

Academic Misconduct Procedure: Higher Education

Issue 5

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Owner Nicola Mullarkey - Head of Adults Partnership &
HE

Miki Evue - Head of HE and Professional

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TO BE A BEACON OF **EDUCATIONAL EXCELLENCE**,
TRANSFORMING THE LIVES OF THE **INDIVIDUALS**
AND **COMMUNITIES** WE SERVE.

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1. Policy Statement

The College has a “duty of care” for all its employees and is committed to ensuring that they are treated with consideration, dignity and respect, and that they enjoy a working environment free from any form of intimidation such as bullying and harassment. SCC Group accepts its responsibility to protect employees against such intimidation at work, and will not tolerate such behaviour.

2. Scope

These arrangements apply to all employees and third-party providers (e.g.: contractors, agency staff)

3. Reference

The Procedure complies with the principles detailed in the ACAS guidance and the following:

- Equality Act 2010
- Protection from Harassment Act 1997

4. Documentation

The policy will be made available on the staff intranet and hard copies will be available from the Human Resources department. The policy is available in adapted formats on request.

This policy should not be read in isolation, but cross referenced with all relevant College employment policies.

5. Monitoring and Review

The policy will be reviewed by Human Resources on a regular basis in accordance with legislative developments and the need for good practice.

The monitoring of accurate implementation of the procedures will be undertaken by the Human Resources Department. Frequency of use will also be assessed.

Last Review Date: January 2024

Next Review Date: February 2025

Responsibility for review: Nicola Mullarkey - Head of Adults Partnerships & HE
Miki Evue - Head of HE and Professional HE Partnerships and Operations Co-ordinator

Endorsed by: Group Principal
Corporation
Joint Consultative Committee

Academic Misconduct Procedure: Higher Education

Owned and Authorised by: Nicola Mullarkey - Head of Adults Partnerships & HE
Miki Evue - Head of HE and Professional

To ensure that: Higher Education Staff and Students understand what activity constitutes Academic Misconduct and how to act upon it.

Which Applies to: All Higher Education assessed work.

Role of HR: HE and Access Student Support Officer.

1.	<i>Purpose and Scope</i>
1.1	The purpose is to outline the Academic Misconduct Procedure and inform staff and students what types of activity constitute academic misconduct and how such matters will be dealt with by Salford City College Group (SCC Group).
1.2	The document applies to all students registered at SCC Group and studying on Pearson Higher National courses or University Centre SCC courses.

2.	<i>Academic Misconduct</i>
2.1	Acts of academic misconduct can take many forms. They are likely to fall into one or more of the following categories:
2.2	<i>Plagiarism</i>
2.2.1	Plagiarism involves taking the work of another person or source and using it as if it were one's own. The source of the original material is hidden from the marker by not referencing it properly or by paraphrasing it without acknowledgement or by not mentioning it at all. Work includes, but is not restricted to, written work, ideas, musical compositions, computer programs, laboratory or survey results, diagrams, graphs, drawings and designs. Plagiarism may occur in all forms of assessment, including written examinations.
2.3	<i>Self-plagiarism (or double submission)</i>
2.3.1	Self-plagiarism (or double submission) is resubmitting previously submitted work on one or more occasions (without proper acknowledgement). This may take the form of copying either the whole piece of work or part of it. Normally credit will already have been given for this work.
2.4	<i>Collusion</i>

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2.4.1	Collusion occurs when, unless with official approval (e.g. in the case of Group projects), two or more students consciously collaborate in the preparation and production of work which is ultimately submitted by each in an identical, or substantially similar, form and/or is represented by each to be the product of his or her individual efforts. Collusion also occurs where there is unauthorised co-operation between a student and another person in the preparation and production of work which is presented as the student's own.
2.5	<i>Falsifying experimental or other investigative results</i>
2.5.1	This could involve a range of things that make it appear that information has been collected by scientific investigation, the compilation of questionnaire results etc. whereas it has been made up or altered to provide a more favourable result.
2.6	<i>Taking unauthorised material (including electronic devices) into an examination</i>
2.6.1	This involves taking in materials or electronic devices of any sort, not specifically permitted, whether they could be used to gain advantage and whether used or not. It also involves any written material on hand, arms etc.
2.7	<i>Contracting another to write a piece of assessed work / Writing a piece of assessed work for another</i>
2.7.1	This involves any means whereby a person does work on behalf of another. It includes assessments done for someone else in full or in part by a fellow student, a friend or family member. It includes sitting an examination for someone else. It also covers obtaining material from internet 'cheat sites' or other sources of work. Penalties for this type of unfair means will normally apply both to a student of the University who does work on behalf of another and a student of the University who has work done for him/her.
2.8	<i>Copying from, or communicating with, another examination candidate during an examination.</i>
2.8.1	A student must not communicate in any way with another student during an examination, must not disturb other students, nor copy from them during an examination.
2.9	<i>Bribery</i>
2.9.1	A student must not offer or give any academic staff money, gifts or any other advantage which is intended to induce or reward impropriety in the marking of his/her examination or assessment. (Bribery is a criminal offence and morally wrong and exposes the Institution and its employees to the risk of prosecution, fines and imprisonment as well as endangering the institution's reputation).

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3.	<i>Preventative Measures Against Academic Misconduct</i>
3.1	<p>Students are advised to take particular care in respect of the following:</p> <p>i) <i>Getting help from others / helping others</i> Students are encouraged to discuss and share ideas and information, however those who assist others to commit academic misconduct whether or not for payment (e.g. by giving another student the opportunity to copy part or all of a piece of work, by providing copies of assessments or by providing bespoke assignments to another student) will be subject to the same penalties as those who use unfair means. Students should ensure that they protect their own work, submit it themselves and do not allow other students to use their memory stick and/or print off work on their behalf.</p> <p>ii) <i>Use of Readers/Note Takers</i> Students with individual needs who require the services of readers or note takers are advised that only employed staff can be used.</p> <p>iii) <i>Referencing</i> Students using work which has been produced by other people within an assignment will need to ensure that they acknowledge or reference the source of the work. Students should check with their tutors for requirements. Marks may be deducted for poor referencing. If poor referencing is extensive throughout a piece of work, it could appear that the student is trying to claim credit for the work, and he/she may be deemed to have committed plagiarism. Guidance on good referencing practice is available from curriculum areas.</p>

4.	<i>Policy Statements</i>
4.1	<i>Dealing with Academic Misconduct: Preliminary Stage</i>
4.1.1	A case may come to light through a variety of means, including the use of plagiarism detection software e.g. Turnitin. Cases may be reported by the marker of an assignment, by an examiner (internal or external), by a programme leader, supervisor or any other academic member of staff.
4.1.2	Any case of suspected academic misconduct must be supported by evidence documented by the person who suspects academic misconduct. For example, in a case of possible plagiarism the marker of an assignment should highlight those passages which are unattributed, should provide a note of the sources from which these passages come and should indicate the extent of plagiarism as a percentage of the assessment in question.
4.1.3	When an academic member of staff suspects academic misconduct in a piece of assessed work (e.g. an essay bought from a cheat site which has not been detected via detection software) and initially there is no clear

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	evidence, a student may be interviewed by an appropriate member of academic staff other than the marker.
4.1.4	All cases of suspected academic misconduct must be reported to the Curriculum Leader (or nominee). The Curriculum Leader (or nominee) has responsibility for preliminary consideration of such cases. All cases must be treated as strict liability offences – that is to say, it is the action (academic misconduct) which must be considered, not the intention of a student either to deceive or gain an unfair advantage.
4.1.5	Where evidence of suspected academic misconduct comes to light, at any time after either individual modules or an award has been conferred; the Curriculum Leader (or nominee) will consider the extent of the alleged academic misconduct, the level and prior experience of the student and the conventions of the discipline and will decide on one of the options noted in Section 3.2 of the Procedure. If it is decided that there is a clear case to answer, the matter should be referred through the formal stages of the Academic Misconduct Procedure.
4.1.6	The Curriculum Leader (or nominee) will consider the extent of the alleged academic misconduct, the level and prior experience of the student and the conventions of the discipline and will decide on one of the following: <ul style="list-style-type: none"> • there is no case to answer (in which case, all documentation relating to the case must be destroyed); • it is a matter of poor academic practice (see para 3.1.9 below); • there is evidence to indicate that academic misconduct may have occurred which requires further investigation.
4.1.7	Poor academic practice is a term used when students either hurriedly or badly prepared a piece of work for assessment. It often involves bad referencing where the work may be referenced and cited, but not using the correct format or system. It may include a paraphrase which only slightly alters the original source or incorporate so many reference texts that there is very little evidence that the student has engaged with the topic in question. Whilst such scenarios might not reflect plagiarism, they do show a lack of individual thinking based on the teaching a student has received and should therefore be penalised by using the normal assessment criteria.
4.1.8	Where the preliminary consideration finds poor academic practice, the student should be informed of this in writing and be invited to discuss this with an appropriate member of academic staff at the earliest possible opportunity. The student should be given clear advice on the steps he/she must take to prevent a recurrence of this poor practice. A note of this discussion should be given to the student within 5 working days of the meeting and a copy kept on the student record, so that students who are referred repeatedly can be identified
4.1.9	Where the preliminary consideration finds that academic misconduct may have occurred, the student will be informed of this in writing and will be

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	advised that the matter is referred either to the Academic Misconduct Panel (AMP) see Section 3.2 below and Appendix A.
4.2	Dealing with Academic Misconduct: Formal Stage
4.2.1	Where there is evidence to indicate that academic misconduct may have occurred, the cases should be heard at the next scheduled meeting of the AMP. The student will be given a minimum of 10 working days' notice in writing by letter or email before the meeting of the Panel except where s/he has agreed in writing that shorter notice is acceptable. The 10 working days will be counted from the date of the notification. The student will be informed, in writing, of the nature of the allegations and be provided with the evidence.
4.3	Academic Misconduct Panel (AMP)
4.3.1	<p>The purpose of the AMP is to determine whether an offence of academic misconduct has been committed and to determine and impose penalties. The membership of an AMP is:</p> <ul style="list-style-type: none"> • Head of HE Quality (or nominee) as Chair • Head of Department (or nominee) in which the Panel is located • Academic member of staff outside of the curriculum area <p>The AMP will not comprise any representative who has been involved in the assessment of student cases being heard and therefore substitute members must be available to attend the Panel for such cases. The Higher Education Academic Services team will provide secretarial support and a record will be kept of the meeting.</p>
4.4	Attendance at an Academic Misconduct Panel
4.4.1	A student may be accompanied by one person of his/her choosing at any stage in the Academic Misconduct Procedure. The student may submit written evidence to the Panel and this should be received at least 5 working days before the date of the Panel meeting. Head of Department (or nominee) will be expected to represent the curriculum area.
4.4.2	If, for exceptional reasons (e.g. having returned to their home overseas or left the college) the student is unable to attend the meeting of the Panel, and notifies the Panel at least 5 working days in advance, they will be permitted to submit written representation in support of their case.
4.4.3	If either party, to whom proper notice of a meeting has been given, does not appear at the meeting the Panel may proceed to consider the case in the absence of either party. However, if reasonable grounds for non-attendance have been provided (e.g. sickness absence) the Panel has the discretion to adjourn.
4.4.4	The student will be responsible for paying the costs of his / her attendance and the college will not reimburse any of them.
4.5	Representation at Meetings and Hearings

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4.5.1	<p>Where a representative is attending a hearing on the student's behalf:</p> <ul style="list-style-type: none"> • the Panel will only be required to consider the representations which are made by the representative on the student's behalf at the hearing and not any written or oral representations which the student may make before or after that hearing; • the representative must not be someone who has been suspended or excluded from the college for any reason and he / she must be willing to act in that capacity. The student must provide the name of the representative to the college before the hearing.
4.6	Legal Representation
4.6.1	There is no automatic right for a student to have legal representation at meetings and legal representation is only allowed for certain meetings or hearings where the student has been granted permission.
4.6.2	The student must apply for permission if he / she wishes to be represented at any hearing of the Academic Misconduct Panel by an individual who is legally qualified.
4.6.3	To apply for permission, the student must give written notice to the Nicola Mullarkey - Head of Adults Partnerships & HE at least 5 working days before the date scheduled for that hearing giving the name of the student's proposed representative. Bearing in mind the factors that will be considered in deciding whether to grant permission, the student may also wish to include in the notice representations as to why he/she considers that permission should be granted. The hearing of the Panel or the Board at which the student wishes to have legal representation may be delayed so that it takes place no earlier than 15 working days starting on the date of receipt of the student's notice.
4.7	Recording of Proceedings
4.7.1	The audio recording of meetings and hearings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the college where required under the Equality Act 2010.
4.8	Academic penalties
4.8.1	In considering which academic penalty to impose, the AMP shall take into consideration admission of guilt by the student, the seriousness and the extent of the misconduct. Relevant precedents should also be considered. For example, an admitted misconduct would normally be treated more leniently than a denied offence. Students citing personal mitigating circumstances should be advised that such matters are dealt with at curriculum level by the Mitigating Circumstances Panel, with documentation provided to the same at the appropriate point in time.
4.8.2	The AMP shall apply one of the following penalties in the event of the student being found guilty of academic misconduct: <ul style="list-style-type: none"> a) a resit is required for the component of assessment in question; b) a resit is required or the module in question

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	c) a resit is required for the module in question and marks for all other modules at that level will be kept at the minimum pass mark
4.8.3	Any student found guilty of academic misconduct may be required by the Panel, in addition to the above, to undertake appropriate study skills and to use the college's plagiarism detection tool, Turnitin. Where misconduct has been found to have occurred, the penalties will be retrospectively imposed, in line with those in the indicative penalty tariff.
4.8.4	Proven cases will be referred to the Assessment Board for implementation of the penalty. The Assessment Board will inform the student of its decision in the normal way and of any academic requirements following the implementation of the penalty.
4.8.5	<p>Academic Regulations which the Assessment Board must consider are:</p> <p><i>Entitlement to reassessment/retaking</i></p> <p>Where a module grade, or a resit is required, as a penalty for the use of unfair means a student shall be permitted the normal entitlement of further opportunities to pass the module (the opportunities which remain will depend on the point in the academic cycle at which the grade has been awarded). Further opportunities include:</p> <ul style="list-style-type: none"> • an opportunity to be reassessed at the stipulated time; • an opportunity to retake the module the next time the module is delivered; • another opportunity to be reassessed at the stipulated time following the retake.
4.9	Appeals
4.9.1	In cases heard by an AMP a student may appeal against a decision of guilt or a penalty imposed by the AMP. The appeal must be made in writing to the Head of HE and Professional within 10 working days of the written decision of the AMP.
4.9.2	<p>An appeal can be made on one or more of the following grounds:</p> <ul style="list-style-type: none"> • there is significant and new evidence which could not have been made available to the original hearing; • that the original hearing was not conducted fairly; • that a decision of guilt or the penalty imposed was manifestly unreasonable; in this context, unreasonable shall be taken to mean perverse: i.e. that the decision was not a possible conclusion which a similar hearing might have reached.
4.9.3	Within 5 working days of receipt of an appeal the Head of HE and Professional may reject an appeal if, in his view, it is out of time or not lodged on the allowable grounds and shall report that decision to the student was fair and reasonable in the light of all the circumstances of the case and the student's means and general personal circumstances.
4.9.4	If a student, having used all avenues of appeal is still not happy with the result, may use the college's complaints procedure.

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4.9.5	Any malpractice or attempted acts of malpractice which have influenced the assessment outcomes must be reported by the centre to the relevant awarding body or validating partner.
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