



# DERBY COLLEGE GROUP POLICY

## HE Academic Misconduct Policy

Policy Number:	HED-004
Executive Owner:	Deputy CEO
Owning Strategy / Department:	Higher Education
Approval Board / Committee / Group:	HE Academic Board/Corporation
User Group:	All students on a Higher Education programme
Relevant To:	As above
Implementation Date:	July 2019
Approval Date:	November 2021
Expiry Date:	November 2022
Next Review Start Date:	August 2022

Date:	November 2021
Originator:	Head of Higher Education
Area:	Higher Education

Once printed, this is an uncontrolled document. Refer to Policy Portal for latest version.

**POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS**

## Policy Accountability and Implementation

Policy Title:	HE Academic Misconduct Policy
Policy Author / Reviewers:	Head of Higher Education, Director of Quality Compliance
Policy Implementation:	Head of Higher Education
Policy Monitoring and Compliance:	Head of Higher Education, Director of Quality Compliance
Policy Review Timeline:	Annually

## Policy Classification and Publication

### Classification

- Not Classified (NA)

### Publication

- Intranet – Policy portal
- Website – HE page

**Empowering/related legislative and/or authoritative references:**

## Periodic Policy Review / Change History

*Note: Please make it clear if change/review relates to procedures, guidelines and associated documents only or it is a rational for a new or substantive policy review*

Version	Reviewed / Modified by:	Change History	Advisory committee / groups or specialists	Review / Meeting Date/s
New	Director of Quality and Director of Higher Education	Agreed policy	HE Academic Board	July 2019
V1	Director of Higher Education	Policy review	HE Academic Board	November 2020
V2	Head of HE (Acting)/ Office for Students Compliance and Policy Officer	Policy review Updated names to reflect changes in job titles Added Equality and Diversity Statement	HE Academic Board	November 2021

## **EQUALITY AND DIVERSITY STATEMENT**

Derby College strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

### **1. Policy Statement**

- 1.1. The College has a duty to maintain the standards of its awards by ensuring the integrity of all aspects of the assessment process.
- 1.2. This policy applies to all students engaged in any College assessment activity, including degree and higher degree apprentices. Where this document refers to 'students' this will include Higher Education Apprentices unless specified otherwise.
- 1.3. Alleged academic offences which would compromise these standards will be investigated thoroughly. If confirmed, an offence will lead to the imposition of severe consequences, including the possibility of termination of registration and enrolment, i.e. expulsion.
- 1.4. This document is intended to help students to reach a clear understanding of Academic Regulations and to put minor misunderstandings right before they become serious.

### **2. Definitions**

- 1.5. Academic misconduct is any action or attempted action that may result in a student creating an unfair academic advantage or an unfair academic disadvantage or disadvantage for any other member or members of the academic community. This includes a wide variety of behaviours such as cheating, plagiarism, altering academic documents or transcripts, gaining access to materials before they are intended to be available, and helping a fellow student to gain an unfair academic advantage.
- 1.6. The context for academic misconduct may be a formal examination, piece of coursework, assessed placement, performance, presentation, experimental work or experiments and their results, computer programmes, or any assessment taken by a student in pursuit of an academic qualification at the College.
- 1.7. Types of Academic Misconduct include:
  - (i) Plagiarism is where a student:
    - has included published material in submitted work, but has not cited the source, therefore, falsely claiming that the work is their own;
    - submits another students work falsely claiming it is their own;
    - uses the same assessed work in a different assessment. Students can normally only use work once for assessment.
  - (ii) Cheating/Collusion: is any action before, during or after an assessment or examination or assessment by which the student seeks to gain unfair advantage or assists another student to do so.
  - (iii) Falsification: is any attempt to present fictitious or distorted data, evidence, references, experimental results or other material and/or knowingly to make use of such material.
  - (iv) Impersonation: A student who is substituted by another person in an examination, or who submits by substitution the work of another person as

their own, is guilty of deception by impersonation. The offence of impersonation can be applied both to the student and the impersonator.

- (v) Recycling: is where a piece of work which has already been used in one context is used again (without declaration and without the College's permission) in another context.
- (vi) Improper conduct in formal examinations: When a student possesses unauthorised paper, material or electronic devices such as mobile phones, programmable calculator or electronic dictionaries, or communicates verbally or by gestures with another student during an examination.
- (vii) Any other form of misconduct: Any action through which students seek to gain an unfair advantage in assessment constitutes an academic offence.

### **3. Principles**

- 1.8. The College expects and requires all students to present work that is their own. Students' work must include complete and correct acknowledgement of all sources used
- 1.9. The burden of proof shall rest on the person/s bringing the charge of academic misconduct. In deciding whether academic misconduct has occurred the standard of proof will be on 'balance of probabilities', i.e. if the available evidence convinces members of the Academic Misconduct Panel to the point that they are more than 50% certain that a student has committed an offence, the standard of proof has been met.
- 1.10. It is the responsibility of programme teams to ensure that students are instructed in the fundamental academic techniques relating to research, referencing and constructing academic answers according to established conventions.
- 1.11. Allegations of academic misconduct will be treated in the strictest confidence and under no circumstances will any public comment or allegation be made. No student will be recorded or referred to as having committed academic misconduct until the full process of investigation, consideration of evidence and determination has been completed.
- 1.12. Outcomes of Academic Misconduct cases concerning Higher Education Apprenticeships will be made available to employers due the potential impact on progression.
- 1.13. There is no time limit beyond which academic misconduct will not be investigated. Where academic misconduct is proven after an award has been made this may lead to cancellation of the award.
- 1.14. It is the responsibility of the student to make themselves fully aware of the regulations governing their conduct in examinations. Violation of any of these regulations will constitute academic misconduct.
- 1.15. Where students are subject to this procedure they have the right to be accompanied at all stages, except at viva voce examinations, by a representative or friend. Students are encouraged to seek advice and support from Student Services and College Students' Union. Please note that legal practitioners are not permitted as part of the College internal investigation and decision-making process.
- 1.16. Mitigating circumstances will not normally be considered as part of the academic misconduct process. Consideration will only be given if a student can demonstrate, with supporting documentary evidence, that they could not reasonably have been expected to have complied with the College's regulations in the circumstances. Examples of circumstances which may be considered include academic misconduct which occurs following an event which has a serious impact on a student's mental capacity i.e. clinically diagnosed mental disorders.

- 1.17. The College recognises that there are a whole range of circumstances that can cause acute distress to a student but expects students to act responsibly in accordance with College regulations or seek an extension or mitigating circumstances relating to non-submission if they feel unable to comply.

The College recognises that students who have declared a disability such as dyslexia or other specific learning difficulty may require adjustments to be made prior to the student undertaking the summative assessment.

## 4. Scope and Limitations

- 1.18. This policy is applicable to all Higher Education programmes that are not subject to an academic misconduct policy set by an awarding organisation/institution. This applies to:

- Higher National programmes
- Honours degrees
- Degrees (non honours)
- Foundation degrees
- Short course at HE Levels 4 to 7

- 1.19. The College bases its assessment methods, practices and procedures on the principles of: transparency; consistency; validity; reliability and fairness and has been guided by the UK Quality Code, *Assessment* and meets the following Core Practice:

- (a) *The provider uses external expertise, assessment and classification processes that are reliable, fair and transparent.*
- (b) *The provider designs and/or delivers high-quality courses*

## 5. Responsibilities

- 1.20. Responsibility for this document rests with the Head of Higher Education

- 1.21. The Policy Controller and Compliance Manager, in conjunction with the HE department will track all cases of Academic Misconduct and will submit an annual report to the Senior Management Team summarising the cases of Academic Misconduct. When requested, details of all Academic Misconduct cases will be provided to the Higher Education Institution (HEI) with whom the students are ultimately registered with.

## 6. Implementation Arrangements

- 1.22. The arrangements that outlined below build on previous good practice and seek to provide additional impetus and coherence.

- 1.23. All new members of staff are made aware of the policy and procedures during the formal employee induction process.

- 1.24. The policy is published via the staff policy portal, is available to students via the student VLE and is accessible via the Derby College Group website. This policy can be provided in alternative formats on request.

- 1.25. Any updates or amendments to the policy and procedures are disseminated to the Leadership and Management team and communicated to team members.

## **7. Monitoring and Review**

- 1.26. The policy and procedure is subject to regular review. It will be reviewed on a three year cycle with an annual appraisal of procedures and documentation. Review will take into account the views of students and stakeholders. DCG reserves the right to make whatever changes it deems appropriate.

## **8. Guidelines**

There are no specific guidelines in relation to this policy, all relevant information is contained within the HE Academic Misconduct Procedure

## **9. Procedures**

HE Academic Misconduct Procedure:

- Introduction
- Remit and Composition of the Panel
- Preparation for the Hearing
- Hearing Procedure
- Decision Making
- Penalties
- Appeals
- Flowchart

## **10. Templates / Forms**

There are no specific templates or forms related to this policy

## **11. Related Documents**

This policy should be read in conjunction with the following documents:

- HE Academic Appeals
- HE Assessment and Feedback Policy
- HE Internal Moderation Policy