# POLICY/PROCEDURE: HE ACADEMIC MISCONDUCT POLICY AND PROCEDURE

Approval required by: SLT Y Governing Body N

SMT Lead: VP Quality

Responsible Manager: Director of Quality (HE)

Date approved: November 2022

Date to be reviewed: November 2023

Relevant to: Students Y Staff Y

 Visitors N

Relevant to: All students N

 16-18 Vocational N Sixth Form N

 Higher Education Y Adults Y

Apprenticeships Y 14-16 N

Other N …………………………..

Relevant to: All staff Y

 Board N SPH N

Managers Y

 Teaching staff Y Support staff N

Accessible to Students Y Staff Y

Friendly version Students N Staff N

EQIA required N

**Significant changes to policy**:

None

**Impact of changes**:

N/A

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# SCOPE AND PURPOSE:

The policy outlines Barnsley College’s approach to issues of academic misconduct within students' academic work. It aims to provide guidelines for staff when dealing with such issues.

Barnsley College signed up to the [QAA Academic Integrity Charter](https://www.qaa.ac.uk/about-us/what-we-do/academic-integrity/charter) during the academic year 2020-21. Signing up to the Charter represents an institutional pledge to implement its principles and commitments which include working with staff and students and, in collaboration across the sector, to protect and promote academic integrity, and take action against academic misconduct.

Barnsley College does not condone academic misconduct or plagiarism of any kind and will take appropriate action if it is detected in students' work. Information on academic misconduct is covered in all courses at induction.

# DEFINITIONS OF ACADEMIC MISCONDUCT

**Academic misconduct** is the failure to act in accordance with generally recognised standards of academic behaviour and honesty.

Examples of academic misconduct include, but are not limited to:

**Plagiarism**

* Copying directly from a text (book, magazine or printed source) without reference to its author or using an appropriate referencing system. This also includes unpublished work (e.g. work of another student or your own work), and the direct and unacknowledged translation of foreign language texts into English.
* The use of electronic sources (internet, web pages, images etc.) without reference to the original source, and/or suggesting that these are the student's own work.
* Extensive and unacknowledged paraphrasing by, for instance, substituting a few words or phrases or altering the order of presentation of another person's work without reference to the original source.

**Collusion**

* Submission of work presented as the student's own which has been done in unauthorised collaboration with another person, whether or not that other person is also a student.
* Failing to safeguard work or making it available to another student who then submits it as their own (including access to work in subsequent academic sessions).
* Making assignment briefs or similar documents available to others (including posting to the internet) that results in an academic advantage.

**Cheating**

* Copying from another candidate’s notes during an examination or test.
* Communication in any way during an examination or test with any person other than an authorised member of staff.
* Accessing or copying from any source of information during an examination or test (including written or printed materials and electronically stored information), except as authorised by the examination regulations.
* Gaining access to unauthorised material prior to an assessment (e.g. an examination paper).
* Impersonation, where another person sits an examination or test in the place of the actual student or a student is knowingly impersonated by another.

**Contract Cheating or ‘Ghosting’**

* Submits as their own work, a piece of work that has been produced in whole or part by another person and/or organisation on their behalf, e.g. the use of a ‘ghost writing’ service or similar via the Internet. This may include the purchase of an assessment from an organisation or an individual.
* Makes available (in hard copy or by posting on the Internet) or sells instructions, briefs, essays, or other assessments to another student (of this college or elsewhere) whether in exchange for financial gain or otherwise.

## Poor Academic Practice

Academic misconduct is distinct from **poor academic practice**, which is where an unacceptable proportion of the assessed work is based directly on the work of others (e.g. acceptable levels of direct quotation or paraphrasing have been exceeded), even if the work has been correctly referenced by the student.

In order to discourage poor academic practice and to develop students’ independent learning skills, Module Leaders should impose a penalty by adjusting marks awarded and the **feedback to students should indicate that marks have been adjusted in this way as a result of poor academic practice.**

**Repeated instances** of poor academic practice following feedback and guidance provided to the student should be referred to the Academic Misconduct Panel for consideration.

## Features of the Policy

Academic misconduct, particularly in the form of plagiarism, is a growing problem in academic work due to the proliferation of information sources now available to students.

Students are encouraged to identify the implications of copyright laws within their area of study. The college will promote information on copyright law as it is made available. This may be found in the learning resource areas and on student notice boards.

Staff will endeavor to advise students of their responsibilities towards copyright law at induction and at tutorials. This information should be included in the Student Handbook and other relevant documents.

Repeated or serious cases of academic misconduct by individual students will encounter severe penalties, which may affect the outcome of their studies.

Confidentiality must be respected during any investigation of academic misconduct.

## Guidelines for Staff

Teaching staff are expected to research copyright law within their own subject area (such as guidelines issued by The Association of Photographers) and advise students on the relevant legal requirements when using material related to their subject.

Examples of academic misconduct should be kept (without reference to named students) to periodically show the students how problems can occur.

Staff should monitor the submission of work, ensuring that assignments are signed and dated on receipt, to avoid plagiarism or collusion between students.

Students should have access to guidance on proper referencing (including internet sources) and good academic practice, as part of their induction and via the Learning Centre.

## Procedure

* The policy should be introduced to students at induction.
* Guidance should be given to enrolled students through tutorials and assessment feedback, including the requirement for students to keep their notes and references from each project, in case further evidence of research is needed at any stage during their course.

For students on HE programmes validated by a collaborative partner university:

* The Academic Misconduct procedures of the **partner institution must be followed.**

For students on all other Barnsley College programmes (e.g. Pearson Higher Nationals):

* If academic misconduct is suspected, the Module Leader should bring the issue to the attention of the Pathway Leader, who will investigate the incident and send an allegation letter to the student. Appropriate similarity detecting software (e.g. Turnitin) should be used to aid the investigation.
* The Pathway Leader should submit a Notice of Academic Misconduct form to the HE Quality Officer (Partnerships) along with statement of evidence.
* The student will be invited to an Academic Misconduct Panel meeting, to be held with the HE Academic Registrar, the Programme Manager or Head of Department, and the Director of Quality (HE). The letter should include details of the allegation and evidence (a minimum of 5 working days notice must be given).
* If, following this meeting, it is considered that academic misconduct has occurred, the appropriate tariff penalty should be applied from the list in Appendix 1, and the HE Academic Registrar will write to the student to inform them of the decision.
* The student must be informed that if they wish to appeal against the decision they must do so within 28 working days to the Vice Principal Quality.
* Where academic misconduct has occurred, the decision of the Academic Misconduct Panel will be reported at the Course Assessment Board.
* A flowchart of the procedure is included in Appendix 2. Template forms and letters are included in Appendix 3.

# Equality and Diversity

All students have equal access to the policy and procedures, and these will be applied equally to all students as per Awarding Body requirements.

# Linked Policies and Procedures

The HE Academic Misconduct Policy and Procedure is linked to:

* HE Academic Appeals Policy.
* Behaviour Support and Disciplinary Policy.

**REFERENCES**

This policy has been designed with consideration of the following the [revised UK Quality Code for Higher Education](https://www.qaa.ac.uk/quality-code):

* Expectations for Standards S2.
* Expectations for Quality Q1, Q2.

[QAA Academic Integrity Charter](https://www.qaa.ac.uk/about-us/what-we-do/academic-integrity/charter)

# LOCATION AND ACCESS TO THIS POLICY

This policy is available on our [website](https://www.barnsley.ac.uk/about-us/policies/) and the Higher Education VLE.

# Appendix 1

# HE Academic Misconduct Panel – Tariff of Penalties

For the first allegation (subject to the levels of offence specified below):

|  |  |  |  |
| --- | --- | --- | --- |
| **Level of Offence** | **Nature of Academic Misconduct** |  | **Penalty to be Applied** |
| **Preliminary:** Level 4 modules**OR**Level 5 modules where the element of assessment in question is 50% or less of the module | All aspects of Academic Misconduct other than those associated with a written examination. | **Preliminary Penalty:** | * Award mark of 0% for the assessed work.
* Student to repeat the assessment as a tutor reassessment capped at Pass (40%).
* Refer to Study Skills Advisors.
* Record the offence on the student record.
 |

(to be applied once only in advance of entering the subsequent system below)

For subsequent allegations, or first allegations where the element of assessment in question is more than 50% of a Level 5 module:

|  |  |  |  |
| --- | --- | --- | --- |
| **Level of Offence** | **Nature of Academic Misconduct** |  | **Penalty to be Applied** |
| **All levels:** | **A)** Copying / communicating or otherwise cheating in a written examination, including introducing into the examination room any unauthorised written or printed text, calculators, books, dictionaries or other devices;OR**B)** All aspects of Academic Misconduct other than those associated with a written examination, having had a previous allegation upheld under the preliminary level above. | **First Penalty:** | * Award mark of 0% for the whole module.
* Repeat the module in full at the next opportunity capped at Pass (40%).
* Refer to Study Skills Advisors.
* Record the offence on the student record.
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| **Second Penalty\*:** | * Award mark of 0% for the whole module.
* Do not allow the student to repeat the assessment or the opportunity to take an alternative module. This may have the effect of requiring the student to change course and/or accept a lesser award.
* Refer to Study Skills Advisors.
* Record the offence on the student record.
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| **Third Penalty\*:** | * Award mark of 0% for the whole module.
* Exclude the student from the College but allow the award of any credit the student has accumulated.
* Record the offence on the student record.
 |

\*Students who progress from HNC to HND will be considered as continuing students.

**Guidance Notes**

1. Academic misconduct offences associated with written examinations and other academic misconduct offences will be dealt with individually but added together when deciding on the overall number of offences.
2. If multiple academic misconduct offences are submitted at the same time they should be treated as one offence. An incident of academic misconduct only becomes an upheld offence in its own right if the outcomes of previous allegations were known to the student at the point of submitting the assignment in question.
3. If there are accepted mitigating circumstances a lesser penalty may be applied by the Academic Misconduct Panel. Evidence of the mitigating circumstances must be supplied to the HE Academic Registrar.
4. When an allegation comes to light after module credit has been awarded or an award has been conferred this should be investigated by the Academic Misconduct Panel to determine the required course of action.
5. If the nature of the offence is so serious that it falls into criteria that could trigger a disciplinary process, the Academic Misconduct Panel having applied the appropriate penalty may refer to the **Assistant Principal (Students)** to consider disciplinary action under the Behaviour Support and Disciplinary Policy, for example where a student has impersonated another or obtained access to college computing systems fraudulently.

# appendix 2

# HE academic misconduct procedure flowchart

Recognition of a possible academic misconduct offence

Academic Misconduct Panel (AMP) meeting held

HE Academic Registrar sends Interview Request Letter to student including details of allegation and evidence (a minimum of 5 working days notice must be given)

Notice of Academic Misconduct completed and sent to the HE Academic Registrar along with evidence

Pathway Leader sends Allegation Letter to student, and investigates allegation

Module Leader brings the issue to the attention of the Pathway Leader

Follow the Academic Misconduct policy and procedures set out in the relevant awarding institution's regulations

Yes

# Appendix 3

Student informed that if they wish to appeal against the decision they must do so within 28 working days to the Assistant Principal (Students)

Is the student on a programme validated by a collaborative partner university?

No

 Is the Academic Misconduct found to be upheld?

AMP decision reported at Course Assessment Board

Appropriate tariff penalty applied, HE Academic Registrar sends letter to student confirming decision

Yes

HE Academic Registrar sends letter to student confirming decision

No

# HE Academic Misconduct form and Letter Templates

**Appendix 3A - Letter informing student of allegation (to be sent out by Pathway Leader)**

FIRST CLASS AND RECORDED DELIVERY

PRIVATE AND CONFIDENTIAL

Date:

Dear **(name)**

Allegation of Academic Misconduct – **(specify plagiarism or other academic offence)**

I am writing to advise you that an allegation of academic misconduct has been made against you. This concerns your assessment for **(title of module)**. Your results for this module cannot be given to you until this issue is resolved.

You will be written to shortly and asked to attend a meeting of the Academic Conduct Panel at Barnsley College to discuss the above allegation.

If you intend to use any documents or evidence of notes used to complete the assessment please bring them to the meeting with you. If you wish to submit mitigating circumstances as to why this offence occurred, it must be provided at the meeting with supporting evidence.

You are entitled to bring a supporter with you to the interview, normally a representative from the Students’ Union, another student, a member of academic staff or a member of staff from Student Services. A supporter will not normally act as an advocate.

Yours sincerely

Pathway Leader

# Appendix 3B

**BARNSLEY COLLEGE HIGHER EDUCATION**

**NOTICE OF ACADEMIC MISCONDUCT**

I **(name)**, **(state position within the college)**, give this statement in connection with an allegation that: **(name/s of student/s)** registered on **(course and year of study)** breached the Academic Misconduct Regulations of Barnsley College by **(details of the allegation)**.

Title of module:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date coursework due to be submitted (if applicable):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date coursework submitted (if applicable):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date and time of exam / test (if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The events relating to this allegation are:

*(Please see guidelines over the page on how to complete this section)*

**GUIDELINES FOR COMPLETING NOTICE OF ACADEMIC MISCONDUCT FORM**

The notice of academic misconduct should be completed by the Pathway Leader and passed to the HE Academic Registrar.

If the notice is in relation to a **coursework related offence** the following are guidelines of the main points that should be covered in the statement.

* Explain your involvement clearly and in full detail i.e. what date the coursework was handed out, what advice on plagiarism was provided to students e.g. via course handbooks or other means.
* Detail events in chronological order.
* Cross-reference any relevant documents that support your statement and allegation.
* For repeated cases of poor academic practice, highlight the previous work where marks and feedback reflect the poor practice (attach the feedback sheets).

If the notice is in relation to an **exam related offence** the following are guidelines of the main points that should be covered in the statement.

* Invigilators’ remarks at start of the exam e.g. were students warned that dictionaries or electronic devices etc. were not allowed, that desks would be checked, whether the exam was open book or not, that students should declare at that point if they were unsure if they were about to infringe the rules.
* How the alleged deception was uncovered.
* Any specific observations about the student(s) behaviour.
* At what point during the exam the alleged offence occurred.
* What action was taken when the alleged offence was uncovered e.g. confirmation that the answer booklet was removed and a fresh one given or any conversation with the student outside the exam room about the allegation.
* What the student was told about the next steps etc.
* Cross-reference any relevant documents that support your statement and allegation.

When completing these statements please remember that:

* Anyone reading this notice, when finished should be left with a full understanding of the allegation and easily able to identify the relevant documents and charge.
* Allegations must be evidenced.
* Earlier offences should not be included at this stage unless to exclude it could result in endangering members of the college community.

**APPENDIX 3C - LETTER INVITING STUDENT TO ACADEMIC MISCONDUCT PANEL MEETING**

FIRST CLASS AND RECORDED DELIVERY

PRIVATE AND CONFIDENTIAL

Date :

Dear **(name)**

Allegation of Academic Misconduct – **(specify plagiarism or other academic offence)**

I am writing to advise you that an allegation of academic misconduct has been made against you. This concerns your assessment for **(title of module)**. I attach a copy of the HE Academic Misconduct Policy and the report from your Pathway Leader.

You are required to attend a meeting of the Academic Misconduct Panel to discuss the above allegation. The meeting will take place on **(date)** at **(time)** in **(venue)**. Please telephone my office on **01226 216xxx** to confirm that you will be attending. Failure to attend the interview will be considered acceptance of the allegation and the appropriate penalty will be applied.

If you intend to provide any documents or evidence to support your case please bring them to the meeting with you. If you wish to submit mitigating circumstances as to why this happened it must be provided at the meeting with supporting evidence.

You are entitled to bring a supporter with you to the interview, normally a representative from the Students’ Union, another student, a member of academic staff or a member of staff from Student Services. A supporter will not normally act as an advocate.

Yours sincerely

HE Academic Registrar

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**APPENDIX 3D - LETTER INFORMING STUDENT OF ACADEMIC MISCONDUCT PANEL DECISION**

FIRST CLASS AND RECORDED DELIVERY

PRIVATE AND CONFIDENTIAL

Date:

Dear **(name)**

Thank you for attending the Academic Misconduct Panel meeting today related to an allegation of academic misconduct in **(title of module)**.

The decision of the Panel was that the allegation was upheld / dismissed\*.

\* [Upheld] The penalty to be applied, in line with the standard Barnsley College Higher Education Tariff of Penalties, is:

* **(state penalty from Tariff of Penalties)**

\* [Dismissed] No further action will be taken regarding this allegation. I would however advise you to take advantage of the Study Support available to you at the college in completing future assignments.

I enclose the notes of the meeting and would be grateful if you could sign these to confirm they are a correct record of the meeting and return to **(address)** by **(date)**.

If you wish to appeal against the decision you must do so within 28 working days to the Assistant Principal (Students)

Yours sincerely

HE Academic Registrar

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\* delete as appropriate