

# Academic Misconduct

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## Procedure

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# 1. Introduction

Good academic practice and academic integrity are central to the values promoted by UCEM. It is important that all UCEM students are assessed on their own ability and that no student is allowed to gain an unfair advantage over others, or to diminish the quality or academic standing of a UCEM award. UCEM aims to help students develop skills around professional integrity by promoting the importance of professionalism and ethics. This procedure sets out how UCEM will investigate concerns about academic integrity related to assessments. Accordingly, this procedure should be read in conjunction with the UCEM Guide to Academic Integrity ([opens new window](#)), which outlines the types of activity that constitute academic good practice, poor academic practice, and academic misconduct.

Academic good practice is encouraged and supported. UCEM distinguishes between poor academic practice and academic misconduct. Through the investigative process where there are concerns of academic integrity, poor academic practice may be identified. If so, students will be provided with advice and support from UCEM.

UCEM defines academic misconduct as acting without sufficient academic integrity and/or attempting to gain academic credit unfairly. The guidance document linked in the first paragraph provides further details, and information about how to avoid academic misconduct. There is also advice in the Study Skills area of the Virtual Learning Environment (VLE).

Academic Misconduct is a disciplinary offence under the [Terms and Conditions of Contract \(opens new window\)](#). It is investigated under this procedure and, if confirmed, can be subject to a range of measures. When testing concerns of academic misconduct, the burden of proof is on UCEM and UCEM will use the standard of proof based on the 'balance of probabilities' rather than 'beyond all reasonable doubt'. Evidence indicating that, on balance of probabilities, academic misconduct has occurred will be deemed sufficient evidence for action to be taken.

UCEM will endeavour to ensure that information is available to you at all stages of the procedure in appropriate formats, and that, where you have a declared disability, any reasonable adjustments are made to the associated proceedings to accommodate your needs.

Please see [Appendix A: Academic Misconduct Process Flow Diagram](#) to see an outline of the process.

## 2. Scope

The procedure applies to all students registered on programmes or modules which lead to UCEM credit or award. If you are studying on your first year of an undergraduate programme (this includes if you enter with credit transfer or exemption as a result of previous study) we are mindful of the fact that you are learning to write in an academic style required for higher education level study. We therefore take this into consideration when reviewing your submission.

Should your studies end (including withdrawal) part way through the process, prior to the final outcome, then the Dean of School may choose not to proceed with the investigation. UCEM reserves the right to investigate a case after a student has withdrawn or graduated.

## 3. Types of academic misconduct

The list of types of academic misconduct is contained in the [UCEM Guide to Academic Integrity \(opens new window\)](#). The list will be updated there as appropriate. It is important to note that any concerns about criminal activity in relation to assessments (including contract cheating) will automatically be considered as an academic misconduct investigation.

## 4. Overview of process

### 4.1 Stage 1: Identification of academic integrity concerns in an assessment

Concerns about the academic integrity of an assessment can be identified in various ways, including:

- Text-matching software such as Turnitin can be used to trigger further review of a submission but will not be used as evidence of academic misconduct on its own even if the proportion of matching text is high. A finding of academic misconduct may be made even if there is an absence of matching text, for example where words have been changed to avoid detection or where a source is known to the reader but has not been uploaded to the text-matching software.
- An initial investigation may also be triggered where there are any other concerns about the authenticity of a piece of work, for example, concerns about falsification of data, or ethical breaches. These concerns can be raised by anyone reviewing assignment submissions including but not limited to a Marker, Module Leader, Moderator, External Examiner, or member of Academic Registry.

At this stage, students will not be informed that their submission has been identified as having potential academic integrity concerns. Marking of the submission will continue at face value on the assumption that no academic misconduct has taken place. Accordingly, marks are not taken into account should the submission go to Academic Misconduct Panel. However, for the purposes of considering appropriate measures, the panel may be advised on whether or not the submission reached the pass threshold.

### 4.2 Stage 2: Initial evaluation

Submissions where concerns about academic misconduct arise will usually be referred to the relevant academic ('the investigator') for initial evaluation. This may be a module leader, a subject specialist, or another member of the academic team trained in evaluation for potential misconduct.

The investigator will make a judgement as to whether there is sufficient evidence to warrant further investigation. This judgement is based on a detailed review of the specific submission under consideration. In making their determination, it is likely that the investigator will need to liaise with members of the module team. On completion of the initial evaluation, three outcomes are possible:

1. If the investigator determines that the submission follows good academic practice, the investigation will be closed, and no further action will be taken.

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2. If the investigator determines that poor academic practice has occurred, the UCEM Academic Support and Enhancement Team (ASET) will offer additional support around referencing and good academic practice. This will, initially, take the form of an email offering you a one-to-one tutorial. In the event that you do not respond to the offer of additional support, a further two attempts will be made to contact. If there has still been no response, a note will be made on our internal records to inform future interactions with you.
3. If the investigator identifies suspected academic misconduct, the submission will be referred to the Stage 3 process for further academic review.

At this stage, students will not be informed that their submission has been identified as having potential academic integrity concerns. Marking of the submission will continue at face value on the assumption that no academic misconduct has taken place.

### 4.3 Stage 3: Academic review

Submissions referred to Stage 3 by the investigator will be allocated to an appropriate Academic Reviewer (AR), with no conflicts of interest (for example, no current teaching links between you and the reviewer). On completion of the review, three outcomes are possible:

1. If the AR determines that the submission follows good academic practice, no further action will be taken other than to close the investigation.
2. If the AR determines that poor academic practice has occurred, ASET will offer additional support around referencing and good academic practice. This will, initially, take the form of an email offering you a one-to-one tutorial. In the event that you do not respond to the offer of additional support, a further two attempts will be made to contact. If there has still been no response, a note will be made on our internal records to inform future interactions with you.
3. If the AR identifies suspected academic misconduct, the submission will be referred to the Stage 4 process for further review by the Academic Misconduct Panel (AMP).

At this stage, students will not be informed that their submission has been identified as having potential academic integrity concerns. Marking of the submission will continue at face value on the assumption that no academic misconduct has taken place.

### 4.4 Stage 4: Preparing for the Academic Misconduct Panel

In the event of suspected academic misconduct, this will be the initial point that you are notified that your submission is under review. You will receive written confirmation from designated trained staff within Academic Registry who will outline information about how the investigation will be conducted, key dates for the process and details of the AMP meeting. You will also be offered support to guide you through the process including guidance on how to interpret a similarity report from text-matching software, such as Turnitin.

In this written confirmation, you will be given an opportunity to provide a 'right to reply' response: a statement to present any mitigating factors and any other evidence that would be useful for the investigation. Mitigating factors may include (but are not limited to) a disability or mental health issues. You will be given fourteen calendar days to prepare your right to reply response which can be submitted in written, audio or video format. For the avoidance of doubt, your right to reply response should be submitted as outlined in the initial written confirmation and cannot be submitted over the phone.

Where you choose not to provide a right to reply response the investigation will still proceed based on the evidence available.

### **4.4.1 Accepting academic misconduct has occurred in your right to reply response**

Where a right to reply response indicates that you accept misconduct has occurred, you are still able to present any mitigating factors and any other evidence that would be useful for the Chair of the Panel to know. If you acknowledge misconduct, normal practice will be that the AMP meeting will be cancelled. The Chair of the Panel will make a determination as to which of the misconduct measures is most appropriate, based on the information in your response.

In this instance, notification of the outcome following a Chair's decision will be provided in writing within five working days of the decision being made. Alongside the outcome, further guidance will be provided on how to avoid academic misconduct in future, and on the appeals process (see [Section 9: Appeals](#)).

### **4.4.2 Potential cases of collusion**

For potential cases of collusion, each student identified will be given a right to reply. Where right to reply responses concur that one student has copied work without the knowledge or consent of other identified student(s), UCEM reserves the right to allow the AMP to proceed on the basis of plagiarism and mark the investigation as closed for the student(s) whose work has been copied. This decision may be made by the Chair of the Panel and will be communicated to you in writing.

## **4.5 Stage 5: Academic Misconduct Panel**

The AMP is convened when there are cases that need to be considered. The Terms of Reference [\[opens new window\]](#) outlines the number of panellists and their roles. You are encouraged to attend this meeting, which will normally be conducted virtually, to present your case. You can also be accompanied by a nominated guest (not a legal representative) who cannot contribute during the meeting but can observe the meeting to provide you support. Should you wish to be accompanied, you should provide details of this individual ahead of the AMP meeting as indicated by the initial written confirmation sent to you.

At the AMP meeting, all the available evidence will be reviewed and if you choose not to attend, any right to reply response you have submitted will be fully presented and considered. The AMP will first determine whether, on the balance of probabilities, academic misconduct has occurred by making one of the three following decisions:

1. If the AMP determines there is insufficient evidence of academic misconduct or poor academic practice, the investigation will be closed, and no further action will be taken;
2. If the AMP determines that poor academic practice has occurred, ASET will offer additional support around referencing and good academic practice. This will, initially, take the form of an email offering you a one-to-one tutorial. In the event that you do not respond to the offer of additional support, a further two attempts will be made to contact. If there has still been no response, a note will be made on our internal records to inform future interactions with you.
3. If the AMP determines there is sufficient evidence of academic misconduct, a measure will be applied as outlined below.

If the panel conclude that academic misconduct has occurred (option c above), a measure decision will be taken in line with those detailed in [Section 6: Measures](#). The panel will consider the following when making their measure decision:

- The severity of the misconduct;
- Your intent, as far as possible;

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- Your level of study;
- Any previous cases of academic misconduct or poor academic practice;
- Any other mitigating factors.

As previously noted (see section 4.1) markers are asked to mark at face value on the assumption that no academic misconduct has taken place. Accordingly, marks are not taken into account should the submission go to Academic Misconduct Panel. However, for the purposes of considering appropriate measures, the panel may be advised on whether or not the submission reached the pass threshold.

For the avoidance of doubt, the AMP will only use these factors to determine the measure to be applied. They do not form part of the decision regarding whether misconduct has occurred. As such, the AMP will not be informed of previous cases of proven academic misconduct until they have agreed there is sufficient evidence of academic misconduct in the current instance. Similarly, and as previously noted, (see section 4.1) since markers are asked to mark at face value on the assumption that no academic misconduct has taken place, actual marks are not taken into account when determining whether academic misconduct has occurred. However, for the purposes of considering appropriate measures, the panel may be advised on whether or not the submission reached the pass threshold.

The AMP may rule that misconduct has occurred in the form of any of the categories outlined in the UCEM Guide to Academic Integrity ([opens new window](#)), even if this is not the type of misconduct stated in the referral document. Examples of this may include, but are not limited to:

- The AMP may deem that there is insufficient evidence to prove that contracting another to write a piece of assessed work has occurred, but may conclude that there is sufficient evidence of plagiarism;
- The AMP may decide that there is no evidence that two or more students have colluded with each other but determine that there is evidence that one student has copied (plagiarised) another.

The AMP will work through the measure scale (starting at the least severe) until they reach the appropriate measure.

For cases of collusion or where academic misconduct concerns are related to group work, all linked cases will usually be considered at the same meeting and all students involved will have an opportunity to respond to what the other students have raised.

Within five working days of the meeting, you will receive written confirmation of the AMP's decision including details of any measure, how to avoid academic misconduct in future, and information on the appeals process (see [Section 9: Appeals](#)).

## 4.6 Timings

In line with guidance published by the Office of the Independent Adjudicator (OIA), the whole process from the start of the investigation to the confirmation of the final outcome will not normally exceed 60 calendar days. Indicative timeframes for each part of the process are as follows:

- Assessment is submitted
- Potential misconduct is flagged to the investigator and initial investigation is conducted (14 calendar days)
- AR conducts review (14 calendar days from investigator referral)
- Right to reply response requested and AMP meeting is arranged (21 calendar days from AR referral)

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- AMP meeting is held, and outcome is received in writing (5 working days from decision being made).



## 5. Confidentiality

Information about your academic misconduct investigation will only be disclosed to those involved in investigating or deciding upon it, or to those offering you support. If it is deemed that you have committed academic misconduct, this will be recorded on your academic record for that assessment and the Board of Examiners will be made aware.

Where an investigation leads to an AMP, this meeting will be recorded for the purposes of creating an accurate written record of events after the meeting. The recording is handled in accordance with the UCEM [Data Protection](#) and [Privacy](#) policies (opens new windows).

If you are an apprentice reaching Stage 4 of this process, the appropriate member(s) of the apprenticeship support team (for example, your Apprenticeship Outcomes Officer (AOO)) will be made aware of any investigations of academic misconduct so that they are able to provide any additional support and guidance in relation to the apprenticeship (for example, through your progress reviews). Your line manager will also be informed of the AMP and made aware of the outcome.

For cases of suspected collusion, it is important that all parties are aware of the evidence being presented to the panel. Prior to the AMP meeting, copies of the relevant Turnitin similarity reports will be shared with any sensitive personal information redacted. All students will have the opportunity to hear the other right to reply response in the AMP meeting.

UCEM may be required to inform relevant Professional Statutory and Accrediting Bodies about cases of academic misconduct.

UCEM strictly adheres to the UK General Data Protection Regulation (GDPR) 2018 when dealing with personal and sensitive information (or special categories of personal data under UK GDPR).

## 6. AMP measures

### 6.1 Measure matrix

Whilst each case should be considered its own merit, once a decision that academic misconduct has occurred, panellists may refer to the log of any relevant previous cases in reaching the determination regarding which measure should be applied. The grade of any mark cap applied, whether at assignment or at module level, must be specified by the panel and be included in the notification to the student.

| <b>A: Minor</b> | <b>Extent and Significance</b>  | <b>Intent to Deceive</b>   | <b>Persistence of Misconduct</b>  | <b>AMP Measure</b>  | <b>Examples</b>   |
|-----------------|---|--|---|---|---|
|                 | <p>Inclusion of source material without proper citation or attribution.</p> <p>A significant Turnitin Similarity Index may be an indicator.</p> | <p>The unintentional misrepresentation/misuse of source data or information apparent.</p> <p>Unintentional or accidental collusion with another student to use or share work as part of an individual assessment.</p> <p>Intentional misrepresentation/misuse of source data, or intentional collusion where there has been no prior misconduct.</p> | <p>One-off act of misconduct demonstrating a failure to understand and apply proper referencing practice;</p> <p>OR</p> <p>the student has previously received good academic practice support for poor academic practice.</p> | <p><b>A1:</b> Student has mark capped for specific question(s)/task(s) in which misconduct took place;</p> <p><b>A2:</b> Student has mark capped for assessment in which misconduct took place with right to resubmit*</p> <p><b>A3:</b> Student has module mark capped at a mark no lower than threshold for module in which misconduct took place. <i>Note: A3 only available to panel if all module assessment deadlines for this attempt have passed.</i></p> | <ul style="list-style-type: none"> <li>• Plagiarism which is minor in extent or importance: for example, the unattributed use of a few sentences or a short paragraph.</li> <li>• Falsification of data, which is minor in either extent or importance, for example data associated with demonstrating known practices. Any falsification of experimental data which are intended to or would normally be expected to generate knowledge, including those in a postgraduate or a final year undergraduate project, cannot be regarded as minor.</li> <li>• The use of another Author's ideas or concepts which have been intentionally included as though the student's own work but are actually the work of others. No references, including citations are given.</li> <li>• The student has submitted work which is either identical or closely related to the work and ideas of another assignment previously submitted by themselves (replication).</li> </ul> |

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| <p><b>B:<br/>Significant</b></p> | <p><b>Extent and Significance</b></p> <p>Inclusion of significant volumes of source material without citation or attribution.</p> <p>A high Turnitin Similarity Index may be an indicator.</p>                   | <p><b>Intent to Deceive</b></p> <p>The intentional misrepresentation/misuse of source data or information apparent.</p> <p>Intentional collusion with another student to use or share work as part of an individual assessment.</p>  | <p><b>Persistence of Misconduct</b></p> <p>Intermittent acts of misconduct demonstrating a failure to learn from previous advice or sanctions.</p> | <p><b>AMP SANCTION</b></p> <p><b>B1:</b> Student has mark reduced to zero for assessment in which misconduct took place with right to resubmit*;</p> <p><b>B2:</b> Student has module mark reduced to zero for module in which misconduct took place with right to resubmit*.</p> <p><i>Note: B2 only available to panel if all module assessment deadlines for this attempt have passed.</i></p> | <p><b>Examples</b></p> <ul style="list-style-type: none"> <li>• Plagiarism which is significant in extent or importance: for example, the unattributed use of substantial paragraphs.</li> <li>• Falsification of data, which is significant in either extent or importance, including work where the data are the basis on which conclusions are derived and knowledge is claimed to be based.</li> <li>• Collusion i.e., unauthorised collaboration on assessable written, oral, or practical work with another person or persons.</li> </ul>   |
| <p><b>C:<br/>Substantial</b></p> | <p><b>Extent and Significance</b></p> <p>Extensive inclusion of high volumes of source material without any citation or attribution.</p> <p>An extremely high Turnitin Similarity Index may be an indicator.</p> | <p><b>Intent to Deceive</b></p> <p>Blatant, systematic, and intentional misrepresentation/misuse of source information or data apparent.</p> <p>Blatant and intentional collusion with another student to use or share substantial work as part of an individual assessment.</p> | <p><b>Persistence of Misconduct</b></p> <p>Repeated acts of misconduct demonstrating a refusal to learn from previous advice or sanctions.</p>     | <p><b>AMP SANCTION</b></p> <p><b>C1:</b> Student failed in relevant modules, with right to resubmit* and classification capped at a pass. (Note, the classification cap is only available for classification modules);</p> <p><b>C2:</b> Student removed from programme but remain eligible for lesser award;</p>   | <p><b>Examples</b></p> <ul style="list-style-type: none"> <li>• Plagiarism which is substantial in extent or importance: for example, reproducing material, which amounts to three or more pages, from a source/sources without acknowledgement; or the substantial use of ideas and arguments of a source or sources which does not appear in the references or bibliography, where the context is such that it is presented as the student's own ideas.</li> <li>• Falsification of data, which is substantial in extent or importance, including the principal data on which the results of a postgraduate dissertation/thesis are based.</li> <li>• Impersonation or being impersonated.</li> </ul> |

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|  | Such a high score could apply to someone who is unaware/unable to demonstrate good academic practice. |  |  | <b>C3:</b> Student removed from programme without eligibility for lesser award. | <ul style="list-style-type: none"> <li>• Commissioning someone else to write the assignment, including the use of online academic writing services.</li> <li>• Failure to obtain ethical approval prior to conducting research (obtaining evidence illegally)</li> <li>• Significant ethical breaches including conducting research without prior approval; not retaining personal data securely.</li> </ul> |
|--|---|--|--|---|--|

\*Where resubmission is not possible (for example, if the date you receive your outcome is after the release of module marks, or if the assessment under review is already a resubmission) the next option will be a retake, provided this would not exceed the number of attempts permitted within the UCEM Academic and Programme Regulations (see section on Number of attempts for more information). Retaking a module attracts a fee (in accordance with the Academic and General Regulations for Students (opens new window), A retake will require submission of all assessments for that module as assessment marks are not carried forward. If the retake is to be capped, you will be advised of this in the panel decision notification.

## 6.2 Withdrawal of awards

UCEM reserves the right to withdraw and/or amend an award if evidence of academic misconduct becomes available after the conferment of that award.

## 7. Recording of academic misconduct

If you are deemed to have committed academic misconduct, this will be recorded on your academic record for that piece of assessment. This information will be made available to the Board of Examiners.

## 8. Monitoring, evaluation, and review

An annual report on anonymised cases of academic misconduct will be compiled and reported to relevant UCEM deliberative committees.

## 9. Appeals

You have the right to appeal on a decision made with relation to academic misconduct. Details of the procedure and the grounds for appeal are set out in the [UCEM Student Appeals Procedure \(opens new window\)](#).

## 10. Related policies

- [Student Appeals Procedure \(opens new window\)](#);
- [Student Complaints Procedure \(opens new window\)](#);
- [Student Charter \(opens new window\)](#);
- [Code of Practice Board of Examiners \(opens new window\)](#);
- [UCEM Terms and Conditions of Contract \(opens new window\)](#);
- [Data Protection Policy \(opens new window\)](#);
- [Student Disciplinary Procedure \(opens new window\)](#);
- [Neurodiversity, Disability and Wellbeing Procedure \(opens new window\)](#).

# Appendix A: Academic misconduct process flow diagram

