



# Undergraduate Academic Misconduct Policy

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## INTRODUCTION

1. New College of the Humanities (the College) is fully committed to helping and supporting students understand the nature of, and expectations associated with, academic writing, and provide advice, guidance, and self-help material so that students can fully understand what is not acceptable behaviour. Students are expected, with the support provided by the College, to make themselves fully conversant with what constitutes good academic conduct and consequently academic misconduct.
2. In order to protect the standard and integrity of its awards, the College will identify any incidence that meets the definition of academic misconduct and will bring this to the attention of the student and where appropriate the College or Southampton Solent University (the University) will impose an academic penalty.
3. There are no time limits associated with the investigation of suspected academic misconduct, and where a case of suspected academic misconduct is identified, including after credit has been given, an award has been made or the student has left the College, the case will be fully investigated.
4. The College will have effective arrangements through the Academic Board to monitor, evaluate, and improve the effectiveness of its policy and procedure. Any changes made to the policy and procedures must be approved by the University.
5. The term 'programme' is used to refer to the curriculum route that leads to a named award as defined in each programme specification. The term 'course' is used to refer to each 30- or 15-credit component of study as defined in each course descriptor.

## PRINCIPLES

6. The College is committed to:
  - 6.1. The determination of academic misconduct being an academic judgment;
  - 6.2. Having fair, effective and timely procedures for handling allegations of student academic misconduct;
  - 6.3. The principle that students have the right to defend themselves in person against an allegation of academic misconduct and staff involved in any panels do not have a personal relationship with the student or any involvement in the setting and marking of the work in question;

- 6.4. Transparency and equity in terms of penalties imposed for the varying types of misconduct;
- 6.5. Remedies for academic misconduct being developmental as well as punitive; and
- 6.6. Effective monitoring and reporting processes.
7. In the most serious cases the University may determine that a student should be excluded. In such cases the decision must be ratified by the Progression and Award Board External Examiners, and approved by the Chair of the University's Academic Board.
8. If academic misconduct in group work is found and it is clear that it was the act of specific member(s) of the group, then the appropriate penalties may be applied to those specific members. If plagiarism is confirmed but it is still unclear who in the group was the originator(s), then all students in the group will have the appropriate penalties applied.
9. Subsequent breaches of the academic misconduct regulations will normally receive a more severe penalty than earlier ones. However, a breach will only be deemed sequential if, at the time of committing the second offence, the student could reasonably be assumed to be aware that he or she was committing a second offence.

### DEFINITION

10. It is an offence for any student to be party to or commit academic misconduct in an examination or in the preparation of work that is submitted for assessment.
11. The practices listed below will automatically be deemed to constitute academic misconduct. The list of practices is not an exhaustive list and does not preclude the College or the University from taking action where other forms of academic misconduct are identified.
  - 11.1. Plagiarism – where a student incorporates another person's or body's work by unacknowledged quotation, paraphrase, imitation or other device in any work submitted for assessment in a way which suggests that it is the student's original work;
  - 11.2. Collusion – where the student/s in the same cohort knowingly or negligently allows her or his work to be viewed by another student, in any form, and this work is subsequently incorporated in, or represented as, the work of another student; or, the collaboration without official approval between two or more students in the presentation of work, which is submitted as the work of a single student;
  - 11.3. Falsification – where the content of any assessed work has been invented or falsely presented by the student as their own work;
  - 11.4. Replication – where a student submits the same or similar piece of work, or substantial sections of the same work, which has already been submitted for any other assessment within the College or elsewhere, for example submitting the same piece of coursework for two different courses;

- 11.5. Taking unauthorised notes or devices into an examination;
- 11.6. Obtaining an unauthorised copy of an examination paper;
- 11.7. Communicating, or trying to communicate, with another student or individual during an examination, or attempting to observe or copy another student's written and/or electronic examination script;
- 11.8. Providing assessments for the purpose of academic misconduct – where a student sells to, writes or provides assessments for another student;
- 11.9. Being a party to impersonation in relation to an examination;
- 11.10. Failure to obtain, or breach of ethical approval, where this is a requirement of the assessment;
- 11.11. Purchasing of essays from a third party;
- 11.12. Submitting a fraudulent Extenuating Circumstances claim.

### PREVENTION

12. In order to prevent academic misconduct, all students are provided with appropriate guidance on referencing, and a full explanation and definition of academic misconduct. The associated rules and regulations are covered as part of student induction and a summary included in guides which are available on the student website.
13. All students are therefore expected to be fully conversant with the rules and regulations associated with academic misconduct.
14. In addition, students are required to confirm that the work submitted for assessment is their own work, and has not been previously submitted for credit for another course assessment.

### DETECTION

15. The College will use all appropriate mechanisms for detecting suspected academic misconduct, including but not limited to the opinions of academic staff and the use of software packages.
16. The College will ensure that suitable briefings are provided for all staff involved in detecting and handling student academic misconduct.

### ACADEMIC MISCONDUCT PROCESS

17. Where a tutor believes that academic misconduct has occurred, the evidence, together with a completed Academic Misconduct pro-forma stating the nature and extent of the academic misconduct, should be submitted to the College Registrar.
18. The Registrar shall review the evidence, undertaking any further investigation where required, and determine whether the offence is minor or major.

- 18.1. A **Minor** offence is defined as any first offence at all levels except for where the academic misconduct allegation meets the criteria for a Major Offence.
- 18.2. A **Major** offence is defined as any second or subsequent offence at any level, any first offence at levels 6 or 7 where the assessment is 100% of the course or a final major project or dissertation and any multiple offence (three or more assessments) at any level where the academic misconduct is deliberate, calculated and extensive. All allegations of obtaining an unauthorised copy of an examination paper, being a party to impersonation in relation to an examination and providing assessments for the purpose of academic misconduct shall automatically be treated as a major offence.

### MINOR OFFENCES

19. Where an offence is considered as 'Minor', the Registrar shall determine the appropriate penalty from the University's penalty tariff (Annex 1). The Registrar shall write to the student, outlining the offence, the penalty to be imposed, and referring the student to the Student Support Administrator for further help and guidance.
20. Where the details of a minor offence cannot be determined without further investigation, the case will be referred to the University for investigation. The penalty will still be deemed a minor penalty.
21. Where the student refutes the decision or believes that the penalty tariff was incorrectly applied they shall have the opportunity to appeal. In such instances the case will be referred to the University.

### APPEAL AGAINST A MINOR OFFENCE

22. The inquiry panel will be held by the University and will comprise a Director of School and one member of academic staff independent from the programme. A member of Academic Services will act as clerk and advise the panel on procedural matters.
23. The student will be invited to attend the panel and may be accompanied by a friend<sup>1</sup> or Student Union representative and will be provided with copies of the documentation presented to the panel.
24. Where the panel does not uphold the original judgment, the student shall be informed that no further action will be taken and their work will be marked as normal.
25. Where the panel upholds the original judgment the panel will either confirm the penalty recommended by the Registrar or impose a lower penalty. The panel cannot raise the penalty from that initially imposed prior to the appeal.

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<sup>1</sup> The definition of friend excludes professional representation, unless the case is made that this would not be natural justice, and cannot be another student who is involved in the academic misconduct case.

26. The student and members of staff will be sent copies of the outcome of the panel, which will clearly state the process undertaken and the rationale for the outcome determined by the panel.
27. This marks the end of the appeal stage for minor offences. The student will be issued with a 'completion of internal procedures' letter confirming that they have exhausted the University's internal appeals procedure relating to academic misconduct and advising that any further request for redress will need to be made to the Office of the Independent Adjudicator (OIA).

### MAJOR OFFENCES

28. All offences determined as 'Major' will be referred to the University and will be investigated independently by an academic misconduct inquiry panel.
29. The academic misconduct inquiry panel will comprise a Director of School and one member of academic staff independent from the programme. Where the student has a previous Major offence of academic misconduct or has appealed against a minor offence, the inquiry panel must not include anyone who sat on the previous panel. In such cases a Director of School from another School shall hear the case. A member of Academic Services will act as clerk and advise the panel on procedural matters.
30. The student will be invited to attend the panel and may be accompanied by a friend<sup>2</sup> or Student Union representative and will be provided with copies of the documentation presented to the panel.
31. Where the panel after reviewing the evidence considers that academic misconduct has not occurred the student shall be informed that no further action will be taken and their work will be marked as normal.
32. Where the panel considers academic misconduct has occurred they will impose a penalty in line with the penalty tariff guidance at Annex 1 and refer the student to the College for further help and guidance.
33. Where the panel considers that the student should be excluded from the College this must be ratified by the Progression and Award Board External Examiners and, following ratification, the decision must be approved by the Chair of University's Academic Board.
34. The student and members of staff will be sent copies of the outcome of the panel, which will clearly state the process undertaken and the rationale for the outcome determined by the panel.

### APPEAL AGAINST A MAJOR OFFENCE

35. The student may appeal against the conclusion (i.e. proven or not proven) or penalty of the academic misconduct inquiry panel where either:
  - 35.1. There is new evidence that was not available to the panel at the time of their deliberations; or

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<sup>2</sup> The definition of friend excludes professional representation, unless the case is made that this would not be natural justice, and cannot be another student who is involved in the academic misconduct case.

- 35.2. There is evidence that University procedures and/or guidance have not been implemented correctly; or
  - 35.3. The penalty tariff was incorrectly applied.
36. The University's Head of Student Operations (or nominee) will review the evidence on which the appeal is based and will determine whether there is sufficient evidence to warrant referral to an appeal panel. The University's Appeal Panel will comprise:
  - 36.1. A Dean or Associate Dean (Chair);
  - 36.2. One staff member of Academic Board or Academic Standards and Development Committee;
  - 36.3. One member of NCH academic staff, independent of the NCH faculty in which the programme is based; and
  - 36.4. An elected officer of the NCH Students' Union.
37. The student will be invited to attend the panel and may be accompanied by a friend or Student Union Officer and will be provided with copies of the documentation presented to the panel.
38. Where the panel after reviewing the evidence considers that academic misconduct has not occurred the student shall be informed that no further action will be taken and their work will be marked as normal.
39. Where the panel confirm academic misconduct has occurred they will either confirm the penalty recommendation of the original academic misconduct inquiry panel or impose an alternative penalty based on the published penalty guidelines at Annex 1. The student will also be referred to the College for further help and guidance.
40. Where the appeal panel considers that the student should be excluded from the University this must be ratified by the Progression and Award Board External Examiners. Following ratification, the decision must be approved by the Chair of University's Academic Board.
41. This marks the end of the appeal stage. The student will be issued with a 'completion of internal procedures' letter confirming that they have exhausted the University's internal appeals procedure relating to the case of academic misconduct and advising that any further request for redress will need to be made to the Office of the Independent Adjudicator (OIA).

**ANNEX 1: PENALTY TARIFF AND GUIDELINES**

**PLAGIARISM IN GROUP WORK:**

1. If plagiarism is confirmed, and it is clear that it was the act of specific member(s) of the group, then the appropriate penalties may be applied to those specific members. If plagiarism is confirmed but it is still unclear who in the group was the originator(s), then all students in the group will have the appropriate penalties applied.
2. In a case of alleged collusion, where for one or more of the students it is a second or subsequent case of academic misconduct, it will be automatically referred to an academic misconduct inquiry panel. This is for all students named in the allegation regardless if it is another student's first offence and has been deemed a Minor offence. However, the penalty imposed on each individual will still be in line with the penalty tariff below.
3. An offence will be deemed sequential if, at the time of committing the second offence, the student could reasonably be assumed to be aware that he or she was committing a second offence.

**The following penalties may be imposed:**

\*please note there are different penalties listed in the tariff for unauthorised copy of examination paper, impersonation in relation to an exam and providing assessments for the purpose of academic misconduct.

Type of offence	Description	Penalty
Minor	<ul style="list-style-type: none"> <li>• Where for good reason the student was not aware of the regulations.</li> <li>• Exceptionally where there are circumstances that would suggest that natural justice means the lightest penalty should be imposed.</li> </ul>	<a href="http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf">http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf</a>
Minor	<ul style="list-style-type: none"> <li>• Any minor first offence at level 3/4.*</li> </ul>	<a href="http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf">http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf</a>
Minor/Major or	<ul style="list-style-type: none"> <li>• Any first offences at level 5/6/7*</li> </ul>	<a href="http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf">http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf</a>

## UNDERGRADUATE ACADEMIC MISCONDUCT POLICY

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Type of offence	Description	Penalty
Major	<ul style="list-style-type: none"> <li>• Second offences at any level *</li> <li>• First offence at any level of obtaining an unauthorised copy of an examination paper.</li> </ul>	<a href="http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf">http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf</a>
Major	<ul style="list-style-type: none"> <li>• Any third offence at any level</li> <li>• Multiple offences at any level where academic misconduct is deliberate, calculated and extensive *</li> <li>• Any second or subsequent offences of obtaining an unauthorised copy of an examination paper.</li> <li>• Any first offence of being a party to impersonation in relation to an examination.</li> <li>• Any first offence of providing assessments for the purpose of academic misconduct.</li> </ul>	<a href="http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf">http://portal.solent.ac.uk/documents/academic-services/academic-handbook/section-2/21-student-academic-misconduct.pdf</a>

Title	Student Academic Misconduct Policy	Author	Student Support Office
Location	NCH Academic Handbook	Approved by	Academic Board
Version	2.0	Last updated	December 2017
Publication date	December 2017	Review date	August 2018
Related policies			
Quality Code	UK Quality Code Chapter B6		

