic misconduct assessment • The assessment brief(s) in question. • The student's submission(s) • The Turnitin report (where appropriate)
Date of last review	July 2020

Appendix 2: Terms of Reference Appeal Panel

Terms of Reference Appeal Panel	
Chair	<ul style="list-style-type: none"> • Director of Higher Education
Membership	<ul style="list-style-type: none"> • An academic member of staff not involved with the case previously • A representative of the student body
Minutes	Secretary (not involved with the case previously)
Frequency	As required
Summary of purpose	The appeal panel exists as an impartial body to review the outcome of academic misconduct panel decisions, based upon the evidence brought before it.
Terms of Reference	<ul style="list-style-type: none"> • To consider the evidence as presented. • To interview the student and appropriate staff as necessary. • To review the process taken in the identification, investigation and the penalty awarded. • To review the record of penalties applied to ensure the penalty applied is consistent. • Where it is determined that the process of investigation, decision taken, or penalty imposed is not in accordance with the regulations.
Documentation available to the Panel	<p>The HE Academic Registrar is responsible for providing any relevant paperwork to the panel and the implicated student(s) prior to the meeting. Below is an indicative list of documents that may form part of the documentation; this list is not exhaustive and other documents may be included.</p> <ul style="list-style-type: none"> • The outcomes of Academic Misconduct Panel • Evidence produced by the student including grounds of appeal
Date of last review	July 2021