Higher Education Academic Misconduct Procedure (Open University Validated Programmes)

Applies to:	
Harrogate College	x
Keighley College	x
Leeds City College	
Leeds Conservatoire	
Leeds Sixth Form College / Pudsey Sixth Form College	
Luminate Group Services	
University Centre	X

CHANGE CONTROL

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Approval route		
Approval committee (ELT, SELT, Board)	**Date approved**	**Version**
SELT	Nov 2022	V1
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Name of responsible committee:	Registry	
Related policies: (list)	Academic Misconduct Policy	
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	Assessment type ☐ **Full** ☐ **Part** ☐ **Not required**	
Environmental Impact Assessment Completed	**Date:**	
	☐ **Yes** ☐ **No** ☐ **Not required**	
Policy will be communicated via:	Website and VLE	
Next review date:	August 2028	

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1. INTRODUCTION

The underpinning purpose of this process and associated policy is to ensure that academic standards are upheld with any breaches, due to academic misconduct, being dealt with fairly and consistently. The following principles apply to this process:

- The active promotion of academic integrity throughout University Centre Leeds Higher Education activities and the learning experience;
- The provision of an open and transparent process;
- The timely resolution of suspected academic misconduct cases in a fair and equitable manner;
- The assurance that students will not be disadvantaged once an instance of academic misconduct has been reported.

Allegations of academic misconduct within formative and summative assessments will be considered via the following stages:

- Informal Stage
- Formal Stage

University Centre Leeds has the authority to determine the academic progress of students because of delegation of this authority to the University Centre by an Awarding Body, (subject to retaining ultimate responsibility for the exercise of such authority). Any cases of academic misconduct proven under the process described in the procedure will be reported to the relevant Assessment and Progression Exam Board.

COMPLIANCE WITH REGULATIONS

The investigation and processing of suspected cases of academic misconduct shall be conducted in accordance with this process and which is informed by the University Centre Leeds Higher Education Academic Regulations, and shall seek to uphold the principles of fairness, consistency, equity, and equal opportunities.

The handling of all suspected academic misconduct cases should normally be completed within 60 days of the start of this process.

2. DEFINITION

Academic misconduct is defined by University Centre Leeds as any activity or behaviour by which a student seeks to gain an academic advantage over their peers.

Types of academic misconduct encompass all kinds of academic dishonesty, whether deliberate or unintentional, which infringe on the integrity of the University Centre and awarding bodies. These include but are not restricted to:

Plagiarism

The presenting of another person's ideas or expressions without acknowledging the source. This includes internet sources

Examples of Plagiarism include but are not limited to:

- The inclusion in a student's work of extracts from another person's work without the use of quotation marks/and or acknowledgement of the sources(s)
- The summarising of another person's work without acknowledgement
- The substantial and unauthorised use of the ideas of another person without acknowledgement
- Self-plagiarism- when a student submits work for credit which has been submitted elsewhere for credit. This may be part of a piece of work or the entire piece of work and may have been submitted to the University Centre or another institution

Collusion

Examples of collusion include but are not limited to:

- Students who take part in unauthorised collaboration with others (including sharing ideas via internet or chat rooms), regardless of whether any advantage was gained;
- Students who present work as their own which has been purchased from a third party and presented as the student's own;
- Students who make available their own work, regardless of any financial gain. Both the giver and receiver of the work will be held to be colluding;
- Proof-reading and editing: it is a student's responsibility as author to proof-read and edit their own work. Assistance from any third party, whether a professional service or friend, family or fellow student may be regarded as collusion;

Translation services: the use of translation services involving a third party is expressly forbidden and will be regarded as collusion. The use of translation software is permitted

Fabrication/falsification

Any student found to have tampered with official documentation, or fabricated data or other such content will be regarded as having fabricated/falsified material. This includes the content of work submitted for assessment and any records or documentation associated with academic progress such as entry statements or qualifications, false claims for exemption or mitigation, or misrepresentation of a word count or contribution to a group assessment. In some cases, fabricated/falsified material may also be deemed to be professional misconduct, for example in the professions of teaching and journalism.

Research Misconduct

All research which contributes to the assessment of taught courses must be conducted in an ethical and responsible manner. This includes requirements to secure ethical approval prior to the commencement of primary research, the conduct of the research, the relationship and dealings with participants and proper handling of data.

Impersonation

Any student found to be assuming the identity of a third party, or where a student is impersonated by another person, in order to gain or enable access or advantage will be deemed guilty of impersonation.

Cheating in Examinations

Any breach of the examination procedure which compromises the integrity of the assessment will be regarded as academic misconduct, regardless of whether any advantage was gained or there was any intention to do so. These principles apply equally to formal examinations and to all laboratory and class tests conducted under exam conditions.

Breaches include, but are not limited to, the following:

- Obtaining or seeking to obtain examination papers prior to the examination unless the paper has been provided as a 'seen' examination;
- Copying from another candidate or from any unauthorised material, including by use of an electronic device;
- Taking additional materials into the examination unless prior approval has been given. This could include, but is not limited to, printed materials, electronically stored or communicated information, or electronic devices (unless expressly permitted). Devices may include, but are not limited to, mobile telephones, smart watches, tablet computers, laptop computers, electronic dictionaries;
- Communicating, or attempting to communicate, with other candidates or with any person(s) except the invigilators;
- Any form of disruptive behaviour;
- Not following the instructions given by the examination invigilator;
- Leaving the examination room without authorisation from the examination invigilator;
- Removing any material from the examination room other than items which were brought into the room by the candidate or the question paper, where permitted.

Contract Cheating

This is where a student knowingly approaches an individual, group or organisation to obtain assessments/have assessments written on a paid or unpaid basis and claim it is their own work

Unethical Behaviour

This includes unacceptable behaviour including

- Breaches of confidentiality;
- Improper handling of confidential information collated during data collection processes;
- Failing to gain appropriate ethical clearance prior to data collection.

Theft of Materials

Where another persons' assessed work has been stolen and used in whole or in part without permission

Artificial Intelligence (AI)

Academic misconduct encompasses all kinds of academic dishonesty, whether deliberate or unintentional, which infringes the integrity of the College's assessment procedures.

This refers to any attempt made by a student to gain an unfair advantage, whether intentional or unintentional, in summative assessments. Whenever you submit work as part of your studies you are reminded that academic misconduct is strictly prohibited:

Using AI tools to help with such things as idea generation or your planning may be an appropriate use, though your context and the nature of the assessment must be considered. **It is not acceptable to use these tools to write your entire essay from start to finish. Also, please bear in mind that words and ideas generated by some AI tools make use of other, human authors' ideas without referencing them**, which, as things stand, is controversial in itself and considered by many to be a form of plagiarism.

Exceptional Cases

These are cases that do not easily fall into the categories listed and described above. An example of an exceptional case is where the module tutor marking the piece of work reasonably believes that the work is not the students' own (for example the work is so inconsistent with any previously produced work, or the language used in the piece is inconsistent with that used in previous pieces), but the potential sources of the work cannot be identified.

3. FAIR TREATMENT

No individual under investigation through this process, whether successfully proven or otherwise, will be treated less favourably by any member of staff than if the case had not been brought. All staff involved in handling any stages of an Investigation have a duty to ensure that any decision made regarding the outcome of an investigation or determination of penalty, or the way a student is treated, must not be influenced by the identification of potential academic misconduct. If evidence to the contrary is found, the member of staff may be subject to action under the Staff Disciplinary Procedure.

Where an individual believes that the investigation of a suspected case is likely to affect the relationship between a student and a member of staff, all parties will be expected to continue that relationship in a professional manner. Only in exceptional circumstances will the Dean of Higher Education consider agreeing to a request for alternative working arrangements whilst the case is being Investigated.

4. PRINCIPLES OF THE PROCEDURE

The University Centre's primary approach to managing academic misconduct is to educate students to develop good academic practice to help them avoid academic misconduct. In so doing, the University Centre provides the following support:

- Advice and guidance from Programme Teams.
- The Learning Resource Centre provides writing and study skills support and individual tutorials on referencing and paraphrasing
- Academic Support tutors within each department available to book for and academic support needs
- The provision of self-help resources via the VLE (Virtual Learning Environment).
- The provision of e-detection Turnitin software

The consideration of work submitted by students for assessment is based on the principle that the work has been carried out by that student and is their own work.

Student work that fails to clearly identify the work done by others, may attract the charge of academic misconduct.

Any text or opinion that has been quoted, paraphrased, or relied upon to support a student's work, must be properly attributed. Similarly, students must acknowledge the source of any images (including designs and plans), computer code or other such media created by another person.

While the University Centre accepts that a student's work may be inspired by what they have read, the use of someone else's ideas must be cited as such. Students should refer to the sources of advice outlined above if they are unsure how to do this.

The University Centre provides specific instructions to Invigilators and students in examination settings.

An accusation of academic misconduct is not in itself proof that a student is guilty of the offence. Any such decision would only be reached upon conclusion of the process contained in this procedure. The burden of proof rests with the University Centre and must be based on clear, logical, and convincing evidence.

Usually, students will be allowed to progress with their academic studies while an investigation into allegations of academic misconduct is taking place. However, students subject to professional body requirements may be required to suspend their studies pending the outcome of this procedure. The Professional, Statutory or Regulatory Body (PSRB) requirements that would affect this decision, are referred to in the programme's approval documentation.

If a student is found guilty of academic misconduct, any reassessment judged to be necessary will take place at the next available opportunity. Please note that this could lead to a delay in progression. Any such decisions will be made according to the academic regulations of the awarding body of the course in question.

Students accused of academic misconduct must be informed at an early point in proceedings and have the right to challenge the accusation.

Any student found guilty of academic misconduct, will have the charge and penalty recorded on their student record. All papers relating to each proven case will be retained by the HE Registry Office in case there is a request for a review by the student. These papers will be destroyed one academic year after the case is closed.

All cases of academic misconduct that are not proven or withdrawn will not be recorded on the student's record. However, all papers relating to each proven case will be retained by the HE Registry Office in case there is a request for a review of the process. These papers will be destroyed one academic year after the case was closed.

Anonymous statistical data on all cases of academic misconduct will be kept by the HE Registry Office for reporting purposes.

The range of penalties that may be imposed for proven academic misconduct are based on the tariff recommended by the Academic Misconduct Benchmarking Research (AMBeR) Project. See (Appendice 1)

All students have the right to be advised of the University Centre's procedure for dealing with alleged academic misconduct and the penalties which may be imposed. This information will be made publicly available via the University Centre website and VLE. In addition, programme teams will draw this to the attention of students during induction and through programme handbooks.

Any member of staff who suspects that academic misconduct has taken place will follow the process outlined in this Procedure.

All communication including letters, evidence and invitations will, wherever possible, be sent via email to the email address we hold on our student record system.

5. PROCEDURE

If a member of staff suspects a case of academic misconduct, they must

- Advise the HE Registrar (or nominee) as soon as possible
- The Registrar (or nominee) will, in conjunction with the Programme Manager and the evidence provided determine if the allegation requires further investigation.
- The student will be informed by the course team that the piece of work has been referred for suspected academic misconduct and any evidence will be presented to a panel should the allegation require further investigation.

- If further investigation is required, the Registrar will inform the Programme Manager of the Stage this would fall into.

- If it is deemed no further investigation is required, then no further action will be taken

INFORMAL STAGE

Procedure for the informal stage

- An informal meeting with the student and Module Tutor/Programme Manager to deal with first alleged cases of academic negligence.

- The Programme Manager will invite the student via email to an informal meeting within the Department to deal with cases considered to be at the 'Informal Stage.'

- This meeting is intended to act as a warning to students and highlights the need for further development and support and highlights where students can access this. Minor penalties may be given following the AMBeR Tariff guide (see appendice 1)

- The informal meeting will be logged on the student record to be referred to if any further cases of academic misconduct from the student arise.

There is only one opportunity to have an informal meeting. Any further cases brought to our attention will be dealt with as a second case and will be progressed straight to the Formal stage.

FORMAL STAGE

Formal Academic Misconduct meeting to consider the following

- Cases progressed from Informal Stage
- Second and subsequent cases of academic negligence
- First and subsequent offences of academic malpractice
- Falsification and Fabrication Documentation
- Collusion/Cheating
- Exceptional cases

Procedure for the formal stage

The HE Registrar (or nominee) will convene a meeting of the Academic Misconduct Panel as soon as possible.

- The Academic Misconduct panel will consist of:

- HE Registrar (or nominee)
- Independent Academic (not herewith related to the programme or student)
- Secretary for the Panel (for note taking)
- Student

The Programme Manager or nominee from the department may be in attendance to provide clarity on information if needed.

The student will be informed by the HE Registrar by letter (via email) of the date and time of the meeting as soon as it is arranged and will include:

- the nature of the allegation
- reason attendance is required
- guidance on where the student can seek advice
- the right to be accompanied by one other person (this cannot be a paid professional advocate)
- the right to submit any further evidence/mitigating circumstances in advance of the meeting should they wish to.

- The Chair will introduce the meeting and the process

- All attendees will introduce themselves and their role

- The Chair will state the nature of the allegation

- A discussion on the piece of work will take place allowing all parties to ask questions, seek clarification and provide explanations of points which have been raised.

- The Chair will draw the discussion to a close and closing statements will be heard.

- The Programme Manager (or nominee) and the student will leave the room and the panel members will consider their decision

- The panel members have the authority to determine an outcome based on evidence presented and the AMBeR Tariff guide.

- When a decision has been reached the student will be invited back into the meeting and informed of the decisions of the panel.

- The student and Programme Manager will officially be notified of the outcome (via letter attached to email) within 5 working days of the meeting. The outcome will be noted on the student record for future reference.

- If during proceedings any new evidence is brought forward which needs further investigation then the meeting may be adjourned, and a date and time agreed for it to be reconvened.

- A panel may still proceed without the attendance of the student and a decision made in their absence. If the student is unable to attend owing to exceptional circumstances and has notified the panel of this, then the meeting may be reconvened to a more suitable day/time.

Appeals

- The student may appeal against the outcome within 10 days of the original meeting date by following the Universities appeal process which can be found here Policies and Procedures - University Centre Leeds (ucleeds.ac.uk)
- The appeals panel may decide on a second hearing after reviewing all evidence involved in the original case.
- Any panel members that have been involved in the academic misconduct case will not be associated or involved with the appeals process.

6 STUDENTS' RIGHT TO VIEW ALLEGED ACADEMIC MISCONDUCT WORK

Students' may request to view the original work under supervision prior to the Academic Misconduct meeting by emailing the heregistrar@ucleeds.ac.uk to request this.

When viewing the work, the student may be accompanied by a friend or a representative from Student Services. This person is not able attend in any legal capacity.

No documentation can be removed from the premises during this viewing.

The role of the member of staff supervising the viewing is only to observe and they will not be able to comment on the allegation or process.

7 ACADEMIC JUDGEMENT OF INCONSISTENT STUDENT PERFORMANCE

The University Centre reserves the right to investigate all suspected cases of academic misconduct, including those based entirely on the academic judgement of staff.

The basis of any such investigation should be supported by the judgement of the member(s) of staff, that work submitted by a student is significantly inconsistent with their previous performance, either in assessment or class-based activity.

It is up to the University Centre to prove that academic misconduct has taken place.

In these cases, the Academic Misconduct Panel will normally direct that a *viva voce* be carried out with the student to determine the validity of the allegation. This activity is a question-and-answer session to establish that the work in question is the student's own work. The *viva voce* will be conducted by two members of staff with expertise in the subject area. Students may be accompanied by a friend, but the friend will not be allowed to speak on the student's behalf during the *viva voce* or attend in any legal capacity unless permitted to do so by the Chair of the Academic Misconduct Panel.

Students should be advised to bring any supporting information that would evidence the development of the work in question and that supports their claim it is their own work.

Following the *viva voce*, the academic staff will submit confirmation in writing to the Chair of the Academic Misconduct Panel that in their view either, academic misconduct has taken place, or, that academic misconduct has not taken place.

If the academic staff are unable to reach a formal conclusion following the *viva voce* that they believe to be beyond reasonable doubt, the allegation must be withdrawn. In such circumstances, the notification to the Chair of the Academic Misconduct Panel should be that academic misconduct has not taken place.

All alleged exceptional cases will be considered as if they were purchased from an essay mill or ghost-writing service or AI and incur the points for such offences as allocated by the AMBeR tariff if proven.

8 ACADEMIC MISCONDUCT REVIEW

The student has the right to request a review of the decision of the Academic Misconduct Panel through the Universities General Appeals Process.

9 ADVICE TO STUDENTS

At all stages, students must be advised that they can gain advice and support from number of sources. In particular, a Guidance Officer or representative from the Students Union can provide this advice and support, independent of the University Centre, and students' must be encouraged to consult with them.

10 RANGE OF PENALITES

The range of penalties that may be applied to cases of academic misconduct are determined by the AMBeR tariff (Appendice 1)

The AMBeR tariff is a points-based tariff designed to minimise the extent to which individual judgement is relied upon to determine the penalty for academic misconduct.

The final total score is used to determine the penalty from a range available.

The AMBeR tariff will be used to determine the academic penalty to be applied to any proven case of academic misconduct. However, if the programme of study leads to professional registration or qualification, there may be an additional penalty determined by any associated PSRB. The Academic Misconduct Panel will recommend the higher of the two penalties to the relevant Assessment Board.

Any student found guilty of academic misconduct, will not be eligible for compensation if they subsequently fail the module concerned.

Any student who is withdrawn from a programme of because of academic misconduct, will not be allowed to study additional credits to complete the award.

A1 APPENDICE 1

AMBeR Project Tariff System

1.0 Assign points based on the following criteria

History

1st Time	**100 points**
2nd Time	**150 points**
3rd/+ Time	**200 points**

Amount/Extent

Below 5% AND less than two sentences	**80 points**
As above but with critical aspects* plagiarised	**105 points**
Between 5% and 20% OR more than two sentences but not more than two paragraphs	**105 points**
As above but with critical aspects* plagiarised	**130 points**
Between 20% and 50% OR more than two paragraphs but not more than five paragraphs	**130 points**
As above but with critical aspects* plagiarised OBJ	**160 points**
Above 50% OR more than five paragraphs	**160 points**
Submission purchased from essay mill or ghost-writing service †	**225 points**

** Critical aspects are key ideas central to the assignment*

† Some institutions may consider this to be a separate form of academic malpractice

Level/Stage

Level 1	**70 points**
Level 2	**115 points**
Level 3/Postgraduate	**140 points**

Value of Assignment

Standard weighting	**30 points**
Large project (e.g., final year dissertation)	**60 points**

Additional Characteristics

Evidence of deliberate attempt to disguise plagiarism by changing words, sentences, or references to avoid detection **40 points**.

Award penalties based on the points

Penalties (Summative Work)
In all cases a formal warning is given, and a record made contributing to the student's previous history

Points	Available Penalties (select one)
280 - 329	• No further action beyond formal warning • Assignment awarded 0% - resubmission required, with no penalty on mark
330 - 379	• No further action beyond formal warning • Assignment awarded 0% - resubmission required, with no penalty on mark • Assignment awarded 0% - resubmission required but mark capped or reduced
380 - 479	• Assignment awarded 0% - resubmission required but mark capped or reduced Assignment awarded 0% - no opportunity to resubmit
480 - 524	• Assignment awarded 0% - no opportunity to resubmit • Module awarded 0% - re-sit required, but mark capped or reduced • Module awarded 0% - no opportunity to re-sit, but credit still awarded
525 – 559	• Module awarded 0% - re-sit required, but mark capped or reduced • Module awarded 0% - no opportunity to re-sit, but credit still awarded • Module awarded 0% - no opportunity to re-sit, and credit lost Award classification reduced • Qualification reduced (e.g., Honours -> no Honours) • Expelled from institution but credits retained • Expelled from institution with credits withdrawn
560+	• Module awarded 0% - no opportunity to resit, and credit lost • Award classification reduced • Qualification reduced (e.g., Honours -> no Honours) • Expelled from institution but credits retained • Expelled from institution with credits withdrawn

Penalties (Formative Work)

280 - 379	• Informal warning
380+	• Formal warning, with record made contributing to the student's previous history

A2 APPENDICE 2

Plagiarism E-detection (Turnitin)

The University Centre encourages students and staff to make use of e-detection software such as Turnitin designed to detect the possibility of plagiarism.

Any score or output from e-detection software is not used alone to determine if, or the extent to which, work has been plagiarised. The validity of any such score will be determined through a process of review by a subject expert. However, if confirmed, the score produced by the software is used as a basis upon which the amount/extent to which any submitted work has been plagiarised, which in turn will determine the penalty allocated.

Recommended Good Practice

- Programme Teams should introduce the Turnitin software to students in the first term of the commencement of their studies at the University Centre. Encouraging students to make use of the Turnitin software is an important part of the process of educating them about academic misconduct and how to avoid it.

- Regular updates on the use of the Turnitin software should also be included throughout all programmes of study, at all levels.

- Programme teams should give additional consideration to students who have gained direct entry to second or third stages of a programme of study. Similarly, direct entrants at Level 6 or post-graduate students should not be assumed to be familiar with the use of the Turnitin software.

- Wherever possible, assessments and/or assessment submission should be designed to enable the use of the Turnitin software.

- Students should be encouraged to make use of the Turnitin software as a self-checking tool, throughout their studies and encouraged to submit drafts. They should also be reminded that staff will use it as a matter of routine checking of all submissions.