APPENDIX C

ACADEMIC MISCONDUCT POLICY

Introduction

Academic integrity is fundamental to the reputation of academic institutions. Arts University Plymouth is committed both to developing high standards of academic practice among its students and to safeguarding the standards of its academic awards by detecting and acting upon cases of academic misconduct.

This policy is designed to be read in conjunction with the wider Academic Regulations that it is a part of and also suggests guidelines about good and bad academic practice.

The policy applies to all undergraduate and postgraduate courses leading to awards of the University; including those delivered at Partner Institutions, who will identify staff to manage this process.

Definition of Academic Misconduct

Academic misconduct is defined as 'Any action by a student which gives or has the potential to give an unfair advantage in an examination or assessment, or might assist someone else to gain unfair advantage, or any activity likely to undermine the integrity essential to scholarship or research.' (Office of the Independent Adjudicator, 2022)

In investigating and dealing with cases of suspected misconduct, the Academic Misconduct Policy is followed and any penalties arising are levied in line with the AMBeR Tariff.

Examples of Academic Misconduct

The following is a non-exhaustive list of examples of academic misconduct which will be considered under these Regulations:

- Plagiarism:
    - Poor referencing (for example failing to follow convention in acknowledging sources, use of quotation marks etc.)
    - Paraphrasing without acknowledgement
    - Copying another student's work (raw data, notes, or commissioning, purchase and submission of a piece of work, in part or whole, as their own)
    - Self-/auto-plagiarism (submitting the same work that the student has already submitted for another assessment when this is not permitted

It is recognised that some plagiarism may not be deliberate but instead poor academic skills (see case study examples below).

If 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. The proof-reader may identify spelling and basic grammatical errors, but inaccuracies in academic content should not be corrected and nor should the structure of the piece of work be changed.

- Falsifying data, evidence or results
  - made up survey results for example

- Misrepresentation
  - Submitting fraudulent extenuating circumstances claims or falsifying evidence in support of extenuating circumstances claims (this may also be considered a non-academic disciplinary matter)

- Impersonation
  - sitting someone else's examination for example

- Cheating in examinations/assessments (including in-class tests)

- Collusion
  - working with someone else on an assessment which is intended to be the student's own work;
  - cooperation in order to gain an unpermitted advantage.
  - legitimate input from tutors or approved readers or scribes is not considered to be collusion.

- Inappropriate use of Generative Artificial Intelligence tools
  - submitting work for assessment that consists only of substantially unmodified content from Generative Artificial Intelligence software will be considered as poor academic practice
  - persistent exhibition of poor academic practice through inappropriate use of Generative Artificial Intelligence tools, such as a lack of evidencing their use.

- Misconduct in examinations (including in-class tests)

- Breaches of research and ethics policies
  - carrying out research without appropriate permission

- Contract cheating
  - Paying others to complete work
  - Essay mills
  - Pay-per-hour freelance websites/forums
  - Friends/family/other students

The Skills and Post-16 Education Act 2022 makes it an offence to provide or arrange to provide all or part of an assignment where this could then not reasonably be considered to have been completed personally by the student. It is also an offence to advertise this service.

- It is a strict liability offence so the intent of the service provider is irrelevant.
- Service providers cannot use disclaimers as a defence
- Excludes students using such services from being considered to have commissioned a criminal offence

Example / Case Study

Plagiarism or poor academic practice?

A student submits an essay during their first semester. The student's tutor notices that the essay contains a small section of text that is quoted directly from the coursework materials. The quoted text is not separated from the other text by quotation marks, italics or indented text.

The tutor tells the student about her concerns and invites them to a meeting to discuss the essay. She says that she is considering whether to refer the student to the Academic Misconduct Procedures.

After a discussion, the tutor decides that the student did not understand how to reference quotations. She decides to take this into account as poor academic practice when marking the work. She explains the referencing requirements and shows the student some training resources on the intranet. She tells them that she will not take any further action, but that she is making a record of their discussions so that if their work is suspected of plagiarism in the future, the incident may be taken into account.

Previous poor academic practice

A third-year student is accused of plagiarism in their dissertation: some text has been copied from a textbook without a reference. The student was penalised for poor academic practice in their second year and at that time the student had to attend a refresher session on referencing. The copied text in the dissertation is not extensive and the provider considers whether the student is guilty of poor academic practice.

The provider decides that the student is guilty of plagiarism even though the copying is not extensive because of the previous incident of poor academic practice which was very similar.

Responsibilities

Students shall be considered responsible for the academic integrity of all work they submit for assessment, including group assessments.

All students must ensure that they are aware of, and comply with, University and course requirements and that they are not party to any behaviour which could be construed as academic misconduct.

Students authorised to work in pairs and/or groups will normally be required to complete a cover sheet declaring whether the work was undertaken alone or as part of a team. Students may be required to name other students with whom they worked and/or identify individual responsibility for component parts.

Students submitting an individual assignment must confirm that the work is entirely their own and has been completed in accordance with University and Course Regulations.

The University requires the submission of written work for specified units (in 2024/25 these are Level 4 404, Level 5 502 and Level 6 602, along with all Postgraduate written work) through Turnitin to ensure appropriate academic conventions are utilised, and so that any concerns around Academic Misconduct can be identified.

Course Leaders must ensure that students receive written guidelines clearly identifying the parameters of acceptable practice for the units for which they are responsible. Where students are authorised/required to work collaboratively, the unit leader must specify the boundaries of collaboration at the outset. Information on the presentation of written assignments in order to avoid allegations of academic misconduct (e.g. information on acceptable referencing etc) should be reinforced in lectures, seminars and tutorials as appropriate.

The pedagogic aims of this policy and its use of marks caps (in the tables below) reflects the academic merit of any work produced by such misconduct. Therefore, expressions of guilt, remorse or lack of intent will not usually be accepted as justifications for any alleged misconduct or in determining how a student should be dealt with where such misconduct is established.

Academic judgement

Identifying suspected academic misconduct and making decisions on disciplinary cases will often, but not always, involve academic judgement. Where an academic judgement is made it should be evidence based. For example, an academic member of staff who says that the standard of an assignment is out of line with the student's other work should be able to support that with examples from the student's other work.

The interpretation of academic misconduct detection software reports will involve academic judgement. It is good practice to share the academic analysis of such a report with the student as well as the report itself.

Deciding questions of fact does not involve academic judgement. Decisions on the penalty to apply in academic disciplinary cases will not normally involve academic judgement.

Alleged Coursework Misconduct (including tests)

- **Panel of Investigation**

The University will convene formal meetings of Panels of Investigation for coursework misconduct (including tests) as and when required. The Panel will be convened by the Academic Registrar who will act as Secretary to the Panel. The Panel will be chaired by the Pro Vice-Chancellor (Academic) or the Deputy Vice-Chancellor. Panel members will include an Assistant Dean and a Course Leader. The Academic Registrar will ensure an appropriate

gender balance in determining membership.

- **Initial action by internal or external marker**

Where an internal marker suspects that a candidate has breached the Regulations in respect of assessed work other than a formal examination, they should advise the unit leader for the work in question.

The unit leader, in consultation with the Academic Registrar, Course Leader, and/or Assistant Dean, will agree on the appropriate action to be taken. In the first instance, a meeting should be held with the student, unit leader or Course Leader and Academic Registrar to explore the concerns raised. On the basis of this meeting the Academic Registrar will confirm the next steps to be taken and whether the matter should be progressed further as set out below.

Progression to Panel of Investigation

The Academic Registrar must advise the student in writing (recorded delivery letter to local and home addresses, with copy to the student's email address) of the allegation and the date of the University Panel of Investigation, enclosing a copy of these Regulations, and ask the student to confirm in writing, through standard pro-forma, within 5 working days, whether:

- they wish to accept the allegation to be laid against them and understand that the case will be considered by a Panel. The candidate may submit evidence in mitigation, in the form of a written statement, for consideration by the Panel if they so wish. Should a response not be received from the student by the deadline, it will be assumed that they have accepted the allegation made and the case will be forwarded to the Panel.

- they wish to contest the allegation and appear before a formal hearing of a Panel of Investigation. The date of the meeting of the Panel will be confirmed in the letter. The student has the right for their case to be heard in absentia if they are unable to attend but nonetheless wish to submit a written statement, but will not have the right to demand a revised date for the Panel to meet. The student will be required to indicate whether they wish to bring a friend (who may be a fellow student, staff member, SU officer or other party) and the identity of any such individual. They will also be required to indicate whether they will be calling any witnesses and if so the identity of those individuals. It is the student's responsibility to arrange for the attendance of their own witnesses.

The Unit Leader must provide a written statement of the grounds for the allegation, the student's work, and any other evidence in support of the allegation.

The Academic Registrar will:

- confirm the membership of the Panel of Investigation
- confirm the identity of any witnesses

- ensure that all relevant evidence is collected and made available to the Panel
- call any witnesses who may be relevant to substantiate the allegation (normally including the individual who identified the alleged offence and/or the unit leader)
- obtain information about any previous proven examination or academic misconduct

Consideration of Alleged Misconduct (including tests)

The Panel is required to examine all the evidence relevant to the circumstances of the alleged misconduct and to interview the student and any witnesses in order to establish the facts of the case. Should the student be unable to attend they have the right for their case to be heard in absentia and to submit a written statement.

The Panel may decide that the student be subject to a viva voce examination as a means of determining whether an offence has occurred. The viva voce examination will be conducted by the Pro Vice-Chancellor (Academic) or a nominee, together with one member of the Panel who will be considering the case. Note: viva voce simply means the questions are said aloud (orally rather than in writing).

If the Panel decides that there is no case to answer, the Course Leader must ensure that all records relating to the allegation are removed from the student file.

The outcome of the Panel hearing will be reported to the student in writing within five working days of the meeting. Penalties for proven cases are detailed below.

Recommendation of penalty to Progression and Award Board

If misconduct has been committed, the Panel will recommend an appropriate penalty to the Progression and Award Board through the Unit Assessment Board. The recommendation will take account of the seriousness of the misconduct, any previous misconduct of which the student has been found proved, the level of study, together with custom and practice across the University. The recommendation may be:

i) that no further action be taken but the misconduct is recorded on the student's file
ii) that a mark of zero be recorded for the work in question, and the student is required to submit again with an uncapped grade
iii) that a mark of zero be recorded for the work in question, and the student is required to submit again with a capped grade
iv) that a mark of zero be recorded for the unit of which the work forms a part and the student be barred from taking that unit again, this will lead to withdrawal of enrolment, and an exit award where appropriate.

Progression and Award Board

The Academic Registrar must ensure that all recommendations from Panels of Investigation are notified to relevant Progression and Award Board through the relevant Unit Assessment Board.

A student found guilty of academic misconduct for whom the penalty will make them ineligible for the award on which they are registered (or to result in their exclusion from the University under the Student Disciplinary Procedure) is nonetheless eligible for any intermediate award for which they have legitimately met the academic requirements, and any such award must therefore be conferred.

Allegations made at or after the Progression and Award Board

Exceptionally, misconduct may come to light at or after the meeting of a Unit Assessment Board or Progression and Award Board. Allegations made at a Board must be investigated as soon as practicable thereafter. In the meantime, the decision on the student must be deferred.

When misconduct is discovered after an Award Board has met and results have been published, the allegation must be referred directly to the Course Leader, who will consult with the appropriate Assistant Dean, Academic Registrar, unit leader and Chair of the Progression and Award Board. They will take account:

- the nature of the evidence presented
- the seriousness of the misconduct
- the time which has elapsed
- the reasons why it was not discovered earlier.

The University has the power to rescind an award if it considers that there is due cause.

Appeals

The final decision on the penalty for an assessment/examination offence will rest with the Progression and Award Board and a student has the right to appeal by the deadline date indicated in the Appeal Regulations.

A student may only appeal on the grounds that:

- the procedures were not followed properly;
- the decision maker(s) reached an unreasonable decision;
- the student has new material evidence that they were unable, for valid reasons, to provide earlier in the process;
- there is bias or reasonable perception of bias during the procedure;
- the penalty imposed was disproportionate, or not permitted under the procedures.

If the appeal is not upheld, or is not permitted to proceed under the grounds of appeal, a Completion of Procedures Letter should be sent to the student within 28 days. This should

include, or be accompanied by, an explanation of the decision reached and the reasons for it, in straightforward language. This will help the student decide whether to pursue the matter further.

The decision should also advise the student about:

- Their right to submit a complaint to the OIA for review;
- The time limit for doing so;
- Where and how to access advice and support.

The time limit for bringing a complaint to the OIA is 12 months.

Where an appeal is upheld, the provider should provide the student with a written outcome that explains what action the provider will take.

If the outcome involves referring the case back to the formal stage for reconsideration, it is good practice to ensure that reconsideration is concluded as soon as possible and, where practicable, within the 90 calendar days timeframe.

Report to Academic Board

At the first Academic Board meeting of the new academic session, the Academic Registrar must report on the number of cases considered by the Panel of Investigation, detailing the number where the allegation was found to be true, the nature of the allegation in each such case and the penalty invoked. The report shall not name individual students.