

Academic Misconduct Policy and Procedure

Introduction

Higher education providers have an obligation to ensure that the awards they make meet nationally agreed standards. The [UK Quality Code for Higher Education](#) requires providers to “operate equitable, valid and reliable processes of assessment” in order to achieve this. This means that assessments must accurately reflect or test the extent to which students have achieved the learning outcomes of their programme. Lack of academic integrity on the behalf of students – or academic misconduct – threatens the ability of a provider to assure the standards of its qualifications; providers therefore have a responsibility to promote academic integrity and minimise academic misconduct as far as possible.

This Policy and Procedure sets out the School’s principles, policies and procedures relating to student Academic Misconduct in assessments. It has been developed in line with the [UK Quality Code for Higher Education](#) and in relation to the QAA’s [UK Quality Code for Higher Education Advice and Guidance – Assessments](#) and its advisory document, [Contracting to Cheat in Higher Education](#) (2017). It should be read in conjunction with the School’s Teaching, Learning and Assessment Strategy, its [Assessment and Classification Framework](#), and its [Examinations and Assessments Regulations and Procedures](#).

Principles

The School is committed to fair examination and assessment practices; safeguarding the integrity of these is essential if the School is to discharge its responsibilities to our students and uphold its own reputation.

As is set out in the School’s Teaching, Learning and Assessment Strategy, its [Assessment and Classification Framework](#), and its [Examinations and Assessments Regulations and Procedures](#), assessment at the School is designed to minimise opportunities for students to commit academic misconduct, including plagiarism, self-plagiarism and contract cheating. Wherever possible, an appropriate variety of assessment methods will be used, to minimise the availability of students to incorporate plagiarised work by another author, or previous work by the student. As set out in the [Examinations and Assessments Regulations and Procedures for Staff](#), invigilators will be trained appropriately, and clear examination room procedures will be in place.

The School also expects students to adhere to good academic practice and avoid poor academic practice or academic misconduct, and is committed to communicating clearly with students the expectations regarding academic integrity both through this Policy and Procedure – which will be available to students via the Student Handbook, website, and [Student Code of Conduct and Disciplinary Procedures](#) – and through induction and ongoing training.

Definitions

Good academic practice is the process of completing academic work independently, honestly and in an appropriate academic style, using good referencing and acknowledging all sources. It allows for any reader of a student's work to easily identify the student's own thoughts and ideas on a subject and distinguish them from the thoughts and ideas of others. It allows for the fair assessment of the extent of learning progression made by each individual, and entails respecting and acknowledging the work of others. Key areas of good academic practice are:

- *Referencing*: referencing anything that has come from an outside source, and backing up one's own viewpoints by citing reliable evidence. Referencing ensures that intellectual debts to authors are acknowledged, that facts or claims are clearly backed up by supporting evidence, and that readers can find sources that have been referred to easily and quickly.
- *Using high quality sources*: sources should be good quality, incorporating up-to-date research studies, journal articles, and writing by scholars in the relevant field. When sourcing materials, the following should be considered: (a) relevance; (b) how current/up-to-date the books or articles are; (c) whether the sources are academic/reliable/ good quality; (d) who the writer is and whether there may be bias; (e) whether journal articles have been peer-reviewed.
- *Engaging with sources effectively*: sources should be engaged with in a purposeful and critical way, and should be challenged, interpreted, evaluated, or explained to the reader in terms of how they help to further a student's arguments.

Poor academic practice is an inept or inadvertent breach of the conventions or regulations of good academic practice, committed through a defensible ignorance of those conventions or regulations, where no unfair advantage was sought, and where there is no discernible intention to deceive.

Academic misconduct is any act, or attempted act leading to circumstances whereby a student might gain an unpermitted or unfair advantage in a summative assessment or in the determination of results, whether by advantaging themselves or by advantaging or disadvantaging another or others, or which might otherwise undermine the integrity or reputation of the School's awards or its examination and assessment processes.

Policies

Poor academic practice

Defensible ignorance may be assumed in the early stages of a student's career.

Poor academic practice will be addressed by the Director of Teaching and Learning or their nominee as a matter of academic development. A student may receive a formal caution for poor academic practice. Any potential advantage gained by the student should be removed, either by voiding the assessment attempt or through the marking and moderation process. The level of penalty in this case will be at the discretion of the markers/moderators.

Academic misconduct

Examples of academic misconduct are:

- *Plagiarism*—presenting the work of another as one's own. This includes representing another person's work or ideas as one's own, for example by failing to follow convention in acknowledging sources, use of quotation marks, etc. It also 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 ("contract cheating");
- *Collusion*—aiding, or being aided by, one or more others in the preparation of an assessment for submission where the assessment brief or invigilation instructions do not expressly permit collaboration (note that legitimate input from tutors or approved readers or scribes is not considered to be collusion);
- *Fabrication*—presenting data or results that have been deliberately invented or falsified;
- *Impersonation*—the act of one person assuming the identity of another, with the intent to gain an unfair advantage for the person being impersonated;
- *Misrepresentation*—presenting a claim for extenuating circumstances or supporting evidence which is misleading, untrue or unfair;
- *Unauthorised possession or reference*—being in possession of any prohibited or unauthorised material or item within the examination room, consulting books or notes whilst temporarily outside the examination room, or gaining access to a copy of the assessment paper in advance of its authorised release;
- *Bribery/intimidation*—attempting to influence, by bribery or intimidation or other unfair means an official of the School, with the aim of affecting the student's results;
- *Breach of the rubrics of assessment*—disobeying beginning and end times of an examination, or improperly annotating open book material, or inappropriately using technology during an examination;
- *Breach of the School's [Research Ethics Policy](#).*

It should be noted that where a student has an acknowledged learning disability, a proof-reader may be used to ensure that the student's meaning is not misunderstood as a result of the quality and standard of writing. Where permitted under the School's [Disability Policy](#) and its process for determining reasonable adjustments for examinations and assessments, a proof-reader may identify spelling and basic grammatical errors. Inaccuracies in academic content should not be corrected nor should the structure of the piece of work be changed.

Academic Misconduct Procedure

It shall be for the School to bring an allegation of academic misconduct and to prove the allegation on the balance of probabilities.

All School staff have a professional obligation to protect the integrity of the School and its examination and assessment processes, and receive training via the School to uphold this obligation. Where a staff member suspects academic misconduct, they must notify the Registrar or nominee, and the module and programme leaders. It is the Registrar's

responsibility, or their nominee's, to ensure that all members of the School are aware of their obligations under this policy.

Suspected academic misconduct must be reported to the Registrar by email as quickly as possible (registrar@t-lis.org). The Registrar or their nominee will evaluate the case presented and may investigate by meeting or corresponding with the student(s) and staff member(s) involved. Where a student is invited to meet with the Registrar or their nominee on the issue of suspected academic misconduct, other staff members may be present as appropriate, and the student may be accompanied by a member of the Student Support Department. The Registrar or their nominee will make a decision on the accusation of academic misconduct within 10 working days of the referral being made, and may:

- Dismiss the allegation and inform the student that no further action shall be taken; *or*
- Determine that the incident was poor academic practice rather than academic misconduct and issue a formal caution that will be placed on the student's record. The School may reduce the mark awarded to the student to mitigate any advantage from the poor academic practice; *or*
- Determine that the incident was academic misconduct and refer the case to the Academic Misconduct Panel.

Academic Misconduct Panel

Where the Registrar or their nominee determines to refer the case to the Academic Misconduct Panel, they will notify the student of this within 10 working days of receiving the allegation, specifying the nature of the allegation and any evidence. The Academic Misconduct Panel Membership and Terms of Reference document sets out the composition and remit of this Panel.

The student will be given 10 working days' notification of the date of the Panel and must submit any written representation or evidence in response to the allegation within the five working days after this notification. The student will have two working days before the hearing in which to consult the evidence gathered by the Panel.

The Hearing

The student has the right to be accompanied by an observer, who may be an LIS student representative elected by the student's association, a fellow student, or an aid who assists the student in any special needs. Legal representation would not normally be permitted. The observer may not address the panel or question witnesses during the hearing.

Where the student fails to attend the hearing or has waived the right to attend the hearing, the hearing will go ahead as planned without them.

The Panel will determine:

- That no misconduct has occurred, and recommend that the case be dismissed and the student's results be processed as normal; *or*

- No misconduct has been committed, but there has been poor academic practice, in which case the nature of the poor practice will be explained to the student, a note will be made on their student record, and the mark awarded to them may be reduced to mitigate any unfair advantage; *or*
- Misconduct has been committed, in which case any mitigating circumstances will be considered and the penalty determined.

The Academic Misconduct Panel reports to the Academic Council and shall report its decisions to the Board of Examiners for information and to be taken into account in determining the results of students.

Penalties

In the case of academic misconduct, the primary aim of any penalty will be to protect the integrity of the School's reputation, assessment processes and awards.

Penalties for plagiarism

Penalties arising from plagiarism will be levied in line with the AMBeR tariff.

The AMBeR tariff is based on a points system, whereby the student who is found to have committed plagiarism is given points based on:

- Whether the student has committed plagiarism in the past;
- The amount of the student's assessed work that has been plagiarised;
- The Level of the programme at which the student has committed the plagiarism (Level 4,5,6)
- The value of the assignment;
- Any additional characteristics (e.g., evidence of deliberate efforts to disguise plagiarism).

Penalties are then given based on the points assigned to the student.

AMBeR Tariff

(A) POINTS ASSIGNED

History

1st time	100 points
2 nd time	150 points
3 rd /+ 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	160 points
Above 50% OR more than five paragraphs	160 points
Submission purchased from an essay mill or ghostwriting service	225 points

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

Level

Level 4 (Year 1)	70 points
Level 5 (Year 2)	115 points
Level 6 (Year 3)	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
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(A) PENALTIES AVAILABLE BASED ON POINTS

Summative work

In all cases, a formal warning is given and a record made on the student's record.

Points	Available Penalties
280-329	<ul style="list-style-type: none"> Assignment awarded 0%—resubmission required, with no penalty on mark
330-379	<ul style="list-style-type: none"> Assignment awarded 0%—resubmission required, with no penalty on mark Assignment awarded 0%—resubmission required but mark capped or reduced
380-479	<ul style="list-style-type: none"> Assignment awarded 0%—resubmission required but mark capped or reduced Assignment awarded 0%—no opportunity to resubmit
480-524	<ul style="list-style-type: none"> Assignment awarded 0%—no opportunity to resubmit

	<ul style="list-style-type: none"> • Module awarded 0%—resit required, but mark capped or reduced • Module awarded 0%—no opportunity to resit, but credit still awarded
525-559	<ul style="list-style-type: none"> • Module awarded 0%—resit required, but mark capped or reduced • Module awarded 0%—no opportunity to resit, but credit still awarded • 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
560+	<ul style="list-style-type: none"> • 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

Formative work

280-379	<ul style="list-style-type: none"> • Informal warning
380+	<ul style="list-style-type: none"> • Formal warning, with record made

Penalties for other forms of academic misconduct

Misconduct at examinations will attract the same level of points as the highest level of plagiarism.

Where the student has been found to have committed a form of conduct other than plagiarism and other than misconduct at examinations, including collusion, fabrication, impersonation, misrepresentation or bribery/intimidation, the penalty will be determined taking into account:

- Any history of misconduct;
- The amount of the student's assessed work that has been plagiarised;
- The level or stage of the programme at which the student has committed the plagiarism (Level 4,5,6);
- The value of the assignment;

- Any additional characteristics, e.g.:
 - The degree of intention (i.e., premeditation, intention, recklessness, or negligence);
 - The circumstances in which the misconduct took place and the scale of impact on the School's reputation;
 - Any mitigating factors (e.g., admitting the offense at the earliest opportunity, which would normally reduce the severity of the penalty, or cooperation with the School's investigation);
 - Any aggravating factors, that may cause the action to be considered more serious (e.g., pattern of misconduct, committing the act for financial gain, an attempt to conceal or dispose of evidence, intimidation, committing the act while under the influence of alcohol or drugs).

Available penalties for academic misconduct include all or any of the following:

- Training to address the form of misconduct;
- Where assessment advantage has been gained, a proportionate penalty must be identified to negate the advantage, for example:
 - Formal written warning on the student's record;
 - Voiding the attempt for the examination or the entire related module, with the right to take the examination or assessments as though for the first time;
 - Deduction of marks;
 - Assigning no marks to the assessment item or to the entire related module, with the right to retake the assessment item but where the mark of the resit will be capped at the pass mark;
 - Where the module is non-core, assigning no marks to the relevant module as a whole, without the right to retake the module, but with the right to take an alternative elective module for a capped mark;
 - Termination of the student's registration, with readmission to the School at the discretion of the Chief Executive based on consideration of the student's case for readmission. This penalty is reserved for a serious third offence ("three strikes and you're out"), or extremely serious and aggravated cases.

Where a case of academic misconduct gives rise to concern about the integrity of the assessment of a student's previous module(s), the module(s) may be reviewed to ascertain if misconduct was conducted before.

Appeal

A student may appeal against the decision of the Academic Misconduct Panel to the Academic Appeals Board, via the [Academic Appeals Procedure](#).

Conferment

A student may not graduate until the investigation into any alleged academic misconduct on their part has been completed.

Student training in good academic practice

Students will receive an induction into good academic practice at induction week, with refresher training prior to formal assessments. This training will be led by the Director of Teaching and Learning or their nominee. Good academic practice skills will be embedded in the ongoing delivery of the curriculum; students will be supported in developing skills in studying, academic writing, the use of academic sources, paraphrasing and research.

Student support

Students will be supported through their academic studies by their academic tutor and dedicated welfare advisor, and the supportive [Academic Progress Policy](#), as well as a number of support services offered by the Student Support Department. This support will be clearly communicated to students at induction, in the Student Handbook, and via the website, as well as reinforced by internal communications exercises and by academic and non-academic staff.

Monitoring, evaluation and review

The Registrar shall maintain a detailed record of Academic Misconduct cases and present an annual report to the Academic Council summarising the cases, outcomes, penalties and identifying any trends and providing any recommendations where appropriate.

The Academic Council will review all cases and resulting action relating to Academic Misconduct annually, and authorise any changes to either assessment processes, or the Academic Misconduct Policy and Procedure.

Name of policy/procedure:	Academic Misconduct Policy and Procedure
Document owner:	Hannah Kohler, Director of Admissions and Student Support
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Last reviewed:	02/2020
Reviewed by:	Edward Fidoe (Chief Executive), Prof. Carl Gombrich (Director of Teaching and Learning), Prof. Chris Maguire (Registrar)
Audited by:	Academic Council
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Date of next review: (annually unless otherwise agreed)	
Related documents: (eg associated forms, underpinning processes, related policies or overarching policies)	Academic Appeals Procedure Examinations and Assessments Regulations and Procedures for Students

Version Control			
Version	Author	Date	Brief summary of changes
1	Hannah Kohler (Director of Admissions and Student Support)	13/01/2019	Original draft
2	Prof. Carl Gombrich (Director of Teaching and Learning)	10/03/2019	Max 2-week window for feedback; greater flexibility for students to fail one or two modules (so that they take risks); ensuring that first year is weighted toward final degree mark; changing of penalties for late work; greater tolerances on world-limit excess to account for tolerances of software packages; clarification of role of Registrar; “three strikes and you’re out” on academic misconduct
3	Prof. Chris Maguire (Registrar)	20/06/2019	Clarification of language. Inclusion of CertHE and DipHE. Clarification of position on reasonable adjustments. Single moderator for

			each assessment or module. Simplification of Reasonable Adjustments Panel meeting (no need for student to attend in person). "Malpractice" changed to "Misconduct" for clarity reasons.
4	Hannah Kohler (Director of Admissions and Student Support)	23/06/2019	Inclusion of AMBeR Tariff in Academic Misconduct Policy. Included Invigilation Guidelines. Removal of criteria for External Examiners and tenure, etc. Given this will be determined by the OU. Bringing of extenuating circumstances procedure in line with standard university procedures (movement away from flexible assessment). Included contents page for clarity and greater ease of navigation by staff and students, and separated additional regulations and procedures into those for students and those for staff
5	Hannah Kohler (Director of Admissions and Student Support)	24/06/2019	Revision of Extenuating Circumstances process to align with Academic Appeals Procedure. Added section on release of results. Alteration of reasonable adjustments section to align with Disability Policy and to clarify link to Academic Appeals Procedure.
6	Prof. Chris Maguire (Registrar)	28/06/2019	Updated notes on invigilators

7	Hannah Kohler (Director of Admissions and Student Support)	15/08/2019	Separated out Academic Misconduct Policy and Procedure into separate document
8	Hannah Kohler (Director of Admissions and Student Support)	04/11/2019	Minor wording changes ; definition of good academic practice
9	Academic Council	18/12/2019	Requires update as part of update of all general academic regulations in light of decision to pursue NAPs
10	Hannah Kohler (Director of Admissions and Student Support)	12/02/2020	Minor typos corrected, no major changes
11	Academic Council	16/03/2020	Approved