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ACADEMIC MISCONDUCT REGULATIONS AND PROCEDURE

# Key Details

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| **POLICY OWNER (JOB TITLE)** | Chief Student Officer |
| **UNIT / SERVICE** | Registry Services |
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# Version Control

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| **VERSION** | **DATE** | **REASON FOR CHANGE** |
| 16 | June 2023 | Renaming of the procedure from Unfair Practice to Academic Misconduct, updates to terminology and re-arrangement of content to align with current practice within the university. |

Academic Misconduct Regulations and Procedure

Cardiff Metropolitan University expects its students to uphold values of academic integrity by following academic conventions and honestly acknowledging the contributions of others in the production and submission of assessment. Concerns of academic misconduct are taken seriously by the university and are raised through this procedure.

# Scope of this Procedure

## This procedure will apply to all allegations of Academic Misconduct on any assessed component contributing to an award of Cardiff Metropolitan University. It also applies to Pearson, SQA and other awarding body qualifications.

## As part of its commitment to quality and the maintenance of academic standards, the University reserves the right to use plagiarism detection systems, including Turnitin.

# Definition of Academic Misconduct

## It is Academic Misconduct for a student to do something which may result in an unpermitted academic advantage, either for themself or for someone else.

## Examples of Academic Misconduct

1. Plagiarism - using another’s words or ideas without acknowledgment and submitting them for assessment as though it were one’s own work, for instance by copying, translating from one language to another or unacknowledged paraphrasing.

Further examples of plagiarism include:

* Use of any quotation(s) from someone else’s published or unpublished work whether from a textbook, article or in any other format, where the quotation is not clearly identified with quotation marks and properly cited.
* Use of another person’s words or ideas that has been slightly changed or paraphrased to make it look different from the original.
* Summarising another person’s ideas, judgments, diagrams, figures, or computer programmes without reference to that person in the text and the source in the bibliography.
* Self-plagiarism – using the student’s own work from a previous assignment or module which has not been authorised by the department.
* Use of services such as essay mills and/or any other agencies or commissioned academic work (either paid or unpaid).
* Inappropriate use of artificial intelligence software or services in the completion of assessments. Assignment briefs will identify where use of artificial intelligence may be appropriate; in all other cases it is not.
* Creating content or work for other students’ assessments.

1. Collusion - when work that that has been undertaken with others is submitted and passed off as solely the work of one person.

An example of this would be where students work together on an assessment and individually submit work which contains sections which are the same. Assessments briefs will clearly identify where joint preparation and joint submission is specifically permitted, in all other cases it is not.

1. Attempting to manipulate or evade academic integrity detection processes or software (e.g. Turnitin).
2. Falsification, including:

* Fabrication of data, making false claims to have carried out experiments, observations, interviews or other forms of data collection or in its analysis and/or presentation. And/or during the collection and/or presentation of data.
* Fabrication of references, including references within the reference section or bibliography which have been fabricated and are not genuine sources.
* Acting dishonestly in any way during the collection of data.
* Presentation of false or falsified evidence as part of a Mitigating Circumstances claim, which could ultimately mislead an Examination Board.

1. Failure to comply with controlled conditions, including:

* Possessing any unauthorised form of material such as a book, manuscript, data or loose papers, or bringing information obtained via an electronic device, or any other source of unauthorised information into an exam or assessment facility.
* Copying from or communication with any other person in the examination room and/or associated facilities except as authorised by an invigilator.
* Communication electronically with any other person, except as authorised by an invigilator.
* Submission of an examination script as one’s own work when the script includes material produced by unauthorised means.

1. Impersonation of an examination candidate or allowing oneself to be impersonated.
2. Attempting to bribe an invigilator or other assessor.
3. Attempting to remove examination booklets from an examination hall or classroom.

# Reporting an allegation of academic misconduct (non-exam conditions)

## If a member of staff considers, or suspects, that academic misconduct has occurred in relation to work submitted as a piece of coursework, or any work completed under non-examination conditions, they will report the matter in writing as soon as possible to the relevant school Academic Misconduct Rep.

## Relevant means of arriving at such decision may be used, for instance through the use of plagiarism detection software.

## If the Academic Misconduct Rep believes that a case exists, they will inform Registry Services on the Academic Misconduct Reporting Form indicating the appropriate options to be given to the candidate. Not all cases are required to be considered at a committee and where appropriate students may be offered a fixed penalty. If no case exists, and the student is aware of the investigation (e.g. results pending), the student will be informed by the School that the matter is closed.

## Cases of Suspected Collusion

## Students accused of collusion will be interviewed by the School and the minutes will be included with the Academic Misconduct Reporting Form sent to Registry Services.

## If all students involved attend the interview and admit to the collusion, the school will indicate this on the Allegation Reporting Form.

## If any student does not attend the interview or there is any dispute over the originality and production of the assessment in question, the school must indicate this on the Allegation Reporting Form.

## Authenticity Cases

## Students suspected of inappropriate use of artificial intelligence software or using services such as essay mills and/or any other agencies will be interviewed by the school and the minutes will be included with the Academic Misconduct Reporting Form sent to Registry Services.

# Reporting an allegation of academic misconduct (assessments conducted under exam conditions)

## Where it is considered or suspected that a student is engaging in academic misconduct during an assessment conducted under exam conditions, the student will be informed, preferably in the presence of a witness, that the circumstances will be reported. The student will, however be allowed to continue the examination and any subsequent examination(s) without prejudice.

## Failure to give such a warning will not however prevent proceedings and the case will still be taken forward.

## Where applicable, the invigilator will confiscate any evidence relating to any alleged academic misconduct. The invigilator will report the circumstances in writing, attaching any evidence, to the Examinations Officer, who will in turn notify Registry Services.

## The following must be sent by the Examinations Officer or School to Registry Services

* Name/Student number
* Programme and Module concerned
* Weighting of Examination to Credit Value of Module
* Copy of exam question paper
* The student’s marked answer script (including annotation at point where Academic Misconduct discovered)
* The actual notes or whatever unauthorized items were found on the student in the exam room (if relevant) or other relevant evidence
* Contact details (including email if available) for witnesses (e.g. invigilators, module tutor who set/marked the paper)
* Invigilator’s Report(s)

## Identifying Suspected Academic Misconduct in Marking an Exam

If a member of university staff considers or suspects that a student has engaged in Academic Misconduct, they will report the matter in writing to the relevant school Academic Misconduct Rep as soon as possible. The relevant school Academic Misconduct Rep will retain any relevant evidence and will report the matter in writing to Registry Services on the appropriate form.

## Further Action to be taken by the Chief Student Officer (or nominee)

1. On receipt of a report of alleged Academic Misconduct, Registry Services will inform the school of the allegation.
2. If it is decided that no further action against the student should be taken, Registry Services will inform the student in writing that the matter is closed.
3. If it is decided that a case exists, the student will be informed of the allegation in writing by Registry Services and signposted to the appropriate regulations/procedures.

# Academic Integrity Committee

## For allegations where a fixed penalty is not appropriate, the Vice-Chancellor or nominee will establish a panel for the purpose of investigating allegations of Academic Misconduct. The Panel will consist of members of academic staff of the University who have received the appropriate training.

## On receipt of an allegation of Academic Misconduct, Registry Services will arrange for an Academic Integrity Committee to be convened as soon as possible, normally within eight working weeks of the allegation being made. The timescale may be longer than eight working weeks where this would be in the best interests of the candidate to ensure a thorough investigation of the alleged Academic Misconduct. Students will be informed of any delays if they occur.

## Each Academic Integrity Committee will consist of at least two members of academic staff who have received appropriate training, selected from the panel members available. The Committee panel will not contain members of staff associated with the same programme on which the student is studying. The Chair of the Committee will be selected by Registry Services. An independent person may be appointed as an additional member of the Committee at the discretion of the University. Registry Services will act as Secretary to the Committee.

## Academic Integrity Committees will normally be held online via Microsoft Teams.

## As soon as reasonably practicable after the appointment of the Academic Integrity Committee, Registry Services will:

* + 1. notify the panel members of the date and time of the Committee and supply them with copies of the allegation and of any statements, evidence or documents;
    2. inform the student of the date and time of the Committee and that they have the right to be represented by the Students’ Union or accompanied;
    3. send to the student copies of all documentation the panel has been supplied with that will considered at the Committee.

## The student will be offered an opportunity to submit evidence by an agreed date for consideration by the panel, prior to the meeting. Any additional evidence presented on the day of the meeting can only be considered with the express permission of the Chair.

## In relation to collusion cases, if evidence is produced on the day and not all the students involved in the collusion allegation are at the meeting, the meeting will be postponed so that all students involved have the right to respond. Students must be aware that presenting evidence on the day may result in a delayed outcome.

## Students are required to inform Registry Services whether or not they intend to attend the meeting. If the student does not wish to attend the meeting, the Committee will proceed in their absence. Where no response is received from the student, the Committee may be postponed if deemed appropriate.

## If they are unable to attend the meeting, the student can arrange to be represented by a member of the Students’ Union. In such case they must inform Registry Services of this in advance of the meeting.

## If they are able to attend the meeting, the student may be accompanied by either a member of the Students’ Union or a friend/family member for moral support, however the student must speak for themselves when questioned by the panel. The Chair may invite contributions from the person accompanying the student. Students are required to inform Registry Services at least two days before the meeting of the identity of any person accompanying them, including that person’s association with the student, whose attendance will be solely at the discretion of the Chair.

## Should the student not attend the meeting, having previously indicated that they would attend, and provided that all reasonable means have been taken to contact the student, the meeting will proceed in their absence.

# Functions of the Committee

## The functions of the Academic Integrity Committee will be:

* 1. to consider the allegation of Academic Misconduct and all evidence submitted in relation to it;
  2. to determine whether the allegation has been substantiated. Such a determination will be made on the balance of probabilities, but the more serious the allegation, the higher the standard of proof required;
  3. to determine, in appropriate cases, the penalty to be imposed.

# Procedure During the Meeting

## The Secretary will read out the brief for the case being considered and inform all parties of the evidence available.

## Members of the Committee may ask questions of the student, and of any witnesses.

## Witnesses will be concerned only with evidence relating directly to the allegation and will normally withdraw after questioning. The Chair may wish to consider allowing witnesses to remain in the meeting throughout the submission of evidence. The agreement of both parties to this will be obtained.

## The student will be given the opportunity to make a closing statement prior to the panel’s deliberation.

## When the consideration of evidence and the questioning of the student and any witnesses are completed, all persons, other than the members of the Committee and the Secretary will leave the meeting.

## The panel will then consider whether the allegation has been substantiated.

## If the Committee find that the case has not been substantiated, the student will be informed of the outcome in writing. A record of the investigation will be retained in line with the university’s Data Retention Policy, however there will no reference to the case visible on the student’s transcript, HEAR (Higher Education Achievement Record) or certificate.

## If the Committee finds that the case has been substantiated, it will then consider the penalty to be imposed. The Academic Integrity Committee would not normally be required to prove intent on the part of the student to engage in an act of Academic Misconduct in order to substantiate the allegation, but additional proof of intent may be relevant to the Committee in arriving at an appropriate penalty.

## The Committee will not normally be informed of any previously substantiated Academic Misconduct until after reaching a decision on the allegation in question. The Committee will however be informed of any previous offences before determining the penalty for the case under consideration.

## In exceptional cases, evidence of previously substantiated acts of Academic Misconduct may be disclosed prior to the verdict of the Committee where such evidence;

1. contradicts a claim of previous good character made by the student/ representative;
2. is relevant to the allegation under consideration (other than merely showing that the student had a disposition to commit the facts alleged) and that its prejudicial effect does not outweigh its value to the consideration of the current case.

## When determining the penalty to be imposed, the Committee will consider the student’s record and the general university assessment regulations as well as any regulations or professional body requirements specific to the student’s programme of study. The Committee should also consult any guidelines issued on the appropriateness of penalties for different levels of offences.

## In exceptional circumstances where an allegation has been substantiated and the Committee is concerned that this may affect the student’s ability to practise in a particular profession, the case will also be considered under the Student Fitness to Practise Procedure.

# Academic Integrity Committee by Correspondence

## In some cases it may be desirable and/or more appropriate for a case to be considered by an Academic Integrity Committee via correspondence. In such cases, written permission will be sought from the student before confirming the Committee will be conducted via correspondence

## The student will be entitled to submit a statement which will, alongside all other documentation relating to the Academic Misconduct, be circulated to the members of the Academic Integrity Committee for consideration and to inform decision-making.

## Once the allegation has been resolved and the Chair of the Academic Integrity Committee has confirmed the outcome and any penalty, the student will be notified in the same way as any other case considered by a committee (see below).

# Penalties

## Please see the penalties table in 8.3 [**Guidelines on Penalties for Academic Misconduct**](https://www.cardiffmet.ac.uk/media/cardiff-met/content-assets/english-documents/Academic-Handbook---AH1_08_03.docx).

# Action to Be Taken Following the Academic Integrity Committee

## Where the student has received a formal reprimand, the Committee may recommend that the candidate should receive advice from an appropriate member of staff, in order to make clear the reasons for the Committee’s decision and to ensure that the cause of the action (e.g. unintentional plagiarism) is discussed with the student to ensure that any future repeat offence cannot then be classed as ‘inadvertent’.

## When the Committee has investigated the facts of the alleged Academic Misconduct, the Secretary to the Committee will set out in an outcome letter and report whether the allegation has been substantiated or not, the reasons for the decisions and the penalties imposed where appropriate. This will be sent out to the student within 5 working days. The outcome letter will also be sent to the relevant School and Registry Officer.

## If the Committee finds that a case has not been substantiated, the Secretary to the Committee will notify the student in writing of the Committee’s findings and that the matter is therefore closed.

## If the Committee finds that a case has been substantiated, the Secretary to the Committee will notify the student in writing of the Committee’s findings and the penalties will be recorded on the student’s record.

## The student will be informed of their right to appeal. Any appeal must be submitted within fourteen days of the outcome letter being sent.

## Where the allegation has been substantiated, Registry Services require the Examination Board concerned to determine the student’s overall examination result in the light of the penalty imposed by the Committee. If the Committee has decided that the mark obtained for the assessment in which academic misconduct has occurred will be cancelled, the Examination Board will award a mark of zero and determine the student’s overall result.

# Publication of Results

## If an investigation into a case of suspected Academic Misconduct is ongoing when an Examination Board meets to consider a student’s academic profile, the formal outcome for the module(s) in question (and the student’s overall progression or award, if deemed necessary) will not be confirmed until the investigation is resolved.

## An Examination Board also has the authority to cancel a result previously published if a case of Academic Misconduct arises subsequent to the publication of results.

# Academic Misconduct of Former Students

## Due to the need to protect the integrity of Cardiff Metropolitan University’s academic standards and awards, the University reserves the right to subject a student who has already left the University, with or without an award, to this Academic Misconduct Procedure if concerns are raised retrospectively in relation to assessment attached to credits already awarded by a Cardiff Met Examination Board.

## Any investigation deemed necessary will proceed with or without the engagement of the former student, who will be subject to the full range of penalties.

## If the penalty imposed would result in rescinding a student’s degree, diploma, certificate, Licence or other academic award, a recommendation to this effect must be presented to the University’s Academic Board for approval once any opportunity for the graduate to appeal has passed.

## In exceptional circumstances where an allegation has been substantiated and the University is concerned that this may affect the graduate’s ability to practise in a particular profession, a report will be submitted to the relevant professional body.

# Appeals

## The relevant appeal process is detailed in the [Appeals section of the Academic Handbook](https://www.cardiffmet.ac.uk/registry/academichandbook/Pages/Ah1_07.aspx).

# Related Procedures and Policies

## Assessment Regulations

## Appeals and Complaints