



BISHOP GROSSETESTE UNIVERSITY

Document Administration

Document Title:	Code of Practice for Academic Misconduct
Document Category:	Code of Practice
Version Number:	4:1
Status:	Approved
Reason for development:	To address the process of students who are suspected of committing academic misconduct.
Scope:	This procedure applies to staff and students.
Author / developer:	Head of Quality and Regulatory Compliance
Owner	Registrar and University Secretary
Assessment: (where relevant)	Tick relevant assessments <input checked="" type="checkbox"/> Equality Assessment <input type="checkbox"/> Legal <input type="checkbox"/> Information Governance <input type="checkbox"/> Academic Governance
Consultation: (where relevant)	<input type="checkbox"/> Staff Trade Unions via HR <input checked="" type="checkbox"/> Students via Bishop Grosseteste University Students' Union <input type="checkbox"/> Any relevant external statutory bodies
Authorised by (Board):	Senate
Date first authorised:	23 July 2018
Date current version authorised:	17 March 2021
Date current version effective from:	17 March 2021
Date next review due to commence*:	September 2024
Document location:	University Website
Document dissemination / communications plan	University website, Staff Portal, Student Portal.
Document control:	All printed versions of this document are classified as uncontrolled. A controlled version is available from the <i>University website</i> .
Alternative format:	If you require this document in an alternative format, please contact governance@bishopg.ac.uk

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Version Control Table

Version Number	Date Authorised	Summary of Key Changes
3.0	23/07/2018	Additional information including types of misconduct and inclusion of the table of penalties
4.0	22/07/2019	Amended to take into account feedback received through the student compliant system and to align to the panel composition and conduct within the student disciplinary policy.
4.1	17/03/2021	Amended to take into account the QAA contracting to cheat guidance and to update terminology



Introduction

1. The Code of Practice on Academic Misconduct provides definitions for the identification of academic misconduct, a sequence of actions for the investigation of alleged misconduct, determination of whether misconduct has occurred and guidelines for the application of penalties in confirmed cases.
2. The University's Code of Practice seeks to follow the precepts and guidance contained in the [Quality Assurance Agency \(QAA\) UK Quality Code for Higher Education](#), specifically the core practices: The provider uses external expertise, assessment and classification processes that are reliable, fair and transparent and the provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

Definitions of Academic Misconduct

3. Academic misconduct is any intentional, unintentional or reckless conduct by a student, or students, with the aim of gaining an unfair advantage or benefit, or causing an unfair disadvantage or loss to another student, or students, in pursuit of an academic qualification at the University. It includes conduct which is an attempt to gain such an advantage or to disadvantage over another student or students, whether successful or not.
4. The context for academic misconduct includes any summative assessment taken by a student in pursuit of an academic qualification at the University.
5. Types of Academic Misconduct include:

5.1 Plagiarism

Plagiarism is the act of copying or including in one's own work, without adequate acknowledgement, intentionally or unintentionally, the work of another, with or without the creator's permission. Assignments presented as collaborative group assessments, which include the work of others that has not been acknowledged are also plagiarised. Examples of plagiarism might include:

- the inclusion in a student's work of a phrase or a longer piece of text from another person's work without the use of quotation marks and acknowledgement of the source;
- the summarising of another person's work by simply changing a few words or altering the order of presentation, without acknowledgement;
- the use of the ideas of another person without acknowledgement of the source; and
- copying the work of another student, with or without their knowledge or agreement.



5.2 Self-plagiarism

Self-plagiarism is the act of copying or including in one's own work, without adequate acknowledgement, intentionally or unintentionally, work which the student has submitted previously for assessment at BGU or another university, in whole or in part. This excludes formative work submitted for feedback, for example, work submitted during the development phases of a dissertation.

5.3 Cheating

Cheating is any attempt to obtain or to give assistance in an examination or an assessment without due acknowledgement (including the use of cheat sheets).

Cheating in an examination occurs when, for instance:

- a student uses materials or equipment prohibited in the examination room;
- a student passes off the work of another person as their own for examination assessment; and
- a student attempts to access unseen assessment materials in advance of an examination.

It may also include:

- the use of prohibited equipment, e.g. audio devices; and
- taking a copy of another student's work without their permission.

5.4 Soliciting or commissioning work.

Soliciting or commissioning work (including what is often known as contract cheating) is the seeking to gain unfair advantage by incorporating material in work submitted for assessment that has been commissioned, purchased or obtained from, a third party e.g. essay mills or other students.

Examples of soliciting or commissioning work may include:

- paying an essay writing service to write an essay and submitting the whole piece or sections as your own work; and
- paying a code developer to write a code for use in your assessed work.

5.5 Collusion

Collusion occurs where a student submits, with the intent to gain unfair advantage, work which has been done in collaboration with another person as entirely their own. It includes aiding and abetting another person to cheat by way of collusion.

Examples of collusion may include:



- the collaboration with another student in the completion of work which is intended to be submitted as that other student's unaided work.

5.6 Falsification

Falsification is an attempt to present fictitious or distorted data, evidence, references, citations, or experimental results, and/or to knowingly make use of such material.

Examples may include:

- falsifying or destroying documents, transcripts, certificates, awards, or other official documents for admission, registration or qualification; and
- making false statements to gain admission, registration or qualification.

5.7 Personation

Personation is the assumption of the identity of another person with intent to deceive or gain unfair advantage, examples include:

- the impersonation of another student (candidate) during an examination, or for a coursework assessment or other assessed event also involves cheating; and
- the act of conspiring with another person or persons to complete the work of the candidate or replace the candidate in an examination or other event is also an example of academic misconduct.

5.8 Breaches of research and ethics and health and safety policies.

Breaches of our research and ethics and/or health and safety policies may include:

- carrying out research without the appropriate ethical approval/permissions; and
- conducting research in a manner, whether on or off campus, which represents a potential or actual threat to the safety, security, health, wellbeing, good order, or reputation of the University, its members, an external organisation or placement provider, or members of the public.

Categories of Academic Misconduct

6. Where a student is considered to have attempted to gain an unfair advantage in the completion of an assessment, a penalty will be imposed. Penalties are scaled according to the level of misconduct committed:

- minor academic misconduct
- major academic misconduct
- gross academic misconduct

Minor Academic Misconduct



- the misconduct involves a minor amount of assessed work (e.g. a phrase or short passage);
- the misconduct arose primarily from poorly applied citation conventions and/or a minor amount (phrase or short passage) of unattributed materials;
- there is no indication to suggest that the student intended to gain an unfair advantage.

If there is clear indication that the student intended to gain an unfair advantage the conduct should be considered as either Major or Gross academic misconduct.

Major Academic Misconduct

- the misconduct involves a major amount of assessed work;
- the misconduct resulted primarily from the inclusion of unattributed materials, rather than simply poor scholarship (e.g. lack of citation);
- there is evidence that clear guidance on academic conventions has been provided;
- there is a record of the student previously committing two or more instances of minor academic misconduct.

Gross Academic Misconduct

- the misconduct involves the majority of the assessed work;
- there is a record of the student having previously committed major academic misconduct.

Penalties

7 The Adjudicating Panel may impose one of the following penalties:

Undergraduate/Postgraduate

Category of misconduct	Associated standard penalty	Dealt with by
Minor Academic Misconduct	<ul style="list-style-type: none"> • Assignment marked and no cap applied, right of retrieval to be retained for the number of opportunities defined in the regulations for the award. • Mandatory attendance at an academic integrity tutorial (for academic misconduct). • All instances of minor academic misconduct will be recorded on the Student Record for the duration of their term of study. 	Module Leader/ Programme Leader and Head of Programmes or nominee
Major Academic Misconduct	<ul style="list-style-type: none"> • A written warning and a mark of zero to be recorded for the item of assessment under review, right of retrieval to be retained for one retrieval opportunity only. Retrieved element of assessment to be capped at 40% (undergraduates) or 50% (postgraduates). • All instances of major academic misconduct will be recorded on the Student Record for the duration of their term of study and may be used in subsequent references. 	Academic Misconduct Panel
Gross Academic Misconduct	<ul style="list-style-type: none"> • Mark of zero to be recorded for all modules at that level and withdrawal of all rights to retrieval. • The panel should consider if it is appropriate to recommend termination of studies to the board of examiners, this is mandatory for any second offence of academic misconduct. • All instances of gross academic misconduct will be recorded on the Student Record for the duration of their term of study and will be used in subsequent references. 	Academic Misconduct Panel

Note: 1. This table acts as a guide and each case must be considered on its own merits. There will be occasions when particular factors mean that a case falls within either a higher or lower category than indicated in this guide to provide greater consideration and ensure that a fair outcome can be reached. The level of consideration and finding of academic misconduct is ultimately a matter of academic judgement.

2. Where misconduct is investigated in multiple assignments that were submitted at the same time this will be considered to be a single occurrence.

Students on Research Degrees

- 8 Bishop Grosseteste University expects all research students to adhere to the principles of good practice in research, misconduct in research is a failure to comply with the provisions of the University's [Code of Conduct for Doctoral Research](#).

Procedure for the Investigation and Determination of Allegations of Academic Misconduct

Preliminary Investigation Stage

- 9 The module tutor or marker(s) will inform the appropriate Programme Leader and Head of Programmes of a suspected case of misconduct.
- 10 The Programme Leader, together with the tutor concerned, will write to the student on the day on which marks are due to be released, explaining the nature of the allegation and requiring them to attend a preliminary investigation meeting. The meeting will normally take place within five working days of the student being informed of a suspected case of the academic misconduct. (In cases where the Programme Leader is the module tutor or marker, another member of the programme team will attend the meeting alongside the Programme Leader.) Staff should consider the timing of this communication to ensure that students receive it when support is available on campus. The Programme Leader will explain the nature of the potential misconduct, present the evidence to the student and invite them to comment. At the conclusion of the meeting, the Programme Leader and module tutor or marker will review the evidence to determine whether a case has been established. In cases involving more than one student, it shall be for the Programme Leader to decide whether they should be interviewed together or separately.
- 11 In all instances, the University will ensure that students understand any allegations against them, that they have the opportunity to present their case and to respond, that they are given reasonable notice of any hearing and information supplied in advance and that they are clear on any routes of appeal. Students will be directed to the support services available (including Students' Union for independent support and advice). The University will consider any case the student makes that the concern is related to a disability.
- 12 If the staff attending the meeting decide that the student has provided a satisfactory explanation of the circumstances and that there is no case to answer, they will advise the Head of Programmes and the Faculty Administration Manager. If the case has been dismissed due to lack of development work with the student to understand academic misconduct, the subsequent training will be recorded on the Student Record System.
- 13 If the members of staff attending the meeting determine that a minor case of academic misconduct has been established, they will consider whether there are grounds for believing that it has been committed inadvertently. (Careful thought should be given to the case of first-year students since the early period of a student's registration should be regarded as developmental for the purpose of instilling good academic practices.) In those cases where it is decided that the alleged offence is inadvertent, the Programme Leader will advise the Head of Programmes and the Faculty Administration Manager. The Head of Programmes will write to the student confirming the outcome of the investigation and the penalties available to be imposed. The level of penalties available is outlined in Table 1. The student is required to attend a session with a member of academic staff (e.g. their personal tutor) to discuss how they can avoid academic



misconduct in the future. The letter should make it clear that any future case of alleged academic misconduct by the student will be deemed deliberate.

- 14 Where it suspected that a case of major or gross academic misconduct may have occurred, the Programme Leader will advise the Head of Programmes accordingly. The Head of Programmes will inform the student in writing of the outcome indicating that the matter will now be the subject of a formal investigation. It is important to make clear that, at this stage, the allegations have not yet been substantiated. The Head of Programmes will write to the Faculty Administration Manager enclosing copies of any evidence relating to the case, including notes of the meeting with the student.
- 15 The Faculty Administration Manager will:
 - a. Inform the student of the allegation in writing and invite the student to respond in writing within ten working days, admitting or denying the allegation. This period may be shorter than 10 days if the Board of Examiners is due to meet within that time period. The correspondence will outline the nature of the potential misconduct under investigation and the composition of the Adjudicating Panel.
 - b. Arrange for an Adjudicating Panel to be established consisting of three members of academic staff unconnected with the student's programme, one of whom shall be a Head of Programmes or their nominee, who shall act as Chair. A representative from the programme concerned (nominated by the Head of Programmes) will be invited to present the case from the Faculty perspective.
 - c. Inform the student of the date and venue of the hearing within two working days of the end of the ten-day response period or a shorter period of time.
 - d. Advise the student that they have the right to be heard in person and be accompanied at the Panel meeting by a friend, who may be a member of staff, a student of the University, or a member of the Students' Union but who is not a legal representative. The student may ask for deferment of the meeting as a result of extenuating circumstances (supported by appropriate evidence). The Panel shall proceed with or without the attendance of the student concerned, the student has established a claim for extenuating circumstances which warrants a deferment of the meeting.
 - e. Arrange for the relevant information to be made available to the Panel, including:
 - i. a copy of the Code of Practice;
 - ii. evidence of potential misconduct supplied by the Faculty, together with a record detailing the preliminary investigation stage and decisions taken; and
 - iii. Student response to the allegation.

Second Stage

Procedures for the Adjudicating Panel

- 16 Procedures for the Adjudicating Panel are as follows:
 - i) The Panel will consider the evidence provided and the case presented by the



programme team concerned.

- ii) The Panel may call witnesses, interview persons associated with the case, and ask for further evidence.
 - iii) The case in support of potential misconduct will be put first. The Head of Programmes or nominee will address the Panel. After the evidence in support of the allegation has been presented, the student or representative may submit that there is no case to answer. The Case Presenter has the right to reply. If the Panel agrees that there is no case to answer, it must dismiss the allegation.
 - iv) If the case proceeds, the student may then give evidence and, at the conclusion of the statement, they may be questioned by the Case Presenter. The student or representative may then call further witnesses, who may be questioned by the student and then the Case Presenter. Following the conclusion of the presentation of the evidence on behalf of the student, the Case Presenter may give a concluding address to the Panel and, following this, the student or representative may also address the Panel.
 - v) The Panel has the power to adjourn the hearing to another date and to summon additional witnesses/request additional evidence if it thinks it would be appropriate to do so in order to pursue its investigation.
 - vi) The Panel will make a judgement when it is satisfied that it has examined sufficient evidence.
 - vii) The Panel will make its judgement in private on whether the allegation of misconduct is proven or not.
 - viii) The audio recording of meetings or hearings under this procedure is prohibited, subject to such a reasonable adjustment as may be agreed by the University under the Equality Act 2010.
- 17 Where more than one student is accused of the same offence, it will be for the Chair of the Panel to determine whether they should be interviewed separately or together.
- 18 The Panel will be required to exercise judgment in each case on the severity of the penalty, taking into consideration the circumstances of the misconduct, the number of students involved, any record of previous misconduct, the level of the programme on which the student is registered and any mitigating factors presented by the student/in support of the student. Panel members should be aware of the consequences of any penalty on the student's progression on the programme; which may include funding.
- 19 If the members of the Panel cannot agree, the verdict of the Panel will be that of the majority of its members.
20. Any penalties imposed that have a consequence on the student's progression or award will be

referred to the Board of Examiners for approval of the relevant sanctions. If termination is considered to be appropriate, the Panel will be required to recommend the decision to the Board of Examiners. A record of the decision of any Panel and penalties imposed will be retained on the student's record.

Notification

- 21 The Chair will communicate the overall decision in writing to the student and the Head of Programmes within 2 working days, informing them that a full report, detailing the decision will follow. A copy of the full notes of the panel meeting will normally be forwarded to the student within five working days of the panel.
- 22 The student concerned will be notified by letter, to the correspondence address recorded on the Student Record System (SRS), of the decision of the Panel. The letter will be posted no later than five working days after the meeting of the Panel. A copy of the letter will be sent the student's email address.
- 23 In cases where the penalty of termination of study is imposed on a student who is registered for a programme with professional or statutory body recognition e.g. QTS, JNC, the University should inform that body of the outcome of the case.

Appeals

- 24 Students may appeal against any decision made under this Policy; the appeal must be received by the Faculty Administration Team within 20 working days of the notification of the result to the student.
- 25 A student may appeal a decision on the following grounds:
 - 25.1 there was a procedural irregularity in the application of the academic misconduct procedures;
 - 25.2 new evidence is now available which was not available upon reasonable enquiry or application at the time of the original meeting; and/ or
 - 25.3 the decision reached was of such nature that it was one which no reasonable person could have reached on the available evidence.
- 26 Upon receipt of the appeal the Registrar¹ will consider whether the request for the appeal falls within scope of the grounds in paragraph 26. The Registrar will normally respond to the student within five working days, to confirm receipt and inform the student whether the University will conduct a review. Where the appeal is made against a decision taken by the Board of Examiners, the procedure outlined in the University's *Code of Practice for Academic Appeals* will be followed.
- 27 If the Registrar does not consider the appeal to be in scope, then the response will also include a Completion of Procedures letter and the student will be informed of their right to contact the Office of the independent Adjudicator (OIA) should they remain dissatisfied,

¹ For the purpose of these procedures, a nominated member of staff may act on behalf of the Registrar if that person is unavailable.



including the grounds on which they may do so.

28 If the Registrar considers the appeal to be in scope, then the Registrar will choose from the following courses of action:

- conducting a review of the case;
- requesting that a senior academic member of staff with no prior involvement of the case conducts the review; and
- in exceptional circumstances, convening a new panel to consider the case afresh.

29 The Registrar will take special attention to identifying appeals which may require particularly swift action, these may include but are not limited to:

- cases where the impact of the issues raised may have detrimental consequences for the student's mental health or wellbeing; and
- cases where time limits apply, for example in meeting regulatory requirements for the completion of professional courses.

30 It is not usually necessary to convene a new panel to consider the case afresh. This course of action is available, however, and in such cases the procedures outlined under the paragraphs above will be followed. The Panel will be chaired by the Registrar or a nominated representative.

31 Following the completion of the review, the Registrar will write to the student, informing them of the outcome.

32 The outcome of the Review stage represents the final stage of the University's internal procedures. The student will be issued with a completion of procedures letter by the Faculty Administration Team within 7 days of the conclusion of the Review. If the student remains dissatisfied, they will be directed to pursue the matter through the procedures of the OIA. Details may be found on the OIA website <http://www.oiahe.org.uk> or from:

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Abbey Gate
57 – 75 Kings Road
READING
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Collaborative Provision

34 This Code covers students of Bishop Grosseteste University (BGU) at franchised partner institutions. Non-franchised partner institutions are expected to have a procedure for academic misconduct that is equivalent to that of the University.