

# ACADEMIC MISCONDUCT POLICY AND PROCEEDINGS

## Definition

Academic misconduct is any action which gains, attempts to gain, or assists others in gaining or attempting to gain unfair academic advantage. Whilst Success Point College (SPC) has attempted to present as comprehensive a list as possible, the list of academic misconduct offences set down below is not exhaustive:

***Cheating:*** to gain or attempt to gain an unfair, improper or dishonest advantage in the assessment process.

Cheating includes:

- a. impersonation - either where a student allows any other person to take an assessment on their behalf or where a current SPC student takes an assessment on behalf of another SPC student;
- b. obtaining or attempting to obtain unauthorised access to examination / in-class test papers and any other forms of assessments;
- c. the copying of, or attempting to copy, the work of another candidate in the examination or other in- class assessment, whether by looking over what he or she has written or is writing or by asking him or her for information in whatever form;
- d. the introduction into an examination room (or any other room in which a formal assessment is taking place) of aids including books, notes, personal notes or revision notes in any form, papers, stationery, computer disks or other devices of any kind other than those permitted in the rubric of the examination paper. This includes, for example, unauthorised information stored in the memory of a pocket calculator, in a mobile telephone, personal organiser or any other device;
- e. requesting a temporary absence from an examination room (or any other room in which a formal assessment is taking place) with the intention of gaining, or attempting to gain, access to information that may be relevant to a formal assessment;
- f. submitting false documentation or making false statements in order to receive special considerations by the SPC Board of Examiners or to obtain extensions to deadlines or exemption from work;
- g. assisting or attempting to assist another SPC student to gain or attempt to gain an unfair, improper, or dishonest advantage in the assessment process;
- h. the misappropriation of material submitted for assessment;
- i. contract cheating - using one or more of a range of services provided or input from a third party, with or without payment of any kind:
  - 'services' includes the provision of essays or other types of assignments, conducting research;
  - 'third party' includes web-based companies or auction sites (essay mills), sharing websites (including essay banks), or an individual such as a lecturer, fellow student, friend or relative;
  - 'Input' means that the third party contributes to the work of the student, such that there is reasonable doubt as to whose work the assessment represents';

***Plagiarism:*** the misappropriation or use of others' ideas, intellectual property or work (written or otherwise), without acknowledgement or permission. This may include, but is not limited to:

- a. the importing of phrases from or all or part of another person's work without using "quotation marks" and identifying the source;

- b. making extensive use of another person's work, without acknowledgement of the source, either by summarising or paraphrasing the work merely by changing a few words or by altering the order in which the material is presented;
- c. the use of the ideas of another person without acknowledgement of the source or the presentation of work which substantially comprises the ideas of another person and which represents these as being the ideas of the candidate.
- d. The use of word spinning software such as ChatGPT and/or any other platform/software that may rehearse the copied content.
- e. The use of student own work submitted for another module/subject/research project and or credited assignment is considered self-plagiarism.
- f. The use of images of texts, tables and or drawn figures

**Note for guidance:** For the avoidance of doubt, plagiarism may be intentional or unintentional.

**Unauthorised use of artificially generated material (AI) in researching or presenting material for an assessment.** It is an academic misconduct offence to use AI tools in producing an assessment unless the use of AI tools is expressly permitted. However, even if expressly permitted, where a student does not declare that they have used an artificial intelligence tool(s) in the production of an assessment, or they are dishonest about the extent to which such tools have been used, they will have committed academic misconduct. The extent to which assessment content is considered to be AI generated is a matter of academic judgement.

**Collusion:** The representation by an individual of work which he or she has undertaken jointly with another person or persons as having been undertaken independently of that person.

Collusion includes, but is not limited to, the submission by a student of the work of another student in circumstances where the latter has willingly made the work available and where it should be evident that the recipient of the work could submit it as their own. **In such cases, both students are guilty of collusion.**

**Other Academic Misconduct:** evidence that a student failed to comply with the SPC assessment and examination regulations, other than those offences mentioned above, including:

- a. the falsification of data including the creation of false written materials or statistical data or its alteration, for example, by the invention of the statistics presented or the invention of quotations or references;
- b. fake referencing. This includes making up quotations and/or supplying fake citations. The fake citation can be either completely fabricated or reference a real source (book, journal, or website) which contains no such article or words. This offence includes AI generated fake references, whether or not the student was aware that the references were fake.
- c. the duplication of assessed work – the submission of broadly similar academic work previously completed by the student for academic credit as part of the same programme without express acknowledgement of the previous submission;
- d. the removal of an examination script or examination stationery or other materials from the examination room (or any other room in which a formal assessment is taking place);
- e. failure to comply with the instructions of an invigilator;
- f. the introduction into the examination room of any personal notes or revision notes in any form or stationery regardless of any attempt to use it;
- g. breach of professional confidentiality;

- h. failure to obtain ethics approval prior to undertaking work involving human participants (*UPR RE01 refers*); and
- i. failure to comply with the terms and conditions of an ethics approval granted for work involving human participants (*UPR RE01 refers*).

Students should also read the SPC Examination Regulations in the SPC Student Programme Handbooks.

## Procedures for dealing with Academic Misconduct

Allegations of academic misconduct such as cheating, plagiarism, collusion and other misconduct mentioned above will be investigated in accordance with the procedures set out below. Programme/module leads should discuss cases with the SPC Dean before a formal referral is made to avoid students being referred for poor academic writing skills.

### **Stage 1- Referral to SPC Head of Academics**

1. Allegations of Academic Misconduct will be made in writing to the SPC Dean accompanied by the Notification of Alleged Assessment Offence Form and appropriate documentary evidence to support the allegations.
2. Provided that there is a *prima facie* case to be discussed with the student and investigated further, the SPC Head of Academics will appoint a senior member of academic staff from the Academic Conduct Team at SPC, with no connection with the student, to investigate the allegations and inform the student of the allegations in a letter normally within five (5) working days of the date on which the allegation was referred to them, or as soon as possible thereafter.

The Letter of Notification will include:

- details of the alleged offence and the underlying facts that have been provided to support the allegation;
- that the student has a right to refute the allegation(s) of Academic Misconduct to the SPC Dean or nominee in writing within five (5) working days of the date of the Letter of Notification (not the date of its receipt by the student);
- that based upon the SPC Dean investigation, they may refer the matter to be dealt to a Student Academic Misconduct Panel.

The Investigating Officer may seek advice from others as they see fit and consider the allegation and supporting documentation.

3. If the allegation is upheld following the investigation, a Report of the findings will be written.
  - i. Students will be sent a copy of the Report to enable them to comment;
  - ii. This Report will also go to the Module Board of Examiners and an academic penalty recommendation will be made.
4. Academic Penalties may include:
  - i. The award a grade for an assessment based purely upon academic merit, taking into account the extent to which the work submitted represents evidence of the student having met the relevant learning outcomes, where the Board is, in its academic judgement, able accurately to determine this;
  - ii. A reduction in the grade awarded for an assessment, to reflect the extent to which the cheating, plagiarism, collusion and/or other Academic Misconduct has, in their academic judgement, created doubt about the evidence represented by the submitted work for the student having met the relevant learning outcomes;
  - iii. The award of a grade of 0 for an assessment, where the extent of the cheating, plagiarism, collusion and/or other Academic Misconduct is, in their academic judgement, such as to make it unsafe to award any academic credit for the work.

5. In addition to an academic penalty applied by a Board of Examiners, in circumstances where a student has admitted guilt in writing, the SPC Dean or Associate Head of Academics has delegated authority to assign one or more of the following penalties:
  - i. give an informal School warning noted on the School's records of Academic Misconduct offences but not noted on the student's academic record
  - ii. give a Disciplinary Warning within ten (10) working days of the completion of the investigation, but only where in addition to admitting guilt the student accepts in writing the Disciplinary Warning.
6. Students will be notified of the outcome of the decision of the Module Board of Examiners by letter;
7. Students have the right to appeal the decision. Please see the SPC Academic Appeals Policy and Procedure.
8. In some circumstances, cases will be referred to Stage 2, Student Academic Misconduct Panel described below.
9. Where a case is referred to the Student Academic Misconduct Panel, this will also be noted on Module Board of Examiners Report and the SPC Dean will:
  - i. Inform the Chair of the Board of Examiners, in writing, that consideration of the candidate should be deferred to await the conclusion of the process by the Student Academic Misconduct Panel;
  - ii. Inform the student the matter is referred to an Academic Misconduct Panel.
10. Alternatively, the investigation may find there is no case to answer. If this is the case students will be sent a letter confirming this and it will not be noted on their academic record.

## **Stage 2 – Referral to The University of Hertfordshire**

1. Criteria for referral to the University of Hertfordshire.
  - a. The following cases of Academic Misconduct must be referred to a Student Academic Misconduct Panel:
    - i. allegations of impersonation
    - ii. obtaining or attempting to obtain unauthorised access to examination/ in-class test papers and other forms of assessment
    - iii. the falsification of documentation or the making of false statements in order to receive special considerations by the Board of Examiners
    - iv. the misappropriation of material submitted for assessment;
    - v. contract cheating
    - vi. where an allegation of collusion is contested
    - vii. a serious breach of professional confidentiality;
    - viii. failure to obtain Ethics approval prior to undertaking work involving human participants (see UPR RE01) where the Chair of the

relevant Ethics Committee with Delegated Authority (ECDA), acting as the nominee of the relevant Associate Head of Academics (Academic Quality Assurance), considers the matter to be sufficiently serious to be dealt with under the provisions of UPR SA13 or UPR SA15 (see UPR RE01);

- ix. failure to comply with the terms and conditions of an ethics approval granted for work involving human participants (see UPR RE01) where the Chair of the relevant ECDA, acting as the nominee of the relevant Associate Head of Academics (Academic Quality Assurance), considers the matter to be sufficiently serious to be dealt with under the provisions of UPR SA13 or UPR SA15 (see UPR RE01)
  - x. any other allegation of academic misconduct as defined where the Associate Dean of SPC Dean considers it appropriate taking into account a student's previous proven /admitted Academic Misconduct offence or offences or where the circumstances surrounding a single offence are considered to be so serious as to justify a disciplinary panel hearing.
- b. Cases concerning breach of ethics protocols need to be referred to the Chair of the relevant University of Hertfordshire Ethics Committee with Delegated Authority (ECDA) and, where the ECDA considers that this is appropriate, come to a Student Academic Misconduct Panel at the University of Hertfordshire. Partners have no delegated authority to deal with ethics issues.
2. The Student Academic Misconduct Panel is composed of senior staff at SPC, namely:
    - i. the SPC Head of Academics;
    - ii. a SPC member of academic staff not associated with the student.
  3. The SPC Investigating Officer, or report author if different, will present the case to the Panel.
  4. The student may also present evidence and may be accompanied by a 'Friend': a person chosen by the student to accompany him or her to a meeting. The Friend may confer with the student but will not be permitted to answer direct questions for the student.
  5. The panel may ask questions of the student or Investigating Officer to clarify the evidence presented before making a decision.
  6. Following the conclusion of the process with the Student Academic Misconduct Panel, the SPC Dean will:
    - i. provide a report to the Chair of the Board of Examiners so that it may determine the appropriate academic penalty to be applied (see 7 below). Receipt of the report is noted formally in the minutes of the Board meeting at which it is received

- ii. inform the student of the outcome within 5 working days of the hearing.
7. Board of Examiners may, on academic grounds, and at their absolute discretion, impose any of the following academic penalties:
  - i. award a grade for an assessment based purely upon academic merit, taking into account the extent to which the work submitted represents evidence of the student having met the relevant learning outcomes, where the Board is, in its academic judgement, able accurately to determine this;
  - ii. reduce the grade awarded for an assessment, to reflect the extent to which the cheating, plagiarism, collusion and/or other Academic Misconduct has, in their academic judgement, created doubt about the evidence represented by the submitted work for the student having met the relevant learning outcomes;
  - iii. award a grade of 0 for an assessment, where the extent of the cheating, plagiarism, collusion and/or other Academic Misconduct is, in their academic judgement, such as to make it unsafe to award any academic credit for the work;
  - iv. suspend or permanently exclude a student from SPC.
8. Before accepting a Disciplinary Warning, the student must be made aware of the option to obtain independent advice. The Disciplinary Warning should be recorded on the School's records of Academic Misconduct offences and details (name, student number, nature of the offence) must be sent to student records for noting on the formal University record.
9. Where a case of Academic Misconduct has been found by the Board of Examiners this will appear on the student's academic record at UH and SPC .

### Support and Appeals

Students are entitled to be accompanied at any investigatory meeting or panels that they are required to attend. There will be an appeal process in the event of sanctions being imposed. Please see the Academic Appeals Policy and Procedure SPC available in the Student Handbook. If you have a declared health or disability-related issue, the Student Affairs Office will make reasonable adjustments in respect of all academic misconduct proceedings, for example in preparation for attendance at meetings associated with the proceedings and with respect to the management of any action plan or penalty following proceedings. Guidance should be sought by staff and students from the Student Affairs Office, and as appropriate, about further support during student academic misconduct proceedings.

### Annual Monitoring and Reporting

At the end of each academic year the number, nature and outcomes of Academic Misconduct Investigations will be analysed with particular attention to students with protected characteristics, and any actions resulting from this will be agreed by the SPC Academic Board and any actions will be implemented at the start of the following academic year and monitored in the same manner.

Date of Issue	
Signed on behalf of SPC	Dr Dipti Srivastava
Date	08/11/2024