

Bishop Grosseteste University

Document Administration

Document Title	Code of Practice for Academic Misconduct
Document Category	Code of Practice
Version Number	4.3
Status	APPROVED
Reason for development	To set out clearly the roles and responsibilities surrounding Academic Misconduct at BGU and to ensure compliance.
Scope	This procedure applies to staff
Owner	Quality
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	<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 - 10 July 2024
Date first authorised	July 2018
Date current version is effective from	August 2024
Date the next review is due to commence	August 2027 – unless required before
Document Location	University Website
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 regulatorycompliance@bishopg.ac.uk



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
4.2	18/10/2023	Amended to take account of the recommendations from the Academic Integrity Group which was approved by QAC in June 2023
4.3	10/07/2024	Amended to take account of revised structure and processes

1. Introduction

- 1.1. The Code of Practice on Academic Misconduct provides definitions for the identification of inappropriate academic practice, known as academic misconduct, the severity of such misconduct and a sequence of actions for the investigation of alleged misconduct, determination of whether misconduct has occurred and guidelines for the application of outcomes in confirmed cases.

2. Definitions of Academic Misconduct

- 2.1. Academic misconduct is where the balance of probability¹ indicates any intentional, unintentional or reckless conduct by a student, or students, which results in gaining an unfair advantage or benefit, or causes an unfair disadvantage or loss to another student, or students, in pursuit of an academic qualification at the University. Misconduct occurs regardless of the success of these actions.
- 2.2. The context for academic misconduct includes any summative assessment taken by a student in pursuit of an academic qualification at the University.

- 2.3. Characteristics of Academic Misconduct include:

- 2.3.1. Personation

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

- 2.3.2. 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.

- 2.3.3. 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.

- 2.3.4. 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).



2.3.5. 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,

2.3.6. 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.

2.3.7. 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. Drawing down text in whole or part from Artificial Intelligence (AI) that is more substantial than grammar, spelling and punctuation checks of your original work is not permitted unless specified within the assignment brief. Submitting AI created work as your own may also count as academic misconduct and will be investigated under the Code of Practice for Academic Misconduct

2.3.8. 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.

3. Categories of Academic Misconduct

- 3.1. Following completion of Stage 1 and 2, (see relevant section of this Code), where a student is considered to have attempted to gain an unfair advantage in the completion of an assessment, an investigation will be undertaken, and an outcome

will be imposed. The possible outcomes of an investigations are scaled according to the level of misconduct committed:

- i. minor academic misconduct
- ii. major academic misconduct
- iii. gross academic misconduct

3.2. Minor Academic Misconduct

- i. the misconduct involves a minor amount of assessed work; and/or
- ii. the misconduct arose primarily from poorly applied citation conventions and/or a minor amount of unattributed materials; and/or
- iii. 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.

3.3. Major Academic Misconduct

- i. the misconduct involves a major amount of assessed work; and/or
- ii. the misconduct resulted primarily from the inclusion of unattributed materials, rather simply poor scholarship (e.g. lack of citation); and/or
- iii. there is evidence that clear guidance on academic conventions has been provided; and/or
- iv. there is a record of the student previously committing an instance of minor academic misconduct.

3.4. Gross Academic Misconduct

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

4. Outcomes

The Adjudicating Panel may impose one of the following outcomes:

Undergraduate/Postgraduate

Potential:	Single incidents	Repeat offences
Poor academic practice	Not misconduct but will result in not meeting assessment criteria and so lower grades.	
Minor Misconduct	Minor level academic misconduct	Single event case
Major Misconduct	Major level academic misconduct up to 50% of the assessment	Collusion Fictitious information / data 2 nd minor = major Minor+ major = major
Gross Misconduct	Gross level of academic misconduct 50+%	Personation Commissioning Cheating in examination / practical assessment 3 rd minor = gross, or major+minor = gross, or major+major = gross

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.

5. Students on Research Degrees

- 5.1. 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.

6. Procedure for the Investigation and Determination of Allegations of Academic Misconduct

Preliminary Investigation – Stage One

- 6.1. The module tutor or marker(s) will inform the appropriate Programme Leader and Head of Programmes of a suspected case of misconduct. Advice and support may be sought by the Academic Integrity Group.
- 6.2. The Programme Leader, together with the tutor concerned, will write to the student **at least one day prior to 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. (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 meeting, the programme team will ensure that students understand any allegations against them, that they have the opportunity to present their case and to respond. Notes of the meeting will be taken. 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. The University reserves the right to use oral verification as a method of determining likelihood of academic misconduct.
- 6.3. Students will be directed to the support services available (including Students' Union for independent support and advice).



- 6.4. 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.

- 6.5. 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 conclusion of the investigation and the outcomes available to be imposed. The indicative level of outcome 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 and therefore would be automatically considered under the processes for major/gross academic misconduct.

- 6.6. Where it is 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.

- 6.7. The Faculty Administration Manager will:
 - i. 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 where there are time constraints due to vacation periods or scheduled meetings of the Board of Examiners. The correspondence will outline the nature of the potential misconduct under investigation.

- ii. Arrange for an Academic Misconduct 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.
- iii. Advise the student that they have the right to be heard in person and be accompanied at the Panel meeting by a friend, 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, unless the student has established a claim for extenuating circumstances which warrants a deferment of the meeting.
- iv. Arrange for the relevant information to be made available to the Panel, including:
 - a copy of the Code of Practice;
 - evidence of potential misconduct supplied by the Faculty, together with a record detailing the preliminary investigation stage and decisions taken; and
 - Student response to the allegation including any supporting evidence.

Procedures for Academic Misconduct Panel – Stage Two

6.8. Procedures for the Academic Misconduct Panel are as follows:

- i. The Panel will consider the evidence provided and the case presented by the programme team concerned.
- ii. The Chair of the Panel will explain the purpose of the meeting, ensure that the student understands the allegation and that the student will have the opportunity to present their case and to respond to panel questions.
- iii. Members of the Panel will ask questions of the student about their submission, for example, asking how the student composed their work/crafted their assignment.
- iv. 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.



- v. The Panel will make a judgement when it is satisfied that it has examined sufficient evidence.
 - vi. The Panel will make its judgement in private on whether the allegation of misconduct is proven or not.
 - vii. The audio recording of meetings or hearings under this procedure is permitted for the purposes of minute taking only. Any audio recording made will be deleted once the accuracy of the minutes has been agreed.
- 6.9. 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.
- 6.10. The Panel will be required to exercise judgment in each case on the severity of the outcome, 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 outcome on the student's progression on the programme, which may include funding.
- 6.11. If the members of the Panel cannot agree, the verdict of the Panel will be that of the majority of its members.
- 6.12. Any outcomes 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.

7. Notifications

- 7.1. The Faculty Administration Manager will communicate the overall decision in writing, via email, to the student and the Head of Programmes within 2 working days. The decision will also be recorded on the student's record.
- 7.2. The student concerned will be notified of the decision of the panel by letter, sent to the student's university email address recorded on the Student Record System (SRS).



- 7.3. In cases where the termination of study is imposed on a student who is registered for a programme with professional or statutory body recognition e.g. QTS, JNC, BPS, the University should inform that body of the outcome of the case.

8. Appeals

- 8.1. 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.
- 8.2. A student may appeal a decision on the following grounds:
- i. there was a procedural irregularity in the application of the academic misconduct procedures;
 - ii. new evidence is now available which was not available upon reasonable enquiry or application at the time of the original meeting; and/ or
 - iii. the decision reached was of such nature that it was one which no reasonable person could have reached on the available evidence.
- 8.3. Upon receipt of the appeal the Executive Dean of Faculty¹ will consider whether the request for the appeal falls within scope of the grounds in paragraph 25. The Executive Dean of Faculty will normally respond to the student within ten 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.
- 8.4. If the Executive Dean of Faculty 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, including the grounds on which they may do so.
- 8.5. If the Executive Dean of Faculty considers the appeal to be in scope, then the Executive Dean of Faculty will choose from the following courses of action:
- i. conducting a review of the case;
 - ii. requesting that a senior academic member of staff with no prior involvement of the case conducts the review; and
 - iii. in exceptional circumstances, convene a new panel to consider the case afresh.



- 8.6. The Executive Dean of Faculty will take special attention to identifying appeals which may require particularly swift action, these may include but are not limited to:
- i. cases where the impact of the issues raised may have detrimental consequences for the
 - ii. student's mental health or wellbeing; and
 - iii. cases where time limits apply, for example in meeting regulatory requirements for the completion of professional courses.
- 8.7. 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 Executive Dean of Faculty or a nominated representative.
- 8.8. Following the completion of the review, the Executive Dean of Faculty will write to the student, informing them of the outcome within two working days.
- 8.9. 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 ten working 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:

OIA
Second Floor Abbey Gate
57 – 75 Kings Road READING
RG1 3AA

9. Collaborative Provision

- 9.1. 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.