

Academic Misconduct Regulations

Rev. 1.4

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1. Introduction

- a) The HFH has a public duty to ensure that the highest standards are maintained in the conduct of assessment. In this way, the legitimate interests of the students and other stakeholders, and the HFH's reputation are safeguarded. Alleged academic misconduct which would compromise these standards will be investigated thoroughly. If confirmed, misconduct will lead to the imposition of the penalties detailed in section 10 below, including the possibility of expulsion from the HFH.
- b) Academic misconduct occurs where a student gains or seeks to gain an unfair advantage in any type of assessment activity designed to enable students to demonstrate achievement, contrary to the established rules and conventions under which students' knowledge, abilities or skills are assessed for progression towards, or the conferment of an award.
- c) These regulations are intended to help students to reach a clear understanding of what constitutes academic misconduct and to put minor misunderstandings right before they become serious. Students are encouraged to take advantage of the advice and support available to them from their Module Tutors and their Personal Tutor.
- d) These regulations apply to all students engaged in any HFH assessment activity whether on or off site.
- e) Cases shall be dealt with in accordance with the HFH's equal opportunities policy. Students with declared disability will have information made available to them in appropriate formats and the HFH will ensure that reasonable adjustments are made to proceedings to accommodate their needs. It is students' responsibility to inform the HFH suitably in advance of any such needs.

2. Errors of attribution

- a) A student's work submitted for assessment is expected to be their own. Examiners may penalise any work which does not follow normal academic conventions for acknowledging sources.
- b) Errors of attribution are minor irregularities e.g. of a technical nature which infringe academic conventions, but which would not normally mislead a reader as to the source of the material being presented. Examples include: placing a direct quotation into quotation marks but failing to cite the source at the end of the quotation; submitting an essay with references in the text but no reference list at the end; inconsistent or non-standard referencing systems; failing to acknowledge authorised collaboration such as the members of the group in group work assessment; failing to reference properly material drawn from work previously presented. These errors would not normally mislead a reader into believing that, for instance, words written by someone else might actually be the words of the student.
- c) Errors of attribution diminish the quality of the assessed work and will therefore result in the award of a lower mark for the piece of work in question and be identified in the assessment feedback. Errors of attribution are considered to be more serious the further a student progresses in the programme and will be penalised accordingly.
- d) No additional information or evidence relating to the case will be considered, sought or accepted in mitigation.

3. Categories of academic misconduct

3.1 Plagiarism

- a) Plagiarism is the unacknowledged use of the published or unpublished work of others.
- b) Such use is plagiarism whether from articles, books, computer programs, data, essays, academic papers, reports, newspapers, magazines, television or radio programmes or

any other material originated by another person, including other students, either in the original language or translated into another language, whether obtained from written, printed, electronic or broadcast sources, including via television, radio, the Internet, or any other computer-based or networked system.

- c) Plagiarism is committed regardless of whether the unattributed information is specific wordings, quotations, paraphrases of ideas or opinions, data or illustrations such as charts or diagrams, or structures and lines of argument taken from the work of others. Plagiarism as defined above is committed whether or not the student intended to deceive the assessors.

3.2 Collusion

- a) Within higher education, learning does not take place in isolation and is often a collaborative process. Such collaboration is a valuable component of the learning process. In assessment, however, submitted work must be that of the individual student, or a defined group of students, depending on the assessment type.
- b) Collusion occurs when students work together to such an extent that individual submitted assessments are similar or identical in terms of content, argument or structure; or when one or more other persons collaborate to produce work which is then submitted as the work of one individual.
- c) Should a case of collusion be established, the student who makes his work available to another student, or who helps another student to produce a piece of work, has also committed collusion.
- d) Where students are permitted or instructed to work together to achieve common outcomes, such group activity is regarded as approved collaboration. There may be a requirement for each student to identify her/his own contribution.
- e) Where there is a requirement for the submitted work to be solely that of an individual student, collaboration is not permitted. In the case of approved group work, members of a defined group may not collaborate with anyone outside the group. Students who improperly work together in these circumstances are guilty of collusion.

3.3 Impersonation

A student who is substituted by, or substitutes, another person in an assessment, or who submits by substitution work completed by another person as her or his own, or who allows his/her work to be submitted by another person as that person's work, is guilty of deception by impersonation. The offence of impersonation can be applied both to the student and the accomplice.

3.4 Fabrication

Fabrication is defined as the invention of data or other information for use in an assessment. This means that students must not invent or manufacture data, references, or other material and present them as bona fide products of their own research.

3.5 Re-presentation

Re-presentation is defined as the resubmission of work presented previously for summative assessment, or submission of the same piece of work simultaneously for different assessment tasks, at the HFH or elsewhere. This means that work, or any substantial part of a piece of work, must not be submitted for assessment on more than one occasion unless authorised in writing by a Head of Department. The definition does not apply to formative submissions, for example drafts submitted for comment, or pieces of work on which a later assessment builds, e.g. research proposal. A student is normally permitted to refer to his/her own previous work in subsequent assignments as s/he would to the work of other authors, provided full references are given.

3.6 Cheating in examinations / tests

- a) Cheating is defined as the attempt to gain an unfair advantage by the use of dishonest means in an invigilated examination or test.
- b) Misconduct is committed when during an examination or test a student copies from another student or is in possession of paper or other material, hand-written, printed or digital information or devices of communication not approved as part of the rubric of the examination.
- c) If on entry to the examination room students find themselves inadvertently in possession of any such material/devices they must declare and surrender it immediately prior to the start of the examination or test.
- d) Misconduct is committed if there is evidence of the use of unauthorised material in a student's response(s) to examination or test questions.
- e) Misconduct is committed when students communicate or attempt to communicate with other students present, or persons outside the examination room, in any way and by any means while the examination or test is in progress, unless explicitly instructed to do so by an invigilator.
- f) Misconduct is committed by offering a bribe or inducement to invigilators, academic or administrative staff, examiners or other persons connected with the assessment.
- g) Misconduct is committed by obtaining or seeking to obtain access to examination or test papers prior to the examination.
- h) Misconduct is committed when students behave in a manner likely to prejudice the chances of another student(s) or gain an unfair advantage over other students.
- i) Students will be deemed to be aware of all regulations governing the conduct of assessment events (see Institutional Assessment Regulations, section 8.2). Breaches of any of these regulations can constitute academic misconduct.

3.7 Procedural dishonesty

Procedural dishonesty is defined as an act of falsification or deception in relation to assessment. This includes false declarations in order to receive special consideration by tutors or an Examination Board, including applications for Accreditation of Prior Learning, deadline extensions, deferrals and exemption from work due to extenuating circumstances; misrepresenting, altering or forging documents; giving misleading evidence; or any other form of deception which may have the effect of improperly altering the outcome of an assessment or otherwise mislead an Examination Board or the HFH as a whole as to the status or existence of assessed work.

3.8 Unauthorised use

Academic misconduct includes the deliberate removing, hiding or destroying of part or all of any document, device or related resource held by the HFH or belonging to a member of staff or other student without proper authorisation, in order to gain an advantage or to disadvantage someone else.

3.9 Other forms of academic misconduct

These can be use of any form of unfair or dishonest practice not identified in the categories given above, including an attempted infringement of the HFH's academic policies, regulations or procedures, any arrangement with others to do so or any incitement of others to do so.

4. Recommended initial procedures

4.1 Invigilated examinations / tests

Where an invigilator suspects a student of committing academic misconduct as defined in section 3 above, he/she shall, if possible in the presence of another invigilator to act as witness to the action taken,

- inform that student that s/he is suspected of infringing examination rules;
- confiscate all answer papers completed by the student up to the point of the suspected misconduct as well as any unauthorised material in the possession of the student;
- allow the student to continue the examination with new answer papers;
- note the nature of the alleged infringement and the time it is discovered on the invigilator's report. Wherever possible another invigilator should act as witness by countersigning the note;
- report the allegation to the Chair of the Examination Board and the Programme Co-ordinator.

4.2 Assessed coursework

Where an examiner suspects a student of committing academic misconduct as defined in section 3 above in assessed coursework, s/he shall report the allegation to the Chair of the Examination Board and the Programme Co-ordinator, providing details of the nature / location of the alleged infringement and including any relevant documentary evidence.

4.3 Other cases

Any member of staff who suspects a case of academic misconduct as defined in section 3 above, is to report the allegation in writing, along with any evidence to the Chair of the Examination Board as soon as possible.

5. Procedure for reporting the incident to the Chair of the Examination Board for investigation

5.1 In all instances where it is considered that there is sufficient evidence to suggest that the student has contravened the regulations, the incident is to be reported to the Chair of the Examination Board.

The deadline by which evidence supporting an allegation of academic misconduct is to be submitted should normally be no more than four working weeks after the date of the assessment where suspected academic misconduct was alleged to have taken place.

Note: If a viva voce assessment of the student is considered appropriate before an allegation is reported to the Chair of the Examination Board, it must not be treated as a formal hearing to consider academic misconduct.

5.2 To proceed with an investigation into an allegation of academic misconduct, the Chair of the Examination Board should receive the following where appropriate:

- a) the student(s)' name and registration number;
- b) a report of the incident;
- c) the invigilator's report;
- d) originals of scripts involved in alleged infringement of examination room rules;
- e) original of unauthorised material used in an examination;

- f) original in-course assessment script with plagiarised passages marked;
- g) copy of source material with passages which have been plagiarised marked;
- h) any other form of relevant evidence;
- i) summary of any interview with the student regarding the incident;
- j) the module guide and assessment brief.

5.3 While an investigation is being carried out, the Examination Board may note the incident and defer judgement.

6. Procedure for investigation by the Chair of the Examination Board

As soon as reasonably practicable following receipt of any allegation and supporting documentation, the Chair of the Examination Board shall decide if, with reference to Section 3 above, there are reasonable grounds at first sight to suggest the student contravened these regulations.

6.1 Informal stage

Allegations may be processed in an informal way to reduce bureaucracy and the time taken to process cases.

Adoption of this fast-track procedure is not mandatory and the Chair of the Examination Board has the right for the more formal procedures to be invoked, as described below.

6.1.1 The Chair of the Examination Board, or his/her representative, and the invigilator / Module Tutor reporting the suspected academic misconduct hold an informal meeting with the student in order to consider the evidence and to determine the appropriate course of action. The meeting will be arranged at a time convenient to all parties, and the student informed of the purpose of the meeting.

6.1.2 If the Chair of the Examination Board, or his/her representative, and the invigilator / Module Tutor decide there are no reasonable grounds for the allegation, the work will be graded on its academic merits and any record of the alleged misconduct removed from the student's record.

6.1.3 If the student admits the alleged misconduct, a penalty in accordance with section 10 a) will be applied. This recommendation will be notified to the student, recorded on the student's file, copied to the Examination Board and may be taken into account in any subsequent misconduct hearings.

6.2 Formal stage

In cases other than those detailed in section 6.1 above, or if the Chair of the Examination Board decides despite a denial from the student at the informal stage that there are reasonable grounds to suggest the student has contravened these regulations, he/she shall write to the student(s) concerned to:

- a) put the specific allegation,
- b) request a written response accepting or denying the allegation and stating any mitigating circumstances which may be taken into account when considering a penalty (authenticated evidence to be provided where appropriate),
- c) request a reply within 14 working days of the date on which the letter is sent and explaining the consequences of failure to reply,
- d) enclose these regulations.

6.2.1 If a written reply to the allegation is not received from the student within 14 working days of the date on which the letter is sent, or if the student replies accepting the allegation, the Chair of the Examination Board recommends an appropriate penalty in accordance with section 10 a) below.

6.2.2 If the student replies within the time limit denying the charge the Chair of the Examination Board shall consider the allegation in the light of the student's response and in consultation with the Module Tutor, Head of Department and/or other appropriate members of staff. If it is decided to proceed with the allegation, the Chair of the Examination Board shall normally convene as soon as possible an Academic Misconduct Panel of Investigation.

7. Panel to investigate the allegation of academic misconduct

- a) If the Chair of the Examination Board decides to proceed with the allegation, he/she will, where appropriate, inform the external examiner(s) of the alleged offence and will convene an Academic Misconduct Panel. The Panel will consist of three members - students excluded - of the HFH, together with a secretary:
 - Chair: Chair of the Examination Board;
 - Membership: Two other members drawn from the teaching staff in the Senate, neither of whom may be the person who reported the alleged misconduct;
 - The Panel may be advised at all relevant stages of the proceedings by
 - the Module Tutor/invigilator who reported the academic misconduct
 - the External Examiner(s) who have no voting rights but are to be informed of the outcome of the investigation.
- b) The student will be given 14 working days notice, wherever possible, of the date, time, place and membership of the Panel.
- c) Due notice of the Panel meeting will be considered to have been given on sending the notice and supporting information to the student's last recorded postal or HFH email address. At the discretion of the Panel the case may then be heard whether or not the student attends the meeting.
- d) The student shall have the right to be accompanied by a person of his/her choice who is not acting in a professional capacity and to submit oral or written evidence to the meeting. Legal representation is not allowed at a Panel meeting.
- e) Copies of any written material to be submitted to the meeting by the Chair of the Panel and the names of any witnesses to be called by HFH/her must be made available to the student at least four working days before the meeting unless these time periods are reduced with the agreement of the student.
- f) The student is entitled to call witnesses and to present evidence to the meeting. Copies of any written material to be submitted to the meeting, and the names of witnesses to be called by the student, must be made available to the Chair of the Panel at least four working days before the meeting unless the Chair agrees to reduce this time period or accept information at the meeting.
- g) All proceedings and papers associated with the meeting shall be strictly confidential to those invited to attend.

8. Procedure for the Panel of Investigation in session

8.1 The Chair has discretion to organise the meeting as he/she sees fit in order to achieve the principal aims of a hearing:

- a) to clarify evidence as necessary by questioning those who have submitted it;
- b) to enable the student to dispute the allegation and/or to present mitigating circumstances;

c) to enable the Panel to come to a decision.

8.2 During the meeting the student and her/his companion are entitled to question all witnesses and make a statement on the student's behalf.

8.3 Witnesses will be asked to leave the meeting once their evidence has been presented and they have been questioned. Once all the evidence has been heard, the Chair will ask the student and her/his companion to leave the meeting whilst a decision is reached.

8.4 The Panel shall consider its decision in private after the evidence has been heard and shall reach a decision by majority vote whether the student, in the light of the evidence presented and beyond reasonable doubt, infringed the Academic Misconduct Regulations. If the votes cast for and against the student are equal, the Chair shall have a second or casting vote.

8.5 The student and their companion will normally be recalled for the Chair to inform them of the decision of the Panel which will be in the form of a recommendation to the Examination Board.

8.6 The recommendation will be sent in writing to the student normally within 7 working days of the Panel meeting.

9. Decision of the Examination Board

9.1 Where an allegation of academic misconduct is not sustained following investigation, the work shall be assessed on its academic merit, and all record of the alleged misconduct shall be removed from the student's record.

9.2 Where an allegation of academic misconduct is sustained, either by admission of the student or following investigation, the Academic Misconduct Panel makes a recommendation to the Examination Board in line with section 10.

9.3 Any reassessment following the Examination Board's decision to fail the student in one or more elements of assessment shall be at the absolute discretion of the Examination Board under the institutional and programme assessment regulations.

9.4 A student may appeal against the decision of the Examination Board to impose a penalty following the Board's receipt of the report confirming an infringement of these regulations. Such an appeal will be made through the established academic appeal procedures and must be received by the Academic Appeals Coordinator within 7 working days of the decision being issued. Normally an appeal may be made on the following grounds:

- a) That there is new and relevant evidence which the student was demonstrably and for the most exceptional reasons unable to present to the Panel of Investigation meeting. This may include evidence in mitigation.
- b) That the procedures were not complied with in such a way that it might cause reasonable doubt as to whether the result would have been different had they been complied with.
- c) That there is documented evidence of prejudice or bias on the part of the Chair of the Examination Board or by one or more members of the Panel of Investigation.

10. Penalties for academic misconduct

- a) Academic misconduct, as defined in section 3, will be penalised via application of the 'Plagiarism Reference Tariff' published by PlagiarismAdvice.org (see appendix). In this context, misconduct in examinations/tests will attract the same level of points as the highest amount/extent of plagiarism.
- b) If a student disrupts an examination to the extent that it is not possible for the examination to be conducted in an acceptable manner, he/she can be excluded from the examination. In such cases, the examination is considered to have been failed and the assessment element in question will be graded 0%. The decision to exclude a student from a written examination is made by a member of the Presidential Board or of the Managing Board, and by the lead examiner in an oral examination / viva voce. Such a decision is to be communicated immediately to the Chair of the Examination Board.
- c) Should a case of proven academic misconduct be so severe as to undermine, potentially or actually, the HFH's assessment procedures in a systematic manner, the Examination Board has the right to terminate a student's registration and enrolment at the HFH. The student's entitlement to proceed on the programme of studies will continue until the date of the letter formally notifying HFH/her of the Examination Board's decision.
- d) Where a student's programme of study is terminated as a result of a breach proven and penalised in accordance with the terms of these Regulations, the fact of that termination and the reason therefore shall be recorded on the student's record and official transcript.
- e) Academic misconduct will disqualify the student in question from participation in the study abroad programme. The HFH reserves the right not to write references or recommendations for students who have committed academic misconduct.
- f) In proven cases of academic misconduct which come to light following the confirmation of a grade or award recommendation by the Examination Board, the Board has the power to reduce a previously confirmed grade or classification of degree, or to revoke a degree already awarded, and to require certification to be returned. This power can be exercised for up to two years after the date of the award.
- g) Students' attention is to be brought to these regulations at the start of the academic year.

Appendix: Plagiarism Reference Tariff



Assign points based on the following criteria

HISTORY

1st Time	100 points
2nd Time	150 points
3rd/+ Time	200 points

AMOUNT / EXTENT

Below 5% AND less than two sentences	80 points
As above but with critical aspects* plagiarised	105 points
Between 5% and 20% OR more than two sentences but not more than two paragraphs	105 points
As above but with critical aspects* plagiarised	130 points
Between 20% and 50% OR more than two paragraphs but not more than five paragraphs	130 points
As above but with critical aspects* plagiarised	160 points
Above 50% OR more than five paragraphs	160 points
Submission purchased from essay mill or ghostwriting service †	225 points

* Critical aspects are key ideas central to the assignment

† Some institutions may consider this to be a separate form of academic malpractice

LEVEL / STAGE

Level 1	70 points
Level 2	115 points
Level 3/Postgraduate	140 points

VALUE OF ASSIGNMENT

Standard weighting	30 points
Large project (e.g. final year dissertation)	60 points

ADDITIONAL CHARACTERISTICS

Evidence of deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection **40 points**

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Award penalties based on the points

PENALTIES (Summative Work)

In all cases a formal warning is given and a record made contributing to the student's previous history

Points	Available Penalties (select one)
280 - 329	<ul style="list-style-type: none"> No further action beyond formal warning Assignment awarded 0% - resubmission required, with no penalty on mark
330 - 379	<ul style="list-style-type: none"> No further action beyond formal warning Assignment awarded 0% - resubmission required, with no penalty on mark Assignment awarded 0% - resubmission required but mark capped or reduced
380 - 479	<ul style="list-style-type: none"> Assignment awarded 0% - resubmission required but mark capped or reduced Assignment awarded 0% - no opportunity to resubmit
480 - 524	<ul style="list-style-type: none"> Assignment awarded 0% - no opportunity to resubmit Module awarded 0% - re-sit required, but mark capped or reduced Module awarded 0% - no opportunity to re-sit, but credit still awarded
525 - 559	<ul style="list-style-type: none"> Module awarded 0% - re-sit required, but mark capped or reduced Module awarded 0% - no opportunity to re-sit, but credit still awarded Module awarded 0% - no opportunity to re-sit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn
560+	<ul style="list-style-type: none"> Module awarded 0% - no opportunity to resit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn

PENALTIES (Formative Work)

280 - 379	Informal warning
380+	Formal warning, with record made contributing to the student's previous history