

# Higher Education within Loughborough College

Policy and Procedure Title	<b>Higher Education Academic Misconduct Policy</b>
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Executive Lead	Vice Principal – Curriculum, Quality and Learner Experience
Applicable to:	Staff & Learners
Accessible to:	Staff/Learners/Governors/Public

## 1.0 Introduction

**1.1** The academic provision at Loughborough College is based on the values of academic integrity, honesty and trust.

**1.2** Any improper activity or behaviour by a student which may give that student, or another student, an unpermitted academic advantage in a summative assessment is considered to be an act of academic misconduct and unacceptable in a scholarly community. Such action(s) will be considered under these regulations and this may lead to a penalty being imposed.

**1.3** These Regulations may be applied to all students of Loughborough College, whether currently registered or not, and to former students where appropriate.

**1.4** Departments will provide advice and examples to students as to what constitutes academic misconduct and make them aware of these regulations and the possible outcomes of action constituting academic misconduct.

**1.5** Students are expected to take responsibility for the integrity of their own work, including asking for clarification where necessary.

**1.6** Instances of academic misconduct and any penalty awarded may be referred to in student references or notified to an accrediting body.

## 2.0 Definition of Academic Misconduct:

“Academic Misconduct describes student behaviours. It is where a student deliberately seeks to gain academic advantage in areas of their programme of study including, projects, placements, tasks; formal and informal, assessments and examinations. These actions are undertaken in a manner that breaches the conditions under which the student knowledge and/or skills were to be tested for progression within or onto further stages of study, and towards the conferment and classification of an award.”

## 3.0 Academic Misconduct Examples:

The following is a non-exhaustive list of examples of academic misconduct which will be considered under these Regulations:

### 3.1 Plagiarism:

Representing another person's work or ideas as one's own, for example by failing to follow convention in paraphrasing, acknowledging sources, use of quotation marks etc. This includes the unauthorised use of one student's work by another student and the commissioning, purchase and submission of a piece of work, in part or whole, as the student's own.

### 3.2 Collusion:

Co-operation in order to gain an unpermitted advantage. This may occur where students have consciously collaborated on a piece of work, in part or whole, and passed it off as their own individual efforts or where one student has authorised another to use their work, in part or whole, and to submit it as their own.

### 3.3 Misconduct in examinations (including in-class tests).

Including, for example, when an examination candidate:

- copies from the examination script of another candidate;
- obtains or offers any other improper assistance from or to another candidate (or any other person unless an approved reader or scribe);
- has with them any unauthorised book (including mathematical tables), manuscript or loose papers of any kind, unauthorised electronic devices (including mobile telephones/ SMART devices) or any source of unauthorised information [see the College's [Examination Guidance](#) for further information];
- allows himself/herself to be impersonated or when any person impersonates another examination candidate.

### 3.4 Fabrication or misrepresentation:

The presentation of fabricated data, results, references, evidence or other material or misrepresentation of the same. Including, for example:

- Claiming to have carried out experiments, observations, interviews or other forms of research which a student has not, in fact, carried out;
- Claiming to have obtained results or other evidence which have not, in fact, been obtained;
- In the case of professional qualifications, falsely claiming to have completed hours in practice or to have achieved required competencies when this is not the case.

### 3.5 Failure to disclose previous experience or qualifications:

That are a bar to enrolment on a module.

### 3.6 Failure to obtain ethical approval:

Where work is undertaken without obtaining ethical approval when there is a clear and unambiguous requirement to do so.

### 3.7 Group Work:

When one or more students:

- Copy (or allows to be copied) from other members of a group while working in the group
- Copy the original work, in whole or in part, of an individual who is not a member of the group, with or without the knowledge of other members of the group, and contribute the plagiarised work to a group assignment
- Discuss with other members of the group how to approach a common assessment item that requires individual submission and relies on the same or very similar approach in the submitted

assessment, without any acknowledgement of collaboration with colleagues and without the permission of the assessor.

- Gaining an unfair advantage when a student claims an equal share of the marks but has done one or more of the following:
  - Contributes less than an equal share to a group assignment and then claims an equal share of the work or marks
  - Does not turn up to group meetings and/or does not contribute in group meetings
  - Does not undertake their share of the work with the appropriate level of care and attention
  - Does not complete their section.

Section 8 describes the processes that must be followed when investigating suspected academic misconduct. In all cases, this process must be followed.

#### **4.0 Scope of Academic Misconduct:**

When an Academic Misconduct concern is lodged, the Curriculum Manager will be informed as to the nature and content of the concern. The 'Learner Disciplinary Policy and Procedure' should be referred to alongside this, as the procedures within will be followed for all Academic Misconduct concerns.

Heads of Academic and/or Professional Services and Departments will be informed where an Academic Misconduct concern is matter for one or more of their staff or an aspect of their service i.e. information and learning support services.

Normally an Academic Misconduct concern would be lodged immediately the issue has been identified.

No student having been subject to the Academic Misconduct policy and processes, will, once the matter is deemed resolved under this Procedure, be treated less favourably by any member of staff than if the accusation of misconduct had not been brought. If evidence to the contrary is found in this regard the member of staff may be subject to disciplinary proceedings under college policy.

Where an accusation of Academic Misconduct is made, and at the initial stage of any investigation, students will be immediately advised verbally and in writing at their last know registered address, and directed to the relevance of this policy, the Disciplinary Policy and procedure for students and the processes involved, as well as where they can go for support and advice.

#### **5.0 This Policy Does Not Cover:**

All academic matters covered by the Academic Appeals Procedures, Loughborough College Complaints Procedure, Disciplinary procedures and Higher Education Exams Policy. Disciplinary issues including issues related to alleged harassment (covered by the College Code of Conduct, managed through the 'Learner Disciplinary Policy and Procedure' and Staff Disciplinary Procedure).

Further Education students enrolled on programmes awarded at levels 1-3 i.e. A -Level, BTEC National Certificates at Loughborough College should use the 'Learner Disciplinary Policy and Procedure'

#### **6.0 Managing Academic Misconduct:**

Normally where a member of the teaching or administration team suspects misconduct, they should consult at an early stage with the Curriculum Manager (or nominated representative) of that

department, before taking any formal action. If agreed, the 'Learner Disciplinary Policy and Procedure' should be followed and the Curriculum Manager or PAL should manage the case through this process.

### 7.0 Principles of Addressing Academic Misconduct:

- a) An accusation is **not proof** of misconduct however senior, esteemed or experienced a member of staff may be. Students as with all processes that lead to a penalty, have a right to due and fair processes.
- b) The final determination of any misconduct is the Examination Board.
- c) All decisions must be evidence based and founded in facts that have been properly investigated.
- d) Once the facts have been established, the Disciplinary panel will decide the seriousness of the case and consider and approve any recommendations in regard to penalties. These will be verified at the Examination Board.
- e) Confidentiality: where the college takes a view, after proper review and investigation, that on the balance of evidence and probability, no academic misconduct has taken place, then no record of this should be kept or lodged on the student records.

### 8.0 Misconduct Procedures

Loughborough College recognises that there are differences in minor and major academic misconduct. To ensure fairness and proportionality these two areas must be both viewed and responded to differently.

#### 8.1 Minor Offences of Academic Misconduct:

An incident shall be deemed to be a minor offence of academic misconduct if it relates to work for assessment not undertaken in an Examination Hall, and if the nature of the incident together with the circumstances of the student make appropriate a relatively limited penalty. Examples include first offences or failure to acknowledge sources in a limited amount of coursework, and limited copying of another student's work. These examples and the following are not intended to be exhaustive.

#### 8.2 Examples of Minor Academic Misconduct:

Academic teams will respond and take into account the following examples and contextual consideration as probable cases of minor misconduct that can and will be addressed in the vast majority of cases at a local curriculum level:

- a) Where a student is in the very early stages of their studies in Higher Education. For example, it is their first term and one of their first pieces of work.
- b) Where the student is new to the UK and the conventions of Higher Education in the UK may differ from the student's home experiences.
- c) Where a student transfers into the college's Higher Education Programme with APCL/APEL and has not benefited from the normal college induction.

- d) The level at which the student is studying is low i.e. Level 4.
- e) The student has no prior issues in regard to academic misconduct.
- f) The student has a prior record of sound academic practices and as such, this is an unusual event.
- g) Where the academic misconduct has little material impact on grades, classification or rights to progress onto a higher stage.
- h) Where the misconduct is a relatively small percentage of the work.
- i) Where the student is in the early stages of developing group work skills and aptitudes and their contribution is an element of a group task.

In such cases, the matter should normally be discussed and responded to locally by course teams and the student, under the guidance of the Curriculum Manager (or nominated representative), assisted by a staff colleague (and any other staff involved and parents/carers, if appropriate) as per Stage 2 of the 'Learner Disciplinary Policy and Procedure' (See policy for further details). Details of this meeting will be recorded on ProMonitor. Considerations should be proportionate to the stage of study, the student's developmental needs, and the scale and impact of the offence. In all such cases, both parties must: 1) agree that there is an issue that needs addressing and 2) agree the outcomes and solutions.

Where such agreement with a student cannot be reached, advice and mediation should be sought through the Head of Higher Education. Where the student refused to accept the mediation, they should only then be made aware of the next stages.

Staff will take the matter forwards to the next stage as a 'Major Issue of Academic Misconduct' based on the failure to achieve a resolution and the matter will be referred for independent investigation and then onto the Exam Board for final ratification if misconduct is in all probability found to have occurred.

### **8.3 Minor Academic Misconduct Penalties:**

Where the student accepts misconduct then a range of actions may follow:

- a) A note is made on the ILP to indicate the nature of the minor misconduct and the discussion held between student and tutor
- b) Is given a Stage 1 or Stage 2 written warning and the record is kept for the duration of the award.
- c) The reduction by any amount of any or all of the marks obtained by the student in the module concerned to a minimum module mark of 1%.
- d) In rare cases, given the level of the processes, likely context and offences, the whole module is capped at 40%. In such cases as this, the Exam Board must ratify the recommendation.

A Curriculum Manager must agree all such recommendations at a local level.

Where a student declines to accept a local recommendation, they have 5 working days to request a formal independent investigation in writing addressed to the Head of Higher Education.

Where minor incidents of academic misconduct are proven and dealt with locally, it will remain on the student's ILP for the duration of their programme, but cannot be referred to in any references the college provides for the student.

### **9.0 Major Offences of Academic Misconduct:**

An incident shall normally be deemed to be a major offence of academic misconduct if it relates to an assessment undertaken in an Examination Hall, or to other assessed work where the nature of the incident, together with the circumstances of the student make appropriate a substantial punishment.

Examples include repeated offences of academic misconduct, failure to acknowledge sources in a substantial amount of coursework, and substantial verbatim (or near verbatim) copying of another student's work. These examples are not intended to be exhaustive.

In some circumstances, where, for example, a limited technical offence is committed, the disciplinary committee may re-designate an offence of academic misconduct relating to an assessment undertaken in an Examination Hall or related to poor academic skills as a Minor Offence.

Where a Major Offence of Academic Misconduct is suspected or it is a repeated offence, Stage 3 of the 'Learner Disciplinary Policy and Procedure' is followed, chaired by the Head (or nominated representative), assisted by a member of the WMT (and any other staff involved and parents/carers, if appropriate). Please see the 'Learner Disciplinary Policy and Procedure' for Stage 3 procedures.

### **9.1 Contextual Consideration: Misconduct in Examinations:**

Candidates suspected of misconduct, will be warned by the Invigilator and allegations reported to the Senior Exams Officer. Action may be taken against such candidates under the provisions of the 'Learner Disciplinary Policy and Procedure.' Types of misconduct include copying from or communicating with any other candidate during an examination or the introduction of prohibited materials into the Examination Room. Disruptive behaviour may result in removal from the exam room. Invigilators will inform the Senior Exam Officer of any student removals from the exam room.

### **9.2 Contextual Consideration: Misconduct in Group Work:**

The 'Learner Disciplinary Policy and Procedure' must be applied for all allegations of Academic Misconduct in group work and all members of the group must be investigated according to whether it is deemed to be a minor or major offence. If it is proved that a student(s) has committed academic misconduct in group work, the marks can be modified of that student(s) to reflect their individual contribution or a reassessment recommended. If any marks are to be modified, this process will be clearly communicated in advance, together with information to show how individual marks are calculated.

### **9.3 Major Academic Misconduct Penalties:**

The nature of the sanction should consider the stage the student is at. Normally, more or less severe penalties may be applicable where the student has/has not previously been sanctioned for academic misconduct. The following are a guide to assist the panel in reaching consistent cross college decisions:

- a) **Major/Repeat offences at Level 4 HE:** Repeat all the required assessment elements of the module, not capped at 40%. Or in severe cases where the offence and evidence draws into question all the work submitted at the stage, repeat all existing assessments, not capped at 40%.
- b) **Major/Repeat offences at Level 5/6 HE:** Repeat all the required assessment elements of the module, capped at 40%. Or in severe cases where the offence and evidence draws into question all the work submitted at the stage, repeat all existing assessments, capped at 40%. Other options may be to repeat the stage, terminate registration on the programme; refuse to confer an award. In severe cases; cap the overall classification of the student's degree award.
- c) In all examples, the board has the choice of capping the maximum mark for any single or multiple pieces of work.

### 10.0 Actions Permissible to an Exam Board:

Where a student admits to Academic Misconduct in writing or the Disciplinary Panel concludes in their absence that on the balance of probability an offence of Academic Misconduct did occur, the following recommendations will be considered at the examination board:.

- a) Be permitted to continue with no reassessment.
- b) Be permitted to continue with a reassessment.
- c) Not allowed any compensation at that level (if allowed with university partners overarching assessment regulations).
- d) Not permitted to continue on the course.
- e) Refused the conferment of an award.
- f) Classed as failed the whole course and recommended for termination.
- g) Classed as failing a stage and required to return and retake the stage.
- h) Having their classification/grade reduced at the final stage of their programme of study.
- i) Removed from a professional programme of study and reported to the professional body for further action.

### 11.0 Retrospective Cases:

Where a serious academic offence is brought to the attention of the college at or after an Examination Board, the following process must be followed:

- a) The Curriculum Manager from the area will be identified to investigate the case and follow the standard practices for investigating such an offence, as per the 'Learner Disciplinary Policy and Procedure. The panel will then make recommendations to the Exam Board.

- b) Where the outcome of the hearing identifies that a case of Academic Misconduct occurred, the Chair of the examination board will be notified immediately.
- c) The Chair will meet with the disciplinary panel to discuss recommendations and will Chairs action any sanctions made.
- d) If the final conclusion is that the student's classification has been altered, or they are to be reassessed, they must be informed in writing at the earliest possible date. This will be sent to their last known address, via recorded delivery with information on their rights to appeal.

## 12.0 Student Rights to Appeal:

**12.1** Students have the right to appeal the Board's decision. They should refer to the Higher Education Policy and processes: Academic Appeals available to students on the College's Higher Education Learn zone and College website. Where students are no longer registered and the matter relates to a 'Retrospective Offence', a hard copy will be sent by registered post to the last known address of the student.

**12.2** Students can also, at the end of the college's process, exercise their right under the Office for Independent Adjudication (OIA) [www.oiahe.org.uk](http://www.oiahe.org.uk). The OIA deals with individual Academic Misconduct from students, normally when students have exhausted the college or university procedures of the provider. It is the students right to make a complaint directly to the OIA, normally following the completion of the college's own procedures. This choice does not take away the rights of a student to make a complaint or appeal to the university/awarding body.

Scheme Application Forms are available from the OIA at:  
Office of the Independent Adjudicator  
Second Floor  
Abbey Gate  
57-75 Kings Road  
Reading  
RG1 3AB  
Telephone: 01189 599813  
Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

## 13.0 Graduating Students:

Where a student in the final year appeals, the Head of Higher Education will withdraw any invitation to that years graduation ceremony; as such, on a case by case basis, all reasonable efforts will made to resolve the matter before the Colleges graduation event.

This policy has been assessed for its impact on equal opportunities and will be informed by the aim to eliminate all forms of discrimination in all strands of the equal opportunities legislation.