

Higher Education Academic Misconduct Procedure

The purpose of this procedure is to:

- ensure that students and staff are aware of examples of academic misconduct and potential consequences
- clearly detail the procedure for investigating suspected incidences of academic misconduct and the roles of staff involved in the process
- set out the support available to students in relation to an academic misconduct investigation.

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1. Scope

- 1.1. The scope of this procedure is higher education programmes – courses at level 4 or above.
- 1.2. The procedure applies to higher education programmes which are subject to BPC's process for HE academic misconduct - students can check with their Programme Manager or their course handbook directly to confirm whether this procedure applies or one of a partner university or awarding organisation.

2. Statement of principles

- 2.1. Bournemouth and Poole College (BPC) is committed to assessment that is fair and where students have equal opportunity for achievement. Any attempt by a student to gain unfair advantage in an assessment, or to assist another student to gain an unfair advantage, is unacceptable.
- 2.2. In considering the consequence of academic misconduct, it is be established that misconduct can take place regardless of an intention to deceive. However, a student's intentions will be taken into consideration when a penalty is decided.

3. Definition of academic misconduct

- 3.1. Academic misconduct is 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 an unfair advantage, or any activity likely to undermine the integrity essential to higher education study and scholarship.

4. Examples of academic misconduct

- 4.1. The following provides examples of academic misconduct but is not an exhaustive list.

4.2. Cheating

- Having access to aids or devices not permitted during an examination, test, or other evaluation
- Copying another person's answer(s), with or without their permission, on a test, exam, or other work to be assessed
- Cheating in examinations (or other formal assessment), including possession of unauthorised material or technology during an examination, and attempting to access unseen assessment materials in advance of an examination
- Submitting fraudulent mitigating circumstances claims or falsifying evidence in support of mitigating circumstances claims (this may also be considered a non-academic disciplinary matter)
- Creation or falsification of data or other aspects of assessed work or placement hours
- Entering an assignment onto a specialist website and asking people to write the assignment on the students' behalf
- Submission of work presented as the students' own which has been purchased or solicited for that purpose.

4.3. Collusion

- Submission of work presented as the student's own work which has been done in unauthorised partnership with someone else, whether or not that other person is a student of The College;
- Knowingly making submitted assignments, instructions, briefs or similar instructional documents relating to assessments available to others (including posting to the internet) that could result in an unfair advantage.

4.4. Plagiarism

- Claiming, submitting or presenting work as if it is the student's own, without appropriate referencing. This includes but is not limited to words, ideas, artistry, drawings, images, data, information found on the internet and unpublished materials;
- Claiming, submitting or presenting collaborative work as if it were created solely by the student or their group;
- Minimally paraphrasing someone else's work by changing only a few words or elements and not citing the original source.

4.5. Self-Plagiarism

- Submitting the same work, in whole or in part, more than once, without the prior written permission of the tutor;
- Failing to disclose that a piece of work was previously submitted for another assessment.

4.6. Inappropriate use of artificial intelligence (AI)

- Use of generative artificial intelligence (AI) tools where it is disallowed by the awarding body/organisation – students should always check with their Programme Leader before using AI
- Failure to appropriately reference the use of AI in work submitted for assessment
- Failure to adapt content created by AI to make it the student's own work with detail of what was created by AI and the way in which it has been adapted.

5. Detection software

- 5.1. The College may use text matching software, such as Turnitin, to identify text potentially copied from other sources of work. Additionally, College staff may use search engines to determine whether text is located in other documents and will aim to determine whether text was generated by artificial intelligence (AI).

6. Guidance to explain plagiarism and poor academic practice

- 6.1. Students will receive training and guidance on:
- How to reference correctly
 - How to indicate that text is quoted, for example, whether students need to use inverted commas and/or indented text
 - Whether (and when) extensive paraphrasing might amount to plagiarism
 - How detection software is used and interpreted
 - The consequences for students if academic misconduct is determined.

7. Procedures for academic misconduct

7.1. Stage 1: Informal investigation

7.1.1. The purpose of this informal stage is to determine whether there has been academic misconduct and any intent. The student will be treated fairly and no assumptions will be made.

7.1.2. Stage 1 provides the opportunity for the student and the assessor or Programme Manager to have a professional discussion regarding the assessment in question and the student will be given the opportunity to explain any evidence that has led to an informal investigation

7.1.3. Poor academic practice

7.1.3.1. If this informal investigation finds that there has been poor academic practice through student carelessness or insufficient engagement with guidance provided on referencing, for example, the member of staff who has the discussion with the student (see 7.1.2) may, using their academic judgement, record the incident as a relatively minor first offence and, the student should be given an opportunity to learn from it.

7.1.3.2. The outcome of poor academic practice may be one or a combination of the following, decided at the discretion of the Programme Manager or Learning Manager:

- a. No penalty - the student is given a warning to use appropriate referencing and/or other academic skills in all future work
- b. The student is recommended or required to attend an academic skills session with a programme lecturer/tutor or a member of Library. If this action is agreed as a requirement, failure to attend the session may be dealt with through the College's disciplinary procedure
- c. The student is required to resubmit the work without penalty. If in the judgement of the Programme Manager or Learning Manager a penalty should be required, Stage 2 of these procedures must be applied

- d. The Programme Leader provides additional guidance and support to all students within the relevant group.

7.1.4. Academic misconduct

- 7.1.4.1. If the informal investigation finds that there has been academic misconduct through intention to deceive, repeat of a minor offence (as described in 7.1.3.1) or other activity – the student will be informed that the matter will be dealt with through a formal Stage 2 investigation.

7.2. Stage 2 – formal investigation

- 7.2.1. Stage 2 involves a formal and recorded investigation. The student will meet with the HE Manager and the relevant Learning Manager or delegate to investigate the allegation. The student will normally be given 5 working day's written notice of this meeting. A notetaker will be present. A decision based on the evidence and material available will be made and the student will be contacted within 5 working days of the meeting, via email, to inform them the outcome and to provide a copy of the notes taken during the meeting.

7.2.2. Stage 2 outcomes

- 7.2.2.1. When considering what outcome to apply, the following should be taken into account:

- whether the student has accepted the allegation
- Whether the student has provided any mitigating evidence; and
- The students' conduct through this procedure.

- 7.2.2.2. The possible outcomes that can be applied are:

- a. No case to answer – end of the process
- b. Case upheld and concluded as poor academic practice with the appropriate penalty a, b, c and/or d applied as set out in 7.1.3.2
- c. Case upheld and agreed as a first and/or minor misconduct and the following penalty applied:

Receive a mark of zero for the piece of assessment with the opportunity to resubmit within awarding body/organisation regulations.

The decision and penalty will be provided in writing to the student and the Programme manager and Learning Manager. The student will be advised in this letter that if they wish to dispute the penalty, they have the right to request that the case be referred to the Academic Misconduct Panel for consideration.

- d. Case upheld and referred to Stage 3 - Academic Misconduct Panel.

- 7.2.2.3. For outcomes b or c, it is recommended that student is required to attend a compulsory academic skills session with a programme lecturer/tutor or a member of Library. If this action is agreed at this stage, failure to attend the session may be dealt with through The College's disciplinary procedure.

7.3. Stage 3 - Academic Misconduct Panel

- 7.3.1. The student will be given a minimum of 10 term days' notice of the Academic Misconduct Panel, how to access advice and support, the right to be accompanied for example by a friend, family member, employer or student union representative and information regarding the composition of the Panel.

- 7.3.2. The Academic Misconduct Panel shall comprise:

- Executive Director of Higher Education and Skills, or delegated member of the College Senior Leadership Team, who will chair the group
 - The Higher Education Manager
 - Learning Manager or Programme Manager from a different subject area
 - An administrator to take notes
 - The student
 - A representative on behalf of the student such as a friend, family member, employer, a representative from the Student Inclusion and Support Team or the students' union.
- 7.3.3. The Academic Misconduct Panel offers the opportunity for the student to give their version of events, if the student does not want to attend the hearing a statement can be received at least 2 working days in advance of the hearing date. The Panel has the right to proceed without the student being present; If the student decides not to attend the Panel they will not be able to answer any questions that the panel may ask.
- 7.3.4. The student can also submit witness statements but these need to have been signed and dated by the witnesses and be sent to the Chair of the Panel at least 2 working days in advance of the Panel.
- 7.3.5. If the student would like witnesses to attend the Panel (separate to their support representatives) it is the students' responsibility to inform the Panel of their names at least 2 working days before the Panel.
- 7.3.6. Stage 3 outcomes
- 7.3.6.1. The Panel will make a decision based on the evidence and material available. The outcome reached by the Panel will be sent to the student within 10 working days of the Panel and will include the notes taken during the meeting.
- 7.3.6.2. When considering what outcome to apply, the Panel may consider:
- Whether the student has accepted the allegation;
 - Whether the student has provided any mitigating evidence; and
 - The student's conduct through this procedure.
- 7.3.6.3. The possible outcomes that can be applied are listed here:
- a. No case to answer – end of the process
 - b. Fail the assessment and the entire unit/module (where appropriate). Further actions or outcomes relating to failure may be determined by the awarding body/organisation and the Panel will refer to the relevant academic regulations to provide detail and clarity.
 - c. Fail the year in which the relevant assessment/unit/module(s) occurs, subject to awarding body/organisation regulations to which the Panel will refer to provide detail and clarity.
- 7.3.7. If the case is upheld, the panel will take into account any previous academic misconduct offences by the student when applying a penalty.
- 7.3.8. The chair of the Panel shall be responsible for writing to the student to inform them of the outcome of the Panel decision within **20 term days** of the decision being made. This communication will provide details of how to access the College's Academic Appeals Procedure.
- 7.3.9. Appeal

7.3.9.1. The student has the right to appeal the decision of an Academic Misconduct Panel. The procedure for appeal will be the College's Academic Appeals Procedure which may be found on the College website.

8. Disclosure of information

8.1. The details of a suspected incident of academic misconduct will be circulated to all those who need to see it in order to conduct a proper, fair and thorough investigation.

9. Support for the student suspected of academic misconduct

9.1. Help is available for all students from a range of College staff such as tutors or, members of the Student Inclusion and Support Team.

9.2. For students who have declared a disability or learning need, it is important that information is made available in appropriate formats. Academic misconduct information will be made available to students on request and the College assures that no student will be disadvantaged.

10. Data protection

10.1. Personal data relating to academic misconduct will be handled in line with the College's Data Protection Policy.

10.2. Any personal data that is relayed to other members of staff will only be disclosed to those persons who are directly involved for the purpose of investigating a suspected incidence of academic misconduct.

11. Conduct of procedures

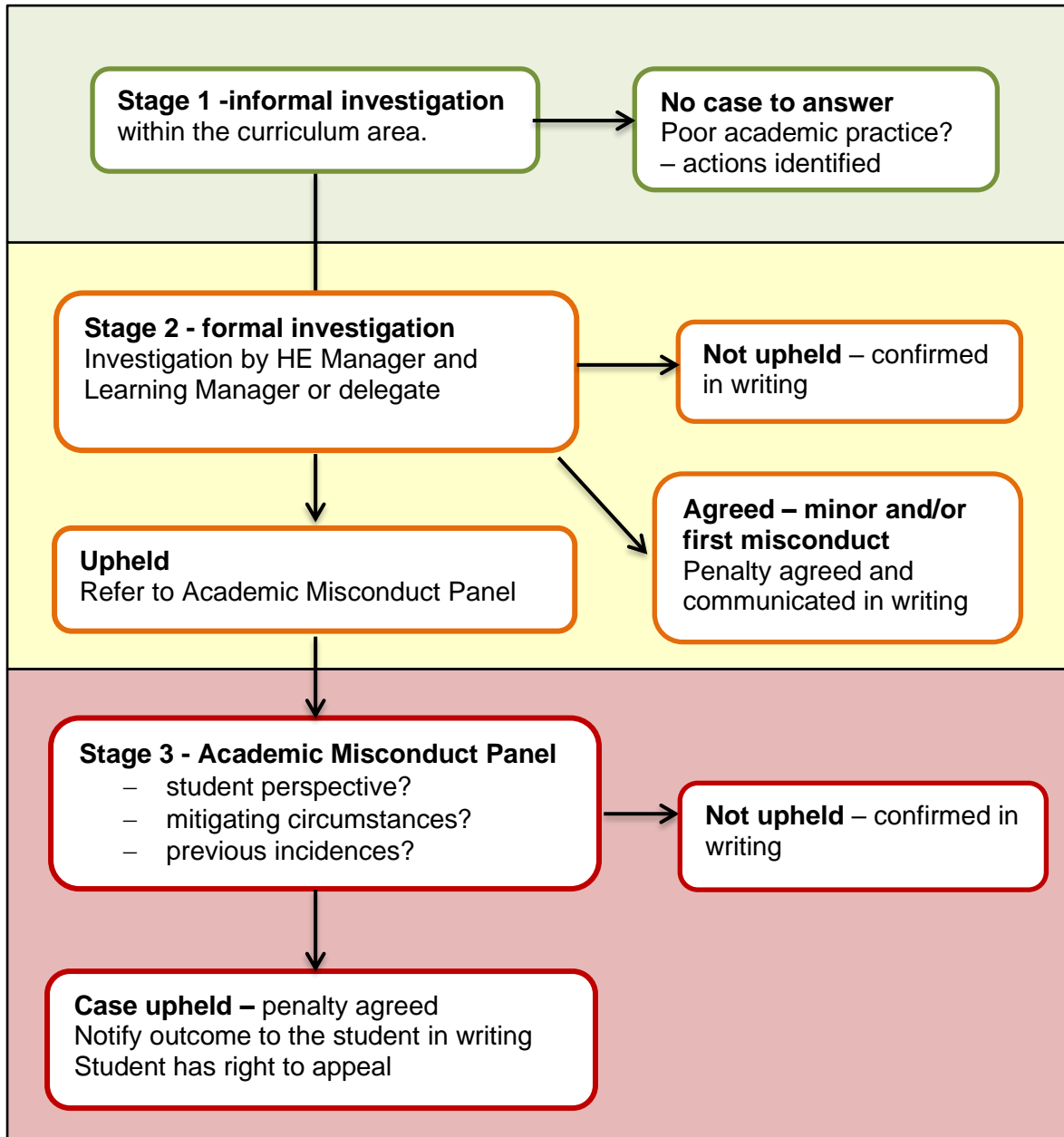
11.1. The College requires that all suspected incidences of academic misconduct are dealt with fairly. To secure fairness to all parties, those investigating or deciding on them will act impartially and identify any actual or potential conflict of interest.

12. Related policies and procedures

12.1. Related policies and procedures can be viewed or downloaded from the College website at: <https://www.thecollege.co.uk/about-us/college-information/college-policies>

- Complaints Policy
- HE Academic Appeals Procedure
- Data Protection Policy
- HE Fitness to Practice Guidelines
- Managing Student Behaviour and Performance Policy

13. HE academic misconduct procedure flowchart



Approved by HE Academic Board, March 2024

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