

# Academic Misconduct

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## Procedure

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# Coronavirus (COVID-19) Update

*Update made 26 March 2020*

Due to the coronavirus (COVID-19) pandemic, face to face meetings of the Academic Misconduct Panel will be replaced by meetings conducted using the appropriate conferencing technology. Panel meetings will still be conducted according to the Academic Misconduct Procedure and the Academic Misconduct Panel Terms of Reference, but in the interests of the health and safety of UCEM staff and students, there will not be an option for students to attend in person until it is determined that it is safe to resume face to face panel meetings. Students still have the right to attend the meetings, but this will be via video or phone link.

For more information about UCEM's response to Coronavirus (COVID-19) visit the [Coronavirus section on the VLE Help page \(opens new window\)](#).

# 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.

This procedure outlines what types of activity constitute academic misconduct and how cases of academic misconduct will be investigated by UCEM.

UCEM defines academic misconduct as cheating, attempts to cheat, plagiarism, collusion, and any other attempts to gain an unfair advantage in assessments. Academic Misconduct is a disciplinary offence under the [Terms and Conditions of Contract \(opens new window\)](#) and is punishable by a range of sanctions.

UCEM distinguishes between academic misconduct and poor academic practice. Poor academic practice is often the result of inexperience or lack of knowledge and students who are found to have demonstrated poor academic practice will be provided with advice and support by UCEM. Concerns about academic misconduct will be considered under this procedure.

When investigating cases 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.

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

## 2. Scope

The procedure applies to all students registered on programmes or modules / units which lead to UCEM credit or award.

Should you withdraw 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 following is a list of the types of academic misconduct that might occur it is not meant to be an exhaustive list and UCEM may investigate other types of academic misconduct as they occur.

**Plagiarism** – Is the fraudulent misrepresentation of the work of others – including ideas, arguments, words, diagrams, images, and data – as one's own. This applies whatever the source e.g., UCEM study material, published books or documents, the Internet, the work of another student or company. It also includes the use of falsified referencing and misrepresenting secondary referencing.

**Self-plagiarism (or double submission)** – Is resubmitting previously submitted work on one or more occasions without proper acknowledgement for separate blocks of credit. It will not normally include work submitted for resubmission//retake within the same assessment.

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**Collusion** – Where two or more students submit a substantial amount of identical work in individual assignments each representing it as their own work, or knowingly allowing another student to copy one's own work.

**Falsification of data or making false declarations** – This includes where questionnaire results, interviews or other data are made up or altered.

It also includes making false declarations to obtain special assessment arrangements, including providing false information as part of mitigating circumstances submissions.

**Bribery or attempting to influence UCEM staff** – You must not offer or give any member of UCEM staff money, gifts or any other advantage which is intended to induce or award impropriety in the marking and/or processing of your assessment.

This includes attempting to influence a marker or other UCEM official by writing additional notes on the assessment.

**Ethical breaches** – You must ensure that research is conducted in an ethical and responsible manner. This includes ensuring that approval is granted before undertaking primary research and that data collected from participants is handled in an appropriate way.

**Contracting or requesting another to write a piece of assessed work or writing a piece of assessed work for another student** – This involves any means whereby a person does work (in whole or in part) on behalf of another which is submitted for assessment. It includes undertaking assessments for someone else by a fellow student, employer, employee, friend, or family.

It includes information from 'cheat sites' or 'essay mills' or other sources (see below).

### 3.1 Cheat sites and essay mills

There has been a significant increase in the prevalence of essay mill sites in recent years. These sites are not limited to providing 'essays' but may offer reports, project proposals, data and presentations. They profit from encouraging students to cheat. They may seem legitimate, and even advertise themselves as such, but using an essay mill site is in breach of UCEM's academic misconduct rules. In addition to the penalties outlined in this procedure, there are other consequences of engaging with essay mill sites which many students are unaware of. As outlined in the QAA Contracting to Cheat in Higher Education How to Address Essay Mills and Contract Cheating publication:

*"Extortion and blackmail are becoming greater threats to people who use essay mills. Personal data may be stored online with minimal if any security, exposing customers to identity theft and bank fraud." (QAA, 2020)*

Essay mills have been known to contact students after purchases are made with threats to expose them to their institutions unless more money is given.

UCEM has tools in place to detect the use of essay mills. UCEM takes contract cheating extremely seriously and, despite many sites making false claims to the contrary, the likelihood of detection is very high. Due to this being a deliberate transaction, contract cheating is likely to show intent and therefore considered at the higher end of the penalty sanctions.

UCEM understands that the temptation to engage with such sites often comes from a place of stress and anxiety regarding personal circumstances and workload. UCEM has support in place if students are feeling overwhelmed. If you need support, you should contact Student Central (see section 4.3). Using an essay mill site or any other form of academic misconduct is never the answer.

## 4. How to avoid academic misconduct

You are advised to take particular care in respect of the following:

### 4.1 Getting help from others / helping others

You are encouraged to discuss and share ideas and information, but you are advised to put the ideas in your own words so that your submission is distinct from others. Those who assist others to commit academic misconduct will be subject to the same sanctions as those who use unfair means.

You are personally responsible for ensuring that you protect your own work, submit yourself and do not allow others to use your work.

### 4.2 Referencing

If you are using work which has been produced by other people within an assignment you will need to ensure that you acknowledge or reference the source of the work. If poor referencing is extensive throughout a piece of work, it could appear that you are trying to claim credit for the work of others, and you may be deemed to have committed plagiarism.

Guidance on referencing practice is available in the following guidance documents:

- UCEM Student Handbook, which is published on the VLE;
- The Induction Module on the Virtual Learning Environment (VLE). All new students are required to complete the section 'Writing in your Own Words';
- Study skills resources on academic referencing and academic writing, UCEM Guide to Harvard Referencing.

In addition, you have access to the text matching software 'Turnitin' on the VLE, to use as a formative tool prior to the submission of an assessment.

### 4.3 Good academic practice study skills support

You are encouraged to seek support if you need to improve your academic practice. You can access additional support via Student Central and being referred to an Academic Programme Support Tutor. Tailored support can be provided to address the areas that you are struggling with whether it is learning to reference correctly or learning to paraphrase and summarise in your own words.

If you demonstrate poor academic practice on an assessment, you will be referred to a member of the Learning, Teaching and Enhancement team who will provide tailored good academic practice guidance.

### 4.4 What is Turnitin and how to interpret a Turnitin similarity report

Turnitin is a text-matching service which UCEM uses as a learning tool to help you see what text you may have copied verbatim and how much of the submission is cited and referenced correctly. Markers are also provided with a copy of your Turnitin report so that they can view this information they will however not only consider the similarity score but will interpret the report in full.

There is the following specific guidance provided on the VLE on how to interpret the 'similarity score' on the Turnitin text matching report:

- Student FAQs available in your module area of the VLE within the week you are due to prepare the assessment;
- Turnitin guidance videos are also provided alongside the FAQs.

## **5. Students studying a further education programme or taking their first year of an undergraduate programme**

If you are studying a further education programme (at level 3 and below) or studying on your first year of an undergraduate programme (this includes if you are joining the programme in the second year with exemption) we are mindful of the fact that you are learning to write in an academic style required for higher education level study. We appreciate that sometimes there is unintentional academic misconduct which is part of the learning process, and we therefore take this into consideration when reviewing your submission.

You must however make every effort to use your time during this part of the programme to learn how to write in your own words and use appropriate referencing.

The above does not apply to collusion which will still be investigated, and penalties applied so please be aware of this when writing your submissions with others.

## **6. Overview of Process**

### **6.1 Stage 1: Identification of suspected academic misconduct in an assessment**

Academic misconduct may be identified by the marking tutor. In cases of plagiarism and collusion the marking tutor should highlight those passages which are unattributed or the same as another student's work and should indicate the extent of the plagiarism or collusion per question. Where there may be different forms of academic misconduct identified, for example plagiarism and collusion these must be highlighted.

Academic misconduct may also be identified by text-matching software. Text-matching software such as Turnitin is not used on its own as evidence of academic misconduct even if the proportion of matching text is high. Consideration will be given to whether original sources were referred to and the detail of the text matched, for example is it from multiple sources or were quotations used.

A finding of academic misconduct may be made even if there is an absence of matching text, for example where a student has changed certain words to avoid detection or has located a source that has not been uploaded to the text-matching software.

An investigation into academic misconduct may also be triggered where there are concerns about the authenticity of a student's work for example, they may have commissioned an assessment or asked a third party for assistance.

## **6.2 Stage 2: Initial investigation**

Cases of suspected academic misconduct are referred to a Programme Leader for initial consideration. A Programme Leader will make a judgement as to whether there is sufficient evidence to warrant further investigation.

If the Programme Leader determines that there is no case to answer the assessment is returned to you, and no record is placed on your academic record. They may recommend additional support from the UECM Learning, Teaching and Enhancement Team around referencing and good academic practice.

If the Programme Leader believes there is suspected academic misconduct, they will refer the case to the Academic Reviewer.

In making their determination, it is likely that the Programme Leader will need to liaise with the Module Leader and/or Marker.

## **6.3 Stage 3: Initial Review**

A list of Academic Reviewers is agreed by the Dean of School (Academic) and Director of Quality and maintained by the Academic Standards team.

The Academic Reviewer should declare any conflicts of interest on receipt of a referral. If they have had prior involvement with previous academic misconduct cases involving the student, this should be declared so that the case can be referred to another Reviewer.

The Academic Reviewer will review the case and will decide whether to escalate the case to the Academic Misconduct Panel for a final decision. If the Academic Reviewer decides that there is no case to answer the assessment will be returned possibly with advice on how to improve academic conduct and/or referral for additional support. Again, if it is determined that there is no case to answer no record will be put on the student record. However, if guidance is provided on improving academic conduct a note will be placed on your student record.

If the Academic Reviewer determines that there is a case, you will be provided with the opportunity to prepare a written statement in line with stage 4 below.

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

## **6.4 Stage 4: A student's right to reply**

In the event of suspected academic misconduct, you will receive notification in writing stating the nature of the suspected academic misconduct identified and the assessment affected. You will be provided with information about how the investigation will be conducted so that you can respond appropriately. Guidance is also issued on how to interpret a Turnitin similarity report.

You will be given an opportunity of a 'right to reply'. This will require you to prepare a written statement of no more than 1500 words 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 days to prepare your response.

Where you choose not to provide a written statement the investigation will still proceed based on the evidence available.



## 6.5 Stage 5: Academic Misconduct Panel

The Academic Misconduct Panel is convened when there are cases that need to be considered. Students are entitled to attend this meeting either in person or virtually to present their case and can also be accompanied. For students that choose not to attend their response to the right to reply will be fully considered.

All the evidence will be reviewed including the student's right to reply letter if received. The panel will first determine whether, on the balance of probabilities, academic misconduct has occurred. They will determine that there is either:

- a. No / insufficient evidence of academic misconduct or poor academic practice (no further action);
- b. Evidence of poor academic practice (advisory letter and referral to Learning, Teaching and Enhancement Team and note placed on the student record);
- c. Sufficient evidence of academic misconduct (apply penalty).

If it is agreed that academic misconduct has occurred (option c above), a penalty decision will be taken in line with the penalty sanctions detailed in [Section 8: Penalties](#). Any mitigating factors outlined by the student should apply to the sanction and not to the decision regarding whether misconduct has occurred. The panel will consider both the severity and intent as well as the level of study and whether there are repeated offences.

The panel may rule that misconduct has occurred in the form of any of the categories outlined in section 3 of this procedure, 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 panel 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 panel may decide that there is no evidence that two students have colluded with each other but determine that there is evidence that one student has copied (plagiarised) another.

The panel will consider the penalty required by working through the penalty scale starting at the least severe until they reach the appropriate penalty. The panel will not be informed of previous cases of academic misconduct until it is established whether there is a current charge.

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

Notification of the outcome following the panel's review will be provided in writing via Student Central. Alongside the outcome further guidance will be provided on how to avoid academic misconduct and the appeals process (see [Section 11: Appeals](#)).

In line with guidance published by the Office of the Independent Adjudicator (OIA), the whole process from the start of the investigation to the issuing of the outcome will not normally exceed 60 calendar days.

## **7. Confidentiality**

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

If you are an apprentice, 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. Due to the nature of the apprenticeship, apprentices' line managers will also need to be informed if you have been invited to respond to an academic misconduct investigation (at stage 4) and they will be made aware of the outcome.

For cases of suspected collusion, it is important that both parties are aware of all evidence being presented to the panel, including the other student's right to reply and relevant Turnitin similarity reports. Sensitive personal information will be redacted.

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).

## 8. Penalties

### 8.1 Penalty matrix

Whilst each case should be considered its own merit, panellists may refer to the log of previous penalties in reaching the determination regarding which penalty should be applied.

A: Major	Extent and Significance	Intent to Deceive	Persistence of Misconduct	AMP PENALTY	Examples
	<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>Such a high score could apply to someone who is unaware/ unable to demonstrate good academic practice.</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>Repeated acts of misconduct demonstrating a refusal to learn from previous advice or sanctions.</p>	<p><b>A1:</b> Student removed from course without eligibility for lesser award;</p> <p><b>A2:</b> Student removed from course but eligible for lesser award;</p> <p><b>A3:</b> Student failed in relevant modules, with right to resubmit* and classification capped at a pass.</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> <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>

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<p><b>B: 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 PENALTY</b></p> <p><b>B1:</b> Student failed in module in which misconduct took place with right to resubmit*;</p> <p><b>B2:</b> Student has mark reduced to zero for assessment in which misconduct took place with right to resubmit*;</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: Minor</b></p>	<p><b>Extent and Significance</b></p> <p>Inclusion of source material without proper citation or attribution.</p> <p>A significant Turnitin Similarity Index may be an indicator.</p>	<p><b>Intent to Deceive</b></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><b>Persistence of Misconduct</b></p> <p>One-off act of misconduct demonstrating a failure to understand and apply proper referencing practice;</p> <p>OR</p>	<p><b>AMP PENALTY</b></p> <p><b>C1:</b> Student has mark reduced to zero for specific question(s) / tasks in which misconduct took place with right to resubmit*;</p> <p><b>C2:</b> Student has mark reduced for assessment in which misconduct took place with right to resubmit*;</p>	<p><b>Examples</b></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>• To include any/all of those listed in 'D. Marginal'.</li> </ul>

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			the student has previously received good academic practice support for poor academic practice.	<b>C3:</b> Student has mark reduced for specific question(s) / tasks in which misconduct took place with right to resubmit*.	<ul style="list-style-type: none"> <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>
<b>D: Marginal Further Education programmes at level 3 and below UG 1<sup>st</sup> year Modules (L4) and/or L5 entry students</b>	<p><b>Extent and Significance</b></p> <p>Inclusion of some source material without proper citation or attribution.</p> <p>A low Turnitin Similarity Index. May be an indicator.</p> <p>This may not always be the case &amp; <b>could actually be a high score.</b></p>	<p><b>Intent to Deceive</b></p> <p>No intention to misrepresent or misuse source data or information apparent.</p> <p>No Collusion with another student to use or share work as part of an individual assessment.</p>	<p><b>Persistence of Misconduct</b></p> <p>No previous history of academic misconduct.</p> <p>Most likely unaware of good academic practice &amp; requires guidance.</p>	<p><b>AMP PENALTY</b></p> <p><b>D1:</b> No penalty – Student sent advisory letter;</p> <p><b>D2:</b> No penalty – Student advised of no further action.</p> <p>Student provided with good academic practice support, if applicable.</p>	<p><b>Examples</b></p> <ul style="list-style-type: none"> <li>• Inconsistent, incorrect, and/or incomplete referencing.</li> <li>• Direct copying of 'chunks' of text, with or without acknowledging the source.</li> <li>• Attempted but incorrect paraphrasing.</li> <li>• Unintentionally reproducing an existing concept or idea &amp; no reference provided.</li> <li>• Overuse of quotes and/or absence of quotation marks.</li> </ul>

\*Where resubmission is not possible (for example 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.

## 8.2 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.

## 9. 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.

## 10. Monitoring, evaluation, and review

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

## 11. 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 Appeals procedure.

## 12. 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

