



Academic Misconduct Policy and Procedure

1. Scope and Purpose

- 1.1 This document sets out the AECC University College's principles relating to academic integrity and good academic practice, defines academic misconduct, and outlines arrangements the University College applies to the process of suspected and actual academic misconduct, including the penalties which may be applied. It applies to all current students on AECC University College awards.
- 1.2 This Policy is part of the Student Conduct Policy framework. Students enrolled on courses leading to professional registration are subject to the University College's standard policy and procedures in relation to academic assessment/progress and conduct, in addition to Fitness to Practise procedures. Students who have been found to have committed an academic misconduct or to have broken conduct rules, which may have implications in respect of fitness to practise, will be referred for consideration under the Fitness to Practise Policy.
- 1.3 The University College is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs. Where a student or staff member working with this policy has specific protected characteristics under the Equality Act 2010, all endeavors will be made to ensure that information is available in appropriate formats and reasonable adjustments are made to the proceedings and facilities to accommodate their needs. If students or staff require this document in a different format, please contact Registry.
- 1.4 The Academic Misconduct Policy is an internal procedure and is not a legal process. AECC University College does not normally use legal professionals in the handling of cases, and therefore it is not expected that students would be required to do so either. As such the engagement of legal professionals by students in relation to academic misconduct is normally not permitted, and would be allowed only in exceptional circumstances, in discussion with the Academic Registrar and the Academic Misconduct Panel Chair.

2. Key Responsibilities and delegated authority

- 2.1 Responsibility for the management and implementation of this policy lies with the Academic Registrar.
- 2.2 Students are responsible for familiarising themselves with this Policy, for acting in accordance with it and for seeking further advice or assistance if they have any doubts as to what is required and how to avoid academic misconduct.
- 2.3 The Academic Misconduct Panel formally investigates, records and monitors suspected Academic Misconduct at AECC University College.
- 2.4 The relevant Assessment Board confirms the outcome of the investigation, and uses it in its determination of the student's results in accordance with the assessment regulations.
- 2.5 Education Committee (EC) considers the effectiveness of the arrangements for academic misconduct and recommends changes to current policy to Academic Board.
- 2.6 Academic Board approves new policies or amendments to existing policies relating to academic misconduct.
- 2.7 Under this policy and associated procedures any University College role or officeholder or officer of the Students' Union may act through her or his appointed nominee.

3. Introduction, context and definitions

- 3.1 The AECC University College is committed to developing high standards of academic and professional practice among its students and to safeguarding the standards of its academic awards. As members or prospective members of a healthcare profession we expect our students to act with professionalism, and this includes acting with, and promoting, honesty and academic integrity.
- 3.2 This involves each student taking responsibility for their own work and academic conduct, respecting the rights of other scholars (which includes appropriate acknowledgement and referencing, avoiding plagiarism), following applicable professional and ethical conventions and requirements, supporting other students in their efforts to behave with academic integrity; and avoiding actions which seek to give them an unfair advantage over others.
- 3.3 Students who fail to follow these principles are being dishonest not only to those who later see their results, to those who mark their work, and to their peers who have worked hard to obtain their results without deception, but also to themselves, as they are not presenting a true reflection of their knowledge and abilities. Maintaining fair and honest conduct is an essential requirement of the system for assessing student learning.
- 3.4 In order to prevent plagiarism, protect the intellectual property of both the University College and its students and to assist with appropriate feedback to students, the AECC University College may use plagiarism detection software or other technology as appropriate.
- 3.5 Academic misconduct is defined as ***any attempt by a student, or any attempt by an individual to aid a student, to gain an unfair advantage in any assessment (including an assessment of practice or an assessment in practice) by deception or fraudulent means.*** A non-exhaustive list of examples of behaviours or actions which may constitute academic misconduct is available as appendix 1. It is also misconduct to assist another student to do any of these things.
- 3.6 The definition of academic misconduct assumes dishonest intent. It is important to draw a distinction between such dishonest intent and lack of skills in academic writing on the part of a student; for example, the use of extensive quotations (even if references are cited) so that little written content is the work of the student. Academic failings of this kind should be addressed, and appropriately penalised, through the application of assessment criteria. Written feedback should indicate clearly the shortcomings and ways in which the student should address them.
- 3.7 All academic misconduct is serious and will be treated accordingly. However, where misconduct is found to be repeated, or compounded by lying or deception, or otherwise aggravated, a more stringent penalty will be imposed.
- 3.8 Apart from any initial preliminary discussions between the student and their tutor, all direct contact with a student under suspicion of academic misconduct shall be formal, involving more than one member of the teaching staff in any face-to-face discussion with the student. Written records shall be kept of the key points and conclusions of meetings. Copies of all correspondence and other relevant documentation must be kept on file. The mark and the work should not be released to the student until the suspected academic misconduct has been investigated.
- 3.9 In cases where Panel members of an academic misconduct hearing learn that a student was previously involved in a suspected case where the outcome was 'no case to answer', this must not be considered during the hearing and should not prejudice the decision of the Panel/Board for the current case.
- 3.10 Where an academic misconduct is being investigated, the Assessment Board should not come to a decision on the student's result until the Academic Misconduct Procedure, and any subsequent investigations have been completed.

4. Academic misconduct procedure: preliminary consideration

- 4.1 Where academic misconduct is suspected the person identifying the suspected misconduct should alert the Academic Registrar who will convene an Investigative Panel to give the case preliminary consideration. The Investigative Panel will consist of the person identifying the suspected misconduct, the Course Leader and a senior member of academic staff not involved in teaching on the unit in which the alleged misconduct took place (normally senior lecturer or equivalent). The Academic Registrar will attend to record proceedings.

- 4.2 Evidence considered at the preliminary meeting should be as comprehensive as possible. Suspected academic misconduct may have come to light through a variety of means. Where the suspected misconduct relates to plagiarism, the evidence presented should never be solely based on plagiarism detection software.
- 4.3 This preliminary consideration may find that:
- there is no case to answer;
 - there is evidence to indicate that academic misconduct may have occurred.
- 4.4 Where the preliminary consideration finds that there is no case to answer all documentation relating to the case must be destroyed within **5 working days**. Notes relating to the alleged misconduct must not be produced. In order to maintain an audit trail, the Academic Registrar will retain a record of the number of 'no cases to answer' in each academic year (course, student level type of misconduct and what part of the process the alleged misconduct reached i.e. Investigative Panel or Academic Misconduct Panel). Specific student details will not be included.
- 4.5 The exception to para 4.4 above is that, where the preliminary consideration finds that there is no case to answer but the student may have made small mistakes in their work, the student should be informed of this in writing by the Academic Registrar and be invited to discuss this with an appropriate member of academic staff at the earliest possible opportunity. The student should be given appropriate advice as to how to prevent a recurrence of these mistakes. A note of these discussions should be given to the student within **5 working days** of the meeting and a copy kept on the student file. In such cases, no specific penalty will be applied. The overall mark awarded will consider normal assessment criteria.
- 4.6 Where the preliminary consideration concludes that there is evidence to indicate that academic misconduct may have occurred, the student will be informed of this in writing by the Academic Registrar within **5 working days**, and the matter submitted to the Academic Misconduct Panel for consideration. The student must also be informed that advice and guidance can be obtained from the Students' Union.

5. **Academic misconduct procedure: formal investigation - Academic Misconduct Panel**

- 5.1 The Academic Misconduct Panel will be convened by the Academic Registrar. Normally a Panel will be convened within **20 working days** of the request and the student will be given a minimum of **10 working days'** notice before the meeting of the Panel except where they have agreed in writing that shorter notice is acceptable.
- 5.2 The Academic Misconduct Panel will normally consist of:
- the Head of School (that the accused student is not studying in) (Chair);
 - an independent senior member of the academic staff of the University College not involved in the initial investigation of the case;
 - a representative of the Students' Union Executive.

The Academic Registrar will act as Secretary but is not a decision-making member of the Panel.

The role of the student member is to act as a full member of the panel in determining the matter under consideration and not to act as an advocate for the student suspected of the academic misconduct.

- 5.3 The student will be informed in writing of the nature of the allegations and be provided with the evidence to be considered at least 5 working days before the meeting of the Panel. The student will also be advised of the names of the Panel members and will be asked to indicate if they have any legitimate concerns that any member of the Panel might not be impartial towards them, providing supporting evidence. Should the Academic Registrar accept that the student's concerns are legitimate the Panel member(s) will be replaced. This may require the Panel to be re-scheduled.
- 5.4 The student will be given an opportunity to provide a written explanation and encouraged to seek advice from the Students' Union as soon as possible. The student's written explanation will be provided to the Panel.
- 5.5 The student should be encouraged to be open and honest and should be informed that the formal procedure will be reduced in length and complexity if the facts are known and agreed at an early stage.

Where a student admits to the suspected academic misconduct before the meeting, the meeting should still go ahead but the formal procedure should be reduced in length and complexity.

- 5.6 At the meeting of the Academic Misconduct Panel the student may be accompanied by a friend or representative (not acting in a legal capacity). Normally the Course Leader will attend to set out evidence relating to the alleged misconduct.
- 5.7 If, for exceptional reasons (e.g. having returned to their home overseas or left the University College) the student is unable to attend the meeting of the Panel, the student may choose to be represented by a member of the SU Executive or other current student willing to act in this capacity. In this case the Panel will proceed as normal basing its considerations on the evidence available.
- 5.8 Where a medical practitioner has advised that the student's state of health makes attendance impossible or inadvisable, the case will not be considered formally until the student is deemed fit by their medical adviser to appear before the Panel.
- 5.9 If a student or the AECC University College representative fails to attend a meeting of the Panel without notifying the Panel in advance, the meeting will proceed as normal.

Academic Misconduct Panel agenda and proceedings

- 5.10 The Academic Misconduct Panel shall determine whether academic misconduct has been committed. If it is determined that academic misconduct has been committed the Academic Misconduct Panel will judge the seriousness of the misconduct, and decide what penalty should be applied, as appropriate to the case.
- 5.11 For cases involving a group of students, the Panel must decide on the most appropriate way to deal with the students suspected, including:
 - the conduct of the hearing in terms of meeting with individuals or a group of students and the rationale for this clearly recorded in the minutes.
 - the potential outcome(s) could affect the whole group or individuals. However, the impact could vary.
- 5.12 The Agenda for a meeting of the Academic Misconduct Panel shall be as follows:
 - i) Introduction of those present
 - ii) Course Leader presentation (normally no more than 10 minutes)
 - iii) Opportunity for the Academic Misconduct Panel to question the University College representative
 - iv) Opportunity for the student to question, through the Chair, the Course Leader
 - v) Student and/or representative presentation (normally no more than 10 minutes)
 - vi) Opportunity for the Academic Misconduct Panel to question the student
 - vii) Opportunity for the University College representative to question, through the Chair, the student
 - viii) Course Leader summing up (5 minutes). New evidence is not admissible at this stage
 - ix) Student and/or representative summing up (5 minutes). New evidence is not admissible at this stage.

The agenda may be varied if appropriate and may be preceded by a private meeting of the Panel.

- 5.13 The student, their representative if present, and the Course Leader will then withdraw while the Academic Misconduct Panel considers the evidence privately.
- 5.14 Either party may call witnesses. Should witnesses be called they will attend only to present their evidence and to answer any questions that the Panel or the other party may put to them. Once their evidence has been heard and there are no more questions, witnesses will be required to withdraw.
- 5.15 In exceptional circumstances, the Panel may request additional evidence if it is considered that such evidence is likely to significantly affect the outcome. If all parties, including the student, agree that the Panel members may consider this evidence and reach a decision without further need for the student or

Course Leader to have an opportunity to respond to the additional evidence, then all parties will be allowed to depart and the decision will be communicated to all parties in writing. Otherwise the Academic Misconduct Panel may decide that the meeting would need to be adjourned in order to give all parties the opportunity to have time to prepare and respond to the new evidence.

- 5.16 While the Academic Misconduct Panel is considering the evidence, the student and the Course Leader must be available and may be required to provide further information or clarification to the Panel. If the Panel needs further information or clarification, both parties shall be recalled to the hearing.
- 5.17 Wherever possible, the Academic Misconduct Panel will seek to reach a decision within one hour of adjourning to consider the evidence. In this instance the student and the Course Leader will be recalled and informed verbally of the decision of the Academic Misconduct Panel. The decision shall also be confirmed in writing to both parties within **5 working days**.
- 5.18 Where it proves impossible to reach a decision within one hour the student and the Course Leader shall be informed and allowed to depart. The decision of the Academic Misconduct Panel will be communicated in writing to all parties, normally within **5 working days**.

6. Penalties

- 6.1 In considering which penalty to impose, the Academic Misconduct Panel shall take into consideration the seriousness of the misconduct. Relevant precedents should also be considered. For example, first or admitted misconduct would normally be treated more leniently than second or denied misconduct. Repeated misconduct, or those aggravated or compounded by lying or deception, will normally attract more stringent penalties.
- 6.2 Exceptional personal circumstances will not be considered grounds for excusing academic misconduct. However, a Panel may take such circumstances (with appropriate supporting evidence) into account and use its discretion if the evidence demonstrates that the student's judgement at the time of the alleged misconduct would have been severely impaired due to these circumstances. It is for the Panel to decide if the exceptional personal circumstances are deemed to have severely impaired a student's judgement.
- 6.3 The Academic Misconduct Panel shall reach one of the following decisions:
 - a) That no further action be taken, in which case the Panel will act in accordance with para 4.4 above.
 - b) That small errors in work have been made, in which case the Panel will act in accordance with para 4.5 above
 - c) Award a mark appropriate to the work submitted (which may include a mark of zero) that excludes credit for any words /ideas etc of other individuals that the student has presented as his or her own through failure to provide appropriate acknowledgement.
 - d) That the mark for the piece of work in question be capped at the pass mark, and the student to be sent a letter outlining the misconduct and giving a warning not to repeat the action/behaviour.
 - e) That a mark of 0% to be recorded for the element of assessment affected by the academic misconduct. The student may be reassessed, but only in accordance with the assessment regulations for the course. A maximum mark of 50% will be recorded for such reassessment.
 - f) That a mark of 0% to be recorded for the unit affected by the academic misconduct. The student may be reassessed, but only in accordance with the assessment regulations for the course. A maximum unit mark of 50% will be recorded for such reassessment.

It is recognised that pass/fail assessments cannot necessarily incur the same penalties as set out above and it is the responsibility of the Academic Misconduct Panel in discussion with the Academic Registrar to adapt the penalties as necessary, to determine the appropriate penalty to be applied in these cases.

- 6.4 Where misconduct is judged to be severe enough as to bring the University College into disrepute, or relates to professional practice, the Academic Misconduct Panel may, in addition to the above penalties, exceptionally request that the matter is referred for consideration under the University College's Disciplinary Procedures for students or Fitness to Practise regulations, as appropriate.
- 6.5 The selection of an appropriate penalty will consider issues such as, the extent of the misconduct committed, the seriousness of the misconduct, the stage/level of the student, whether there have been

previous findings of misconduct, whether the student accepts that misconduct has been committed. Guidance notes are available for Panel members to assist them in determining the appropriate penalty.

- 6.6 Reassessment(s) shall only be carried out once the Assessment Board has met to consider the student's overall profile and where the student's overall profile permits the student such a reassessment.
- 6.7 The Panel's decision will be passed to the Assessment Board for confirmation and for inclusion in its recommendations. It may be that the student has also failed assessed work other than that affected by the academic misconduct. If this is the case the Board will include all units failed as a result of the Panel's decision in its consideration of the student's overall performance according to the assessment regulations in force.
- 6.8 Students enrolled on courses leading to professional registration who have been found to have committed academic misconduct, will be referred for consideration under the Fitness to Practise Policy.

7. Academic misconduct coming to light after the meeting of the Assessment Board

- 7.1 Evidence which comes to light after the recommendation of the Assessment Board shall be considered initially and promptly under the process set out in Section 4 (Preliminary Consideration) of this Procedure.
- 7.2 At the conclusion of the process, External Examiners should be informed of any decision that materially affects the original recommendation of the Assessment Board.

8. Appeals

- 8.1 The decision of the Academic Misconduct Panel is considered to be one of academic judgement against which students may not appeal. However, appeals may be lodged on the grounds of procedural irregularity or maladministration. Students who wish to appeal on these grounds must provide, in writing, full details of the procedural irregularity or maladministration (with supporting evidence) to the Academic Registrar within 10 working days of the official notification of the outcome of the Academic Misconduct Panel.
- 8.2 The Academic Registrar will consider the information submitted. If there appears to be valid grounds for the appeal, they will not overturn the decision of the Academic Misconduct Panel but may refer the misconduct for a rehearing. Should a rehearing be required, a new Panel will be convened with a membership not including any of those on the original Panel.
- 8.3 The Academic Registrar will send the student a copy of the Completion of Procedures letter if a student has appealed and exhausted all internal AECC University College procedures.

9. Monitoring and review of academic misconduct cases taken to Academic Misconduct Panel

- 9.1 The Academic Registrar will prepare an annual review of academic misconduct across all awards, to be considered by Academic Standards and Quality Committee, with a view to identifying any trends and whether there is a need to revise any policy or practices. This report will not refer to individuals by name.
- 9.2 AECC University College seeks to develop a body of case-law, which will provide guidance and precedents that may be used by Academic Misconduct Panels and Assessment Boards, in pursuit of consistent and equitable practice. To this end, the minutes of each meeting of an Academic Misconduct Panel will be retained by the University College's Academic Registry. These records must be anonymous.

Version:	1.0
Approved by:	Academic Board
Originator/Author	Quality and Enhancement Manager
Policy Owner	Academic Registrar
Reference source:	The Expectation and Indicators of sound practice set out in the Quality Assurance Agency (QAA)'s UK Quality Code, Part B, Chapter B6 . Examples from other institutions used as source material (in particular Bournemouth University , University of Southampton, University of Huddersfield, Liverpool University, University of Kent)
Date approved:	30 September 2021

Effective from:	27 September 2021
Review date:	The Policy will be reviewed based on the recommendations from the Academic Integrity working group during 2021/22
Target:	All Staff, All students enrolled on AECC University College awards
Policy location:	VLE, SIP, public website
Equality impact	No direct impact. There is provision for reasonable adjustments to be made where required. Monitoring will be undertaken to assess whether there is any differential impact in the handling of cases
Amendments	

Appendix 1: Behaviour or actions which may constitute academic misconduct:

The following non-exhaustive list gives examples of behaviour or actions which may constitute academic misconduct:

- **Bribery:** paying or offering inducements to another person to obtain or to attempt to obtain an unfair advantage.
- **Cheating:** failing to comply with the rules or otherwise seeking to gain unfair advantage in examinations or tests, such as:
 - obtaining an advance copy of an 'unseen' written examination paper;
 - copying or communicating;
 - using notes or other prompts;
 - removing items of stationery or other materials from the examination room without permission or contrary to instructions;
 - use of smart devices in examination rooms contrary to instructions;
 - asking other students about questions asked in practical/viva examinations during the examination time period; accepting information from other students about questions asked in practical/viva examinations during the examination time period; offering other students' information about questions asked in practical/viva examinations during the examination time period.
- **Collusion:** working together with other students – without official approval – and submitting the resulting work as the work of a single student.
- **Contract cheating:** Contract cheating is the practice of students engaging a third-party to complete assignments. It occurs when someone other than the student completes an assignment and which the student then submits for assessment/credit.
- **Fabrication:** including falsified or fabricated material or data in work submitted for assessment.
- **Falsification:** falsely claiming to have completed requirements such as hours in practice or patient numbers, false claims of mitigating circumstance; falsifying signature(s) or documents related to certification or assessment.
- **Ghosting:** submitting work presented as the student's own which has been produced in whole or part by another person on the student's behalf, which includes acquiring or buying material or paying another person to complete an assignment.
- **Personation:** arranging or attempting to arrange for another person to take one's place in an examination; or being a party to an impersonation, or producing work on behalf of another student.
- **Plagiarism:** representing another person's work (published or unpublished) as one's own, without acknowledgement of the author or source; this includes:
 - submitting whole pieces of work originally produced by another;
 - directly importing into one's work more than a single phrase from another person's work without using quotation marks and identifying the source;
 - making a copy of all or part of another person's work and presenting it as one's own (copying);
 - making extensive use of another person's work, either by summarising or paraphrasing it by changing a few words or altering the order of presentation, without acknowledgement;
 - presenting data collected or analysed by others, without acknowledgment;
 - the use of the words, constructs or ideas of another person without acknowledging the source, or submitting or presenting work as one's own which is substantially the ideas or intellectual data of another.
- **Recycling (self-plagiarism):** Re-submitting work which has already been assessed and marked (whether in full or in part) for another assessment in the same or in a different course, or at another institution.
- **Third party assistance:** making use of the assistance of another such as an editor, translator or proof-reader, in such a way as to change significantly the content, language, meaning or significance of what is written.

Assisting another student to do any of these things is also academic misconduct.