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Introduction

This policy applies to students studying for Pearson HNC/Ds and the Level 5 Diploma in Education and Training at New City College.

Academic Misconduct

Academic misconduct is a form of academic cheating and includes any attempt to gain an unfair advantage in assessment. Academic misconduct offences will be dealt with under this and associated procedures.

Each case will be considered on its own merits, and on the basis of:

- the gravity of the case;
- the circumstances of the case;
- the level at which the misconduct took place;
- whether the misconduct was a repeat misconduct offence.

Academic Misconduct

This includes:

- a. plagiarism: that is, using or copying the work of others (whether written, printed, or in any other form) without proper acknowledgement in any assignment, test, or other assessed work;
- b. submitting assignments downloaded from the internet;
- c. commissioning another person to produce a piece of work without acknowledgment;
- d. using work previously submitted for another assignment without full acknowledgment;
- e. falsifying data or evidence;
- f. submitting a fraudulent claim of extenuating circumstances;
- g. assisting another student to commit an academic misconduct offence;
- h. submitting written work produced collaboratively, unless this is explicitly permitted;
- i. copying the work of another student or otherwise communicating with another student in a timed assessment;
- j. introducing any written, printed or electronically stored information into a timed assessment other than material expressly permitted in the instructions for that assessment;
- k. attempting to interfere with the assessment process;
- l. submission of AI generated content.

This list is not exhaustive.

In submitting any piece of work, a student shall acknowledge any assistance received or any use of the work of others.

A student may be found guilty of an academic misconduct offence whether or not there has been any intention to deceive, that is, **a judgement that negligence has occurred is sufficient to determine guilt.**

Students have a duty to familiarise themselves with the academic conventions used for correctly citing and acknowledging the work of others (Harvard referencing) including the correct use of quotation marks.

Individual members of academic staff are not permitted to make decisions about any case of suspected plagiarism and must refer these to the Group Deputy Director: HE or nominee.

Determination of whether a misconduct offence has occurred

The determination of whether cheating, plagiarism, or any other form of seeking unfair advantage has occurred can be made by the Group Deputy Director: HE or nominee (*Academic Misconduct Hearing*) where:

- the misconduct is the first academic offence that, if confirmed, will result in a penalty
- the misconduct is categorised as either Minor or Moderate misconduct;
- the alleged misconduct does not involve any breach of the College's disciplinary regulations.

All other cases must be referred to the *Academic Misconduct Committee*.

Decisions available to an Academic Misconduct Committee

The following penalties may be applied:

- unit assignment reassessed;
- assign a "Fail" grade and only permit submission of pass criteria;
- determine that the student has failed the level and is required to withdraw from the programme of study.

Record of Misconduct Offences

A record of admitted or found misconduct offences will remain on the student's file for the duration of their study at the College.

Right of Appeal

A student has the right to appeal a finding of an Academic Misconduct Hearing or Academic Misconduct Committee. Grounds on which the appeal is made must be included in the notification of appeal. A simple request for a rehearing does not constitute valid grounds for appeal.

The alleged academic misconduct offence(s) will be dealt with by the Group Deputy Director: HE or nominee.

Assessment Board

Assessment Boards are authorised to:

- note any instance of cheating, plagiarism and other forms of unfair practice.

Record of Attendance

- A full list of members of the Academic Misconduct Committee present must be recorded. The Academic Misconduct Offences Committee shall normally consist of the Group Deputy Director: HE, Group Curriculum Director / Senior Curriculum Manager and one member of academic staff. All members must be independent of the programme of study.

Chair

- Normally the Group Deputy Director: HE or nominee.

Each student is informed in writing of the Committee's decision and of the student's right to appeal against the decision.

Order of Proceedings

- a. The members of the Committee, have a preliminary discussion without the student and the student's representative;
- b. The student, the student's representative and academic staff enter the room, and the Chair introduces all those present;
- c. The Chair checks that the student has received details of the case and any supporting documentation;
- d. The Chair explains the order of proceedings to the student;
- e. The evidence relating to the alleged misconduct offence is then presented by a member of the academic team (usually the Group Curriculum Director) and members of the Committee are invited to put questions to the academic team;
- f. The Chair then invites the student to put forward a case verbally if s/he wishes to do so including any mitigation, and members of the Committee (but not the academic staff) are invited to put questions to the student;
- g. The Chair invites the student's representative to put forward any additional statement;
- h. The Chair invites the student to make any final response;
- i. The student, the student's representative, and the other staff members (except Panel) are then asked to leave the room;
- j. The Committee then deliberates and comes to a decision as to whether a misconduct offence has been committed;
- k. The Committee then determines the appropriate penalty from the set of penalties available to it, clarifying the reasons for the choice of penalty;
- l. The student is then recalled to the room to be told the decision as to whether the alleged misconduct offence is confirmed and, if so, the penalty and the reasons why this is the appropriate penalty. Members of the academic team may be present during this final stage.

Responsibilities

Group Deputy Director: HE or nominee is required to:

- a. Inform in writing each student whose case has been referred to him or her about the nature of the alleged misconduct offence;
- b. Check the Academic Misconduct Offence Records to determine whether there has been any previous confirmed academic misconduct;
- c. Inform each student in writing of his or her decision and the student's right to appeal against the decision (a copy must be kept both in the student's file and in the central file).

Any cases involving breaches of the College's disciplinary regulations must be referred to the Group Curriculum Director/Senior Curriculum Manager .

Where appropriate, a student is entitled to see a copy of the paperwork relating to the alleged misconduct at least five days prior to the Academic Misconduct Hearing or Committee meeting.

Group Curriculum Director or nominee

The Group Curriculum Director or nominee will attend the Committee to set out the evidence relating to the alleged misconduct (i.e., to act as prosecutor). The Group Curriculum Director should not present any mitigating circumstances of which he/she is aware unless they relate to the College's procedures or teaching. Neither should the Group Curriculum Director propose or comment on any penalty that might be imposed.

The Group Curriculum Director is not a member of the Committee and can only attend when the student is present (not before or after). The Group Curriculum Director is not permitted to ask questions to the student during the meeting except through the Chair.

The Group Curriculum Director may, if they wish, delegate their duties in relation to the Academic Misconduct Committee to an appropriate member of the academic staff in the College.

Student Attendance and Representation

If the student admits to the charge by informing the Group Deputy Director: HE or nominee in writing prior to the Hearing or Committee meeting, he or she need not attend the Academic Misconduct Hearing or Committee. The Hearing or Committee shall be free to proceed without student attendance. In such a case, a student may submit a statement in mitigation.

The student will be invited to be present at the hearing or committee whenever verbal evidence is being heard by the Committee. The student can be accompanied to the hearing by one person of their choice (who may not be a member of the legal profession or a fellow student).

Where appropriate, a student is entitled to see a copy of the paperwork relating to the alleged misconduct at least five days prior to the Academic Misconduct Hearing or Committee meeting.

Outcome

A formal letter of the outcome of the Hearing or Committee meeting will be sent to the student within 10 working days.

Appeals

A student who wishes to appeal against the outcome of these procedures should write to the Group Deputy Director: HE of HE within 2 weeks (14 days) of the outcome letter, setting out in detail the nature of the evidence to support the claim that there were procedural irregularities in the appeals process. If *prima facie* there is evidence to support the claim, then the case will be reviewed by the Campus Principal.

The Office of the Independent Adjudicator for Higher Education ([OIA](#)) provides an independent scheme for the review of student complaints or appeals. When the College's internal procedures for dealing with complaints and appeals have been exhausted, the College will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the [OIA](#) must submit their application to the [OIA](#) within 12 months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures letter.

Guidelines

The guidelines presented below are guidelines only, and it is very important that those making decisions about penalties take the evidence with which they have been provided and any mitigating circumstances into account.

Table 1: Guidelines for penalties for misconduct

	Misconduct Offence	Penalties graded by severity
Band A	<u>Minor Misconduct</u> – e.g. <ul style="list-style-type: none"> Inadequately referencing sources, including incomplete or incorrectly cited bibliographies or quotations. Plagiarising a few lines. 	1. A formal written warning only. 2. Unit of assessment to be referenced correctly/rewritten.
Band B	<u>Moderate Misconduct</u> – e.g. <ul style="list-style-type: none"> Plagiarism is somewhat more extensive (but less than 25%). The sources plagiarised are not listed but there is still a substantial proportion of the student's own work; or the plagiarism is more extensive but the work submitted is <u>an early piece of assessment for a unit</u>, and the evidence indicates that there has been a failure to understand the academic conventions. 	3. Unit of assessment reassessed. Work may be an alternative assessment. 4. Assign a "Fail" grade. 5. Resubmission will be a maximum of a "Pass" grade. Reassessed work may be an alternative assessment.
Band C	<u>Severe Misconduct</u> – e.g. <ul style="list-style-type: none"> Plagiarism extending to a substantial proportion of the work (25% or more). Submitting an assignment purchased or downloaded from the internet. Obtaining work from someone else. Copying the work of another student almost in its entirety; attempts to avoid detection by plagiarism software. Repeated Minor and/or Moderate Misconduct, particularly if the student has been previously reprimanded. 	6. Assign a "Fail" grade. 7. Resubmission will be a maximum of a "Pass" grade. 8. Reassessed work may be an alternative assessment. 9. Assign a "Fail" grade with no resubmission or second attempt. Determine that the student has failed the programme and is required to withdraw from the programme of study.

The College is under a duty to report instances of assessment malpractice directly to Pearson (reporting should be to the following e-mail address: pqsmalpractice@pearson.com). This is in line with the guidance provided by Pearson: *Centre Guidance Dealing with malpractice and maladministration*.