



Academic Misconduct Procedure

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**Author: Assistant Secretary
Governance Services Unit**

Document Control Information**Status and reason for development****Status:** Revised**Reason for development:** Annual update. Addition of paragraph on Data Protection Minor amendments to refine processes and to reflect changes in University**Revision History**

Date	Author	Summary of changes	Version No.
11 November 2013	Richard Clemens	Minor amendments mended document to include revise role for DVC	V1.2
21 August 2014	Richard Clemens	Update, includes inclusion of: <ul style="list-style-type: none"> • relevant sections from the Academic Regulations for Taught Programmes. • a direct means for removing a student where UK courts have applied custodial sentences. • an invitation for students to declare any matters which may impact on their performance at an AMP. and clarification of: <ul style="list-style-type: none"> • terminology for referral to SDP/FFPP. • the use of text matching software. • the availability of previous similar cases to those hearing a case. • the role of the Head of School (or nominee) where a student does not attend an AMP. • the avoidance of 'double jeopardy'. <p>Transfer to new template.</p>	V1.3

Policy Management and Responsibilities**Owner:** University Secretary**Author:** Assistant Secretary, Governance Services Unit**Others with responsibilities (please specify):** All staff and students**Assessment**

	<i>Cross relevant assessments</i>	<i>Cross if not applicable</i>
Equality Analysis	x	
Legal	x	<input type="checkbox"/>
Information Governance	x	<input type="checkbox"/>
Academic Governance	x	<input type="checkbox"/>

Consultation

	<i>Cross relevant consultations</i>
Staff Trades Unions via HR	<input type="checkbox"/>
Students via USSU	x
Any relevant external bodies (please specify)

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University Policy Gateway.

<http://www.salford.ac.uk/university/governance/policies-and-procedures>

Document dissemination and communications plan

Email to key staff in schools, Student Life Directorate, Library and to the Students' Union. Incorporated in to existing staff training. Student Handbooks.

1.0 Purpose

The purpose is to outline the Academic Misconduct Procedure and inform staff and students what types of activity constitute academic misconduct and how such matters will be dealt with by the University.

2.0 Scope

2.1 Who does the Procedure apply to?

The document applies to all students registered at the University of Salford, including those following programmes of study at affiliated institutions – that is to say, at institutions which have been affiliated to deliver a programme of study, or part thereof, leading to the award of a qualification of the University / or for automatic progression into the University. It applies to all undergraduate and taught programmes as well as those which lead to postgraduate research awards.

It also applies to students on registered on programmes at The Manchester College and Blackpool & the Fylde College which lead to the University's qualifications, subject to changes which reflect the organisational structure in place at these colleges.

2.2 What is academic misconduct?

In all cases it is the action not the intention that is of concern (see section 3.1.6). Acts of academic misconduct can take many forms. They are likely to fall into one or more of the following categories:

i) Plagiarism

Plagiarism involves taking the work of another person or source and using it as if it were one's own. The source of the original material is hidden from the marker by not referencing it properly or by paraphrasing it without acknowledgement or by not mentioning it at all. Work includes, but is not restricted to, written work, ideas, musical compositions, computer programs, laboratory or survey results, diagrams, graphs, drawings and designs. Plagiarism may occur in all forms of assessment, including written examinations.

ii) Self plagiarism (or double submission)¹

Self plagiarism (or double submission) is resubmitting previously submitted work on one or more occasions (without proper acknowledgement). This may take the form of copying either the whole piece of work or part of it for submission across modules and levels as well as work submitted at previous institutions. Normally credit will already have been given for this work. It will not normally include work submitted for reassessment within the same module.

iii) Collusion²

Collusion occurs when, unless with official approval (e.g. in the case of some forms of group projects), two or more students consciously collaborate in the preparation and production of work which is ultimately submitted by each in an identical, or substantially similar, form and/or is represented by each to be the product of his or her individual efforts. Collusion also occurs where there is

¹ Definition courtesy of Sheffield University

² Definition courtesy of Liverpool University

unauthorised co-operation between a student and another person in the preparation and production of work which is presented as the student's own. The act of one student allowing another access to their own work would be considered an act of collusion.

iv) Falsifying experimental or other investigative results

This could involve a range of things that make it appear that information has been collected by scientific investigation, the compilation of questionnaire results etc. whereas in reality it has been made up or altered to provide a more favourable result.

v) Taking unauthorised material (including electronic devices) into an examination

This involves taking in materials or electronic devices of any sort, other than those specifically permitted, whether or not they could be used to gain advantage and whether used or not. It includes particularly any 'smart' devices or devices with a 'memory' function and any written material, not previously and specifically exempted, which could be used to give an unfair advantage during the examination.

vi) Contracting another to write a piece of assessed work / Writing a piece of assessed work for another

This involves any means whereby a person does work (in whole or in part) on behalf of another. It includes assessments done for someone else in full or in part by a fellow student, a friend or family member. It includes sitting an examination for someone else. It also covers obtaining material from internet 'cheat sites' or other sources of work. Penalties for this type of unfair means will normally apply both to a student of the University who does work on behalf of another and a student of the University who has work done for him/her.

vii) Copying from, or communicating with, another examination candidate during an examination.

A student must not communicate in any way with another student during an examination, must not disturb other students, nor copy from them during an examination.

viii) Bribery

A student must not offer or give any academic staff money, gifts or any other advantage which is intended to induce or reward impropriety in the marking of his/her examination or assessment. (Bribery is a criminal offence and morally wrong and exposes the University and its employees to the risk of prosecution, fines and imprisonment as well as endangering the University's reputation).

2.3 Preventative Measures Against Academic Misconduct

Appendix A provides information on the preventative measures in place to minimise the possibilities of academic misconduct across the University. In addition students are advised to take particular care in respect of the following:

i) *Getting help from others / helping others*

Students are encouraged to discuss and share ideas and information, however those who assist others to commit academic misconduct whether or not for payment (e.g. by giving another student the opportunity to copy part or all of a piece of work, by providing copies of assessments or by providing bespoke assignments to another student) will be subject to the same penalties as those who use unfair means. Students should ensure that they protect their own work, submit it themselves and do not allow other students to use their memory stick and/or print off work on their behalf.

ii) *Use of Readers/Note Takers*

Students with individual needs who require the services of readers or note takers are advised to use appropriately trained individuals. Further advice can be obtained from the Disability and Learner Support within Student Life Directorate. www.advice.salford.ac.uk/disability

iii) *Referencing*

Students using work which has been produced by other people within an assignment will need to ensure that they acknowledge or reference the source of the work. Students should check with their Schools for particular requirements. Marks may be deducted for poor referencing. If poor referencing is extensive throughout a piece of work it could appear that the student is trying to claim credit for the work and he/she may be deemed to have committed plagiarism. Guidance on good referencing practice is available from Schools or may be provided through research training programmes. The Library provides detailed information on referencing and broader information literacy: <http://www.salford.ac.uk/library/help/information-literacy>

3.0 Policy Statements

3.1 Dealing with Academic Misconduct: Preliminary Stage

- 3.1.1 A case may come to light through a variety of means, including the use of text matching detection software e.g. Turnitin. Cases may be reported by the marker of an assignment, by an examiner (internal or external), by a programme leader, supervisor or any other academic member of staff.
- 3.1.2 Any case of suspected academic misconduct must be supported by evidence documented by the person who suspects academic misconduct. For example in a case of possible plagiarism the marker of an assignment should highlight those passages which are unattributed, should provide a note of the sources from which these passages come and should indicate the extent of plagiarism as a percentage of the assessment in question.
- 3.1.3 A matching report from a text matching service (e.g. Turnitin) is not, on its own, evidence of academic misconduct even if the proportion of matching text is high. Original sources must be referred to and the nature of the assignment and the detail of the matched text (e.g. the number of sources and the need for extensive quotation) must also be considered.
- 3.1.4 A finding of academic misconduct may be made even if there is an absence of matching text, e.g. where a student has changed certain words to avoid being detected by a text matching service.

- 3.1.5 When an academic member of staff suspects academic misconduct in a piece of assessed work (e.g. an essay bought from a cheat site which has not been detected via detection software) and initially there is no clear evidence, a student may be interviewed by an appropriate member of academic staff **other** than the marker using the “Guidance on Bought Work” (http://www.governance.salford.ac.uk/page/student_policies).
- 3.1.6 **All** cases of suspected academic misconduct must be reported to the Head of School (or nominee). The Head of School (or nominee) has responsibility for preliminary consideration of such cases. In determining whether there is a case to answer the Head of School (or nominee) should refer to the guidance in Appendix A). All cases must be treated as strict liability offences – that is to say, it is the action (academic misconduct) which must be considered, not the intention of a student either to deceive or gain an unfair advantage.
- 3.1.7 In the case of suspected academic misconduct in an examination the Senior Invigilator should follow the procedure set out in the “Essential Information for Invigilators” handbook and should report the incident to the Logistics Team in Student Administration by completing an academic misconduct report form. The Logistics Team will forward the details of the incident to the School’s Head of School (or nominee). Where appropriate any evidence of alleged misconduct should be recorded with relevant evidence at the time of the examination.
- 3.1.8 The Head of School (or nominee) will take into account the extent of the alleged academic misconduct, the level and prior experience of the student and the conventions of the discipline and, using his/her academic judgement, will decide on one of the following:
- there is no case to answer (in which case, notification will be provided to GSU to enable University wide statistics compiled, beyond this all records relating to the case must be destroyed);
 - it is a matter of poor academic practice (see para 3.1.9 below);
 - there is evidence to indicate that academic misconduct may have occurred which requires further investigation (see para 3.1.11 below).
- 3.1.9 Poor academic practice is a term used when students either hurriedly or badly prepare a piece of work for assessment. It often involves bad referencing where the work may be referenced and cited, but not using the correct format or system. It may include a paraphrase which only slightly alters the original source or incorporate so many reference texts that there is very little evidence that the student has engaged with the topic in question. Whilst such scenarios might not reflect plagiarism they do show a lack of individual thinking based on the teaching a student has received and should therefore be penalised by using the normal assessment criteria.
- 3.1.10 Where the preliminary consideration finds poor academic practice, the student should be informed of this in writing and be invited to discuss this with an appropriate member of academic staff at the earliest possible opportunity. The student should be given clear advice on the steps he/she must take to prevent a recurrence of this poor practice. A note of this discussion should be given to the student within 5 working days of the meeting and a copy kept on the student record, so that students who are referred repeatedly can be identified. Any student who without good reason refuses or fails to attend a meeting will still be provided with written advice, but such a refusal or failure to attend will be noted on his/her student record.

- 3.1.11 Where the preliminary consideration finds that academic misconduct may have occurred, the student will be informed of this in writing and will be advised that the matter is referred either to the School's Academic Misconduct Panel (AMP) see Section 3.2 below and Appendix C or, in the most serious cases dealt with under 3.2.1 below, the University's Student Disciplinary Panel .
- 3.1.12 The student must also be informed that advice and guidance can be obtained from the Student Advice Centre in the Students' Union.
- 3.1.13 Except where any alleged academic misconduct is referred to the Student Disciplinary Panel or Fitness for Professional Practice Panel under paragraph 3.2.1 below each instance of alleged academic misconduct will be considered by the home School for the module where such alleged misconduct has occurred. Where an individual student faces multiple concurrent cases of academic misconduct from modules across more than one school then normally all the concurrent cases should be considered at a single Academic Misconduct Panel of one of such schools (the choice of school to be determined by the University).

3.2 Dealing with Academic Misconduct: Formal Stage

- 3.2.1 In the **most serious** cases where the Head of School (or nominee) considers that the penalties available to the AMP are insufficient, the Head of School (or nominee) will refer such cases either to be considered under the Fitness for Professional Practice Procedure (where the student is studying a programme and is subject to the Procedure) (<http://www.salford.ac.uk/university/governance/policies-and-procedures/browse-by-theme/2>), where applicable, or directly to the University's Student Disciplinary Panel (see the Student Disciplinary Procedure at <http://www.salford.ac.uk/university/governance/policies-and-procedures/browse-by-theme/2>) on **one or more** of the following grounds:
- there is evidence of a prior proven offence of academic misconduct;
 - there are concurrent allegations of more than one offence of academic misconduct;
 - the student is at an advanced stage in his/her programme of study (e.g. the offence has been committed in the dissertation, final project or major project of a Level 6 programme, or alternatively at Level 7 (but see Appendix C para C.5.1));
 - the academic misconduct is compounded by deliberate deception or lying (e.g. purchasing an essay from a cheat site; stealing work from another student);
 - other students have been disrupted or affected in some way by the student's academic misconduct.

The Governance Services website provides examples of cases which have been referred by Schools to the University Student Disciplinary Panel:
http://www.governance.salford.ac.uk/page/student_policies

- 3.2.2 In line with the principles of natural justice and the avoidance of instances of 'double jeopardy' a case considered by an AMP should not be reheard by a University Student Disciplinary Panel or via the Fitness for Professional Practice Procedure.
- 3.2.3 In the event of an allegation of academic misconduct in the taught element of a research award (e.g. DProf) the matter may be dealt with either by the AMP or the Student Disciplinary Panel dependent upon the seriousness of the alleged

offence. The decision to refer the matter will be made by the Head of School nominee. Students on research awards examined by thesis (or folios of composition, folio of films and / or videos) alleged to have engaged in academic misconduct will have their cases referred to the University Student Disciplinary Panel.

- 3.2.4 In cases deemed **most serious** the Student Disciplinary Panel and the Fitness for Professional Practice Panel will have recourse to the range of academic penalties available to the AMP **in addition** to their normal range of penalties.
- 3.2.5 In all other cases where there is evidence to indicate that academic misconduct may have occurred, the cases should be heard at the next scheduled meeting of the AMP. The student will be given a minimum of 10 working days' notice in writing by letter or e-mail before the meeting of the Panel except where s/he has agreed in writing that shorter notice is acceptable. The 10 working days will be counted from the date of the notification. The student will be informed, in writing, of the nature of the allegations and be provided with the evidence.
- 3.2.6 At all stages those considering allegations will be made aware of any previous similar cases found against the student.

ACADEMIC MISCONDUCT PANEL

3.3 Academic Misconduct Panel (School)

- 3.3.1 The purpose of the AMP is to determine whether an offence of academic misconduct has been committed and to determine and impose penalties. The membership of an AMP is:
- An independent Chair external to the School in which the Panel is located (there will be a pool of trained University Chairs of AMPs nominated by Heads of Schools)
 - the Associate Head (Academic) of the School in which the Panel is located
 - a student representative nominated by the Students' Union.

The AMP will not comprise any representative who has been involved in the assessment of student cases being heard and therefore substitute members must be available to attend the Panel for such cases. The School will provide secretarial support and a record will be kept of the meeting. Further details on the AMP can be found under Appendix C.

3.4 Attendance at an Academic Misconduct Panel

- 3.4.1 A student may be accompanied by one person of his/her choosing at any stage in the Academic Misconduct Procedure. The student may submit written evidence to the AMP and this should be received at least 5 working days before the date of the Panel meeting. The Head of School (or nominee) will be expected to represent the School.
- 3.4.2 If, for exceptional reasons (e.g. having returned to their home overseas or left the University) the student is unable to attend the meeting of the AMP, and notifies the AMP at least 5 working days in advance, they will be permitted to submit written representation in support of their case. In this instance, the Head of School (or nominee) shall not be invited to attend the meeting but shall be permitted to provide a written submission and the AMP's decision shall be based on the paper evidence only.

- 3.4.3 If the student or the Head of School nominee, to whom proper notice of a meeting has been given, does not appear at the meeting the AMP may proceed to consider the case in his or her or their absence (as the case may be). However if reasonable grounds for non-attendance have been provided (e.g. sickness absence) the AMP has the discretion to adjourn. If the student's chosen companion is unable to attend accompany the student to a meeting of the amp for any reason, the meeting will not normally be adjourned and a substitute may need to be found. Where there is no previous notification of non-attendance by the student the Head of School (or nominee) may remain to present the case and answer questions as required by the AMP.
- 3.4.4 The AMP shall reach a decision on every case presented to it, save only where the AMP considers it would be contrary to the interests of natural justice to reach a decision, in which case the AMP shall adjourn the case to a future meeting.
- 3.4.5 The student will be responsible for paying the costs of his / her attendance and the University will not reimburse any of them.

3.5 Representation at Meetings and Hearings

- 3.5.1 Where a representative is attending a hearing on the student's behalf:
- the Panel will only be required to consider the representations which are made by the representative on the student's behalf at the hearing and not any written or oral representations which the student may make before or after that hearing;
 - the representative must not be someone who has been suspended or excluded from the University for any reason and he / she must be willing to act in that capacity. The student must provide the name of the representative to the University before the hearing

3.6 Legal Representation

- 3.6.1 There is no automatic right for a student to have legal representation at meetings and legal representation is only allowed for certain meetings or hearings where the student has been granted permission as set out below and in Appendix D.
- 3.6.2 The student must apply for permission if he/she wishes to be represented at any hearing of the AMP by an individual who is legally qualified.
- 3.6.3 To apply for permission, the student must give written notice to the University Secretary at least 5 working days before the date scheduled for that hearing giving the name of the student's proposed representative. Bearing in mind the factors that will be considered in deciding whether to grant permission (Appendix D.2), the student may also wish to include in the notice representations as to why he/she considers that permission should be granted. The hearing of the AMP at which the student wishes to have legal representation may be delayed so that it takes place no earlier than 15 working days starting on the date of receipt by the University Secretary of the student's notice.

3.7 Recording of Proceedings

- 3.7.1 The audio recording of meetings and hearings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the University where required to comply with the Equality Act 2010.

3.8 Academic Penalties

- 3.8.1 In deciding which academic penalty to impose, the AMP shall take into consideration, amongst other matters, admission of guilt by the student, the seriousness and the extent of the misconduct (see paragraph C.5.2 of Appendix C). Relevant precedents should also be considered. For example, an admitted misconduct would normally be treated more leniently than a denied offence. Students citing personal mitigating circumstances should be advised that such matters are dealt with at School level at the appropriate point in time under the University's Personal Mitigating Circumstance (PMC) Policy by the School's PMC Reviewers and cannot be taken into account by the AMP.
- 3.8.2 The AMP shall apply one of the following penalties in the event of the student being found guilty of academic misconduct:
- a) a mark of 0 or grade of F is awarded for the component of assessment in question;
 - b) a mark of 0 or grade of F is awarded for the module in question[†]
 - c) a mark of 0 or grade of F is awarded for the module in question and marks for all other modules at that level will be kept at the minimum pass mark
- 3.8.3 Where a module mark of 0% or grade of fail has been awarded as a penalty for academic misconduct:
- a) all component marks/grades for the module shall be set to 0% or fail
 - b) any previous module marks/grades for the same module from previous attempts shall be set to 0% or fail
- 3.8.4 Any student found guilty of academic misconduct may be required by the Panel, in addition to the above, to undertake appropriate study skills and to use the University's text matching detection tool, Turnitin (accessed via Blackboard).
- 3.8.5 Where misconduct has been found to have occurred after the results have been ratified by a Board of Examiners/Postgraduate Research Award Board, the penalties will be retrospectively imposed, in line with those in the indicative penalty tariff, so necessitating the removal of previously awarded modules or credits. The decision to rescind academic credits or awards is made by Senate on the recommendation of the Board of Examiners or the Postgraduate Research Award Board.
- 3.8.6 Proven cases will be referred back to the Board of Examiners for implementation of the penalty. The Board of Examiners will inform the student of its decision in the normal way and of any academic requirements following the implementation of the penalty.
- 3.8.7 Academic Regulations which the Board of Examiners must take into account are:
- Compensation*
- 3.8.8 Where a component mark of 0% or grade of fail has been awarded as a penalty for academic misconduct and the student fails the module, that module shall not be eligible for automatic or discretionary compensation.

Where a module mark of 0 or F has been awarded as a penalty for the use of unfair means the module cannot be compensated but the student will have the

a)

opportunity to retrieve the failed module(s) as appropriate in line with the Academic Regulations.

Entitlement to reassessment/retaking

Where a module mark, or a component mark, of 0 or F has been awarded as a penalty for the use of unfair means a student shall be permitted the normal entitlement of further opportunities to pass the module (the opportunities which remain will depend on the point in the academic cycle at which the zero has been awarded). Further opportunities include:

- i) an opportunity to be reassessed at the stipulated time;
- ii) an opportunity to retake the module the next time the module is delivered;

Where a student has been permitted to be reassessed or to retake a module the maximum module mark that the student shall be given under any circumstances shall be the pass mark for the module: that is 40% at Level 3, 4, 5, 6; 50% at Level 7.

3.9 Appeals

- 3.9.1 In cases heard by an AMP a student may appeal to the University Student Disciplinary Panel against a decision of guilt or a penalty imposed by the AMP. The appeal must be made in writing to the Governance Services Unit within 10 working days of the written decision of the AMP.
- 3.9.2 The grounds for review / appeal must be one of more of the following:
 - i) the emergence of new and relevant evidence which was not available to the original hearing or process of consideration for good and reasonable cause;
 - ii) that there was an irregularity in the original hearing or process of consideration which has materially disadvantaged the student;
 - iii) that evidence is available to show that the outcome reached at an earlier stage was manifestly unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. that the outcome was not a possible conclusion which a similar hearing or process of consideration might have reached.
- 3.9.3 Within 5 working days of receipt of an appeal the University Secretary may reject an appeal if, in his/her view, it is out of time or not lodged on the allowable grounds and shall report that decision to the student and the next meeting of the Student Disciplinary Panel .
- 3.9.4 The Student Disciplinary Panel shall normally meet a minimum of 10 working days and a maximum of 20 working days after the University Secretary has confirmed that in his/her view there are grounds for appeal and shall be drawn from a pool of staff members appointed by Academic Audit and Governance Committee and nominees of the Students' Union. Each meeting of the Student Disciplinary Panel shall comprise two staff members, one of whom shall be Chair, and one nominee of the Students Union. All Student Disciplinary Panel members shall be drawn from outside the student's School. Any person who was a member of the AMP which heard the student's case shall take no part in the meeting of the Student Disciplinary Panel. An officer of Governance Services Unit shall act as Secretary.
- 3.9.5 The Student Disciplinary Panel may dismiss an appeal without a full hearing if it considers that the appeal, although not rejected by the University Secretary, was in fact not lodged on the allowable grounds or was out of time.

- 3.9.6 There shall be no entitlement to a rehearing of a case. The Student Disciplinary Panel may overturn a decision of guilt on appeal where it considers it just to do so and the student's record will reflect that outcome.
- 3.9.7 The proceedings of the Student Disciplinary Panel shall take such form as the Committee considers appropriate to an investigation of the grounds for the appeal as stated in the student's notice of appeal. Otherwise the order of proceedings and rights of representation shall be as for the Student Disciplinary Panel.
- 3.9.8 The Chair of the AMP shall also be entitled to make a written submission or oral representations to the Student Disciplinary Panel.
- 3.9.9 The Student Disciplinary Panel hearing an appeal against a penalty may impose a lesser or greater penalty, having considered whether the original penalty imposed was fair and reasonable in the light of all the circumstances of the case and the student's means and general personal circumstances.
- 3.9.10 The Student Disciplinary Panel shall consider its decision and shall notify the student of it in writing, normally within 5 working days. The decision of the Student Disciplinary Panel shall be final and no further appeal may be permitted within the University. The student's notification of the decision will include a statement of the exhaustion of all University procedures: 'a Completion of Procedures Letter'.
- 3.9.11 Findings of academic misconduct and penalties awarded may be referred to in references which are requested for students.

3.10 Student Status Pending Hearing

- 3.10.1 If the University Student Disciplinary Panel/AMP has yet to convene before a meeting of the Board of Examiners which makes decisions on progression/award, the student must be informed of the mark for the module(s) so that he/she may make an informed decision about resubmission/resit of the module(s). Marks will be ratified once there has been an outcome from the academic misconduct process.
- 3.10.2 If the Student Disciplinary Panel/AMP has yet to convene for allegations of academic misconduct reported either prior to or during the resit period the student is permitted to register at the previous level in order to have access to University facilities. He / she may also attend classes at the next level informally until there has been an outcome from the academic misconduct process. Marks will be ratified following the outcome. If the outcome is failure in the module(s) the student may have to step off the programme to redeem the module(s) at the next most appropriate point in time.

3.11 Appointment of Substitutes

- 3.11.1 If
- i) any post-holder of the University who is specified in this Procedure (the Specified Post-holder) for any reason declines or fails to take any action that is his/her responsibility under this Procedure, or;
 - ii) the Vice-Chancellor* requires the Specified Post-holder to stand down from taking any action that is his/her responsibility under this Policy so that

the proceedings under the Procedure are consistent with the principles of natural justice,

then the Vice-Chancellor* shall appoint a substitute for the Specified Post-holder who will be as close as possible to the Specified Post-holder in terms of his/her position within the University. Where any substitute is appointed, then reference to the Specified Post-holder throughout this Policy will be to such substitute.

*Reference to the Vice-Chancellor will include any individual to whom the Vice-Chancellor delegates the decision regarding the standing down of the Specified Post-holder in the event of the Vice-Chancellor's unavailability

3.12 External Review

- 3.12.1 If on receipt of a Completion of Procedures Letter the student is still dissatisfied s/he may request a review from the Office of the Independent Adjudicator for Higher Education. Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator
3rd Floor, Kings Reach
38-50 Kings Road
Reading
Berkshire RG1 3AA
Tel: 01189 599813 Email: enquiries@oiahe.org.uk
<http://www.oiahe.org.uk/>

3.13 Monitoring, Evaluation and Review

- 3.13.1 AMPs (at School level) and the Student Disciplinary Panel are required to records of consideration to Governance Services Unit, GSU. This is used to develop a body of case-law which provides guidance and precedents for future Panels. A member of staff from GSU serves as secretary to the Student Disciplinary Panel and may attend AMPs from time to time as an observer.
- 3.13.2 GSU shall report statistical data on cases of academic misconduct considered each academic session by School to the University Learning, Teaching and Enhancement Committee and Senate. Following the annual report, the procedure will be reviewed and, as appropriate, amendments considered.

4.0 Staff Disciplinary Procedure

Where an allegation of most serious academic misconduct is referred to the Disciplinary Procedure as in 3.2 above and the student is also a member of staff, the School should seek guidance from its Human Resources Business Partner as any allegation would be considered under a separate specific procedure.

5.0 Data Protection

- 5.1.1 All processing of personal data is undertaken in accordance with the Data Protection Act 1998.
- 5.1.2 In pursuance of this procedure students' personal data will be shared within the University to the persons and departments named at with the Students' Union.
- 5.1.3 This information will be relating to specific occurrences of academic misconduct and will include only information deemed relevant to the case. The information will be used only for the purposes outlined in this procedure. Where it is determined that there is no case to answer, no details shall be held on a

student's record. Otherwise details of the incident and outcome shall be retained on a student's record. Records of all cases will be retained by the University Secretary.

- 5.1.4 Where a student requests a review from the Office of the Independent Adjudicator, relevant information shall be disclosed to that office in order for the review to take place.

6.0 Policy Enforcement and sanctions

The Assistant Secretary, Governance Services Unit is responsible for overseeing the procedure and ensuring it is correctly implemented and enforced. The Head of School will nominate an academic member of staff with specific responsibility for all matters related to academic misconduct for undergraduate and postgraduate taught programmes as well as postgraduate research programmes of study. This member of staff will also present the case before either the AMP or the University Student Disciplinary Panel and serve as Independent Chair for AMPs in other Schools. The Head of School is also responsible for nominating an appropriate number of academic members of staff to serve as Independent Chairs for AMPs in other Schools. It is the responsibility of Governance Services Unit to provide appropriate training and support for academic members of staff nominated by the Head of School to serve in the capacities noted above as well as members of the Students' Union who serve on the respective panels.

7.0 Related Documentation

7.1 Glossary of terms

Available online

<http://www.salford.ac.uk/university/governance/policies-and-procedures/browse-by-theme/14>.

7.2 Student Disciplinary Procedure

Available online

<http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures/browse-by-theme/2>

7.3 Fitness for Professional Practice Procedure

Available online

<http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures/browse-by-theme/2>

8.0 Governance and Management

- 8.1 The procedure is approved by the University Learning, Teaching and Enhancement Committee and the Research Committee on behalf of Senate.
- 8.2 The University Secretary is responsible for the Academic Misconduct Procedure and has delegated responsibility for the implementation and communication of the Procedure to the Assistant Secretary within the Governance Services Unit.
- 8.3 The Governance Services Unit is responsible for administration of the Academic Misconduct Procedure and general enquiries about the Procedure can be made to Richard Clemens Telephone 0161 295 2255 or Annette Cooke 0161 295 4123 or e-mail gov-academicmisconduct@salford.ac.uk.
- 8.4 General information to students on the operation of the Academic Misconduct Procedure is available from the Student Life Directorate Telephone 0161 295 0023 or e-mail advice@salford.ac.uk.
- 8.5 4.5 Individual advice to students and advocacy on behalf of students is available from the Students Union Telephone 0161 351 5400 or email advicecentre-ussu@salford.ac.uk, website <http://www.salfordstudents.com>).

9.0 Appendices

- 9.1 **Appendix A** Preventative Measures Academic Misconduct
- 9.2 **Appendix B** Flowchart – Academic Misconduct Procedure
- 9.3 **Appendix C** Academic Misconduct Panel
- 9.4 **Appendix D** Process for Applying for Legal Representation.

Appendix A – Preventative Measures Against Academic Misconduct

A.1 Background

- A.1.1 It is intended that these measures will complement and work in tandem with the Academic Misconduct Procedure and the penalties applied to students found guilty of using unfair means.
- A.1.2 The measures are mainly directed at students who are undertaking taught programmes at undergraduate and postgraduate level but it is hoped that some measures will be of value to those academic staff concerned with the guidance and supervision of postgraduate research students.

A.2 Guiding Principle

The measures are underpinned by the principle that the encouragement of best practice and academic good conduct is the most effective way of minimising unfair means.

A.3 Measures

The measures fall into three categories:

- a) those relating to the induction of students and good teaching, supervision and assessment practice
- b) those relating to the administration of procedures
- c) those relating to staff development/training requirements

A.4 Induction of students and good teaching and assessment practice

- A.4.1 The University will provide a brief and clearly expressed statement to be issued at an early stage to all students outlining the University's expectations of academic good conduct, the definitions of unfair means and the penalties which will result from the use of unfair means; where practicable, all students will be required to sign or otherwise indicate that they have received this statement. This requirement should be included on the induction check list for students. Furthermore, the Academic Misconduct Procedure will be available on the University website. Students should be advised of this.
- A.4.2 Schools will help develop students' understanding of plagiarism within the subject context and will explore this through interactive subject-based exercises and discussion. This will be done on an ongoing basis from early in the student's programme of study and will take account of the diversity of students' previous learning experiences, including their cultural backgrounds. This will be supplemented by a requirement that all Schools provide each student with written guidance on referencing in written work.
- A.4.3 The University provides on-line self-access materials designed to help students understand the meaning of good academic practice and the avoidance of the use of unfair means in their assessments which will be accessible via Blackboard.
- A.4.4 Schools will teach students how to engage with their subject, to develop the norms of scholarship and academic writing and to use appropriate referencing methods, fostering an expectation in academic writing of more than regurgitation. In June 2011 Senate approved the adoption of Harvard APA 6th edition referencing system for eight out of ten Schools across the institution. The only students exempt from this standard are listed below:
- Students studying law as a part of their programme will continue to use Oxford University Standard for Citation of Legal Authorities (OSCOLA) referencing
 - English students will continue to use Modern Language Association (MLA) referencing
 - History students will continue to use Short-Author title referencing

- A.4.5 The Library provides guidance and mandatory training to staff and students on Information Literacy. Schools and programme teams are encouraged to consider formative assessment on referencing within the first six weeks of a programme.
- A.4.6 Academic tutors are encouraged to design plagiarism out by adopting appropriate assessment processes (some examples of the ways in which this may be achieved are attached as indicated in Section A.7).
- A.4.7 Schools will keep a record any referrals of students to Academic Learning Skills support.
- A.4.8 Supervisors of research students are expected to take particular responsibility for giving guidance about literature and sources as well as exemplars of good research practice in the specialist field, advising on the issue of plagiarism (Code of Practice for the Conduct of Postgraduate Research Degree Programmes).

A.5 The administration of procedures

- A.5.1 The University provides clear instructions in plain English to be read out at the start of every examination
- A.5.2 The University requires all students to submit a signed or verified declaration with all coursework confirming that the work submitted is their own. The University has standard wording for this declaration.
- A.5.3 Research students must submit an equivalent signed declaration of originality (a Declaration 1 form) to verify that the work submitted is their own (as per the Code of Practice for the Conduct of Postgraduate Research Degree Programmes).
- A.5.4 The University requires a brief and clearly expressed statement in programme handbooks and in the Code of Practice for the Conduct of Postgraduate Research Degree programmes explaining of the University's expectations of academic good conduct, the definitions of academic misconduct, the range of penalties arising from proven academic misconduct and providing a reference to the Academic Misconduct Procedure. Where practicable, students should sign for or otherwise indicate receipt of Student Handbooks and the Code of Practice.
- A.5.5 Governance Services provides an annual report to Learning, Teaching and Enhancement Committee on cases of academic misconduct.
- A.5.6 The University maintains robust processes for ensuring the security of examination stationery and examination papers.

A.6 Staff development/training

- A.6.1 The University provides on-line self-access materials on preventing/avoiding unfair means, including methods of detection which can be accessed by staff via Blackboard. The text-matching tool Turnitin is available for all staff to access.
- A.6.2 The University has developed protocols/criteria for the use of Heads of School (or nominees) in determining whether a suspected case of unfair means should go forward for consideration under the Academic Misconduct Procedure.
- A.6.3 The University has provided training on the new Academic Misconduct Procedure to ensure dissemination at School level and support consistency of implementation and will review practice and training requirements and provision of materials via the website on an ongoing basis.
- A.6.4 It is expected that training in preventative measures will be included as part of the induction programme for all new academic staff and administrative staff involved in assessment. This should

include training on assessment procedures and processes and in particular the role of the Senior Invigilator and Invigilator in written examinations.

A.6.5 Staff development sessions will be offered each year on the Academic Misconduct Procedure itself and on preventative measures. An anonymised precedent file of case studies will be maintained to be used for training purposes.

A.7 Some methods of assessment which help to minimise the possibilities of plagiarism

A.7.1 Plagiarism can be minimised by:

- a) asking for assessment artefacts that do not already exist, for example:
 - changing the assessment tasks each time the course is taught
 - the setting of tasks that refer to local or recent events, current ideas, in-the-news people the addition of specific requirements e.g. “using book x as well as a range of other texts”, “using primary data gathered from interviews”
 - the requirement for unusual formats (not always essays) such as annotated book lists, posters, dialogues between fictional characters, reflective writing
- b) tracking the process the student pursues when producing the assessment, for example:
 - assessment of the process of producing the final product, rather than just assessment of the final product
 - the requirement that drafts are submitted with the final product;
 - the requirement that major references, articles are submitted
 - the use of some observed tasks, in-class tasks or supervised tasks;
 - the requirement that an assignment has built in planning stages (Outline in Week 4, bibliography in Week 7 etc.)
- c) using a design strategy which links assessments so that, for example, concepts have to be understood at one stage before the next stage of the assessment can be completed;
- d) building in authenticity checks such as random or partial vivas, open book tests, exams that require more than memorised answers, ad hoc assessments
- e) using assessment methods which deter cheating:
 - the requirement for analysis, evaluation, reflection on practice rather than simple regurgitation of knowledge and factual information
 - the assessment of group tasks in ways that recognise individual contributions
 - the requirement for variable components to assessments such as the application of a common theory to specific situations (e.g. “personality theories applied to my own”, “urban design in Headington”, “Death in Byron’s poems and Six Feet Under” “this legal aspect in case x”)
 - the personalising of the task e.g. providing data unique to the student, individually negotiated tasks
 - the linking of assessed common tasks (“solve these problems”) with an authenticity process such as a viva or exam
 - the use of formative assessment to coach good writing practice and referencing techniques, especially in the early parts of courses.

A.8 Protocols and criteria for dealing with cases of suspected plagiarism

A.8.1 When presented with a case of suspected plagiarism, it may be useful to distinguish between:

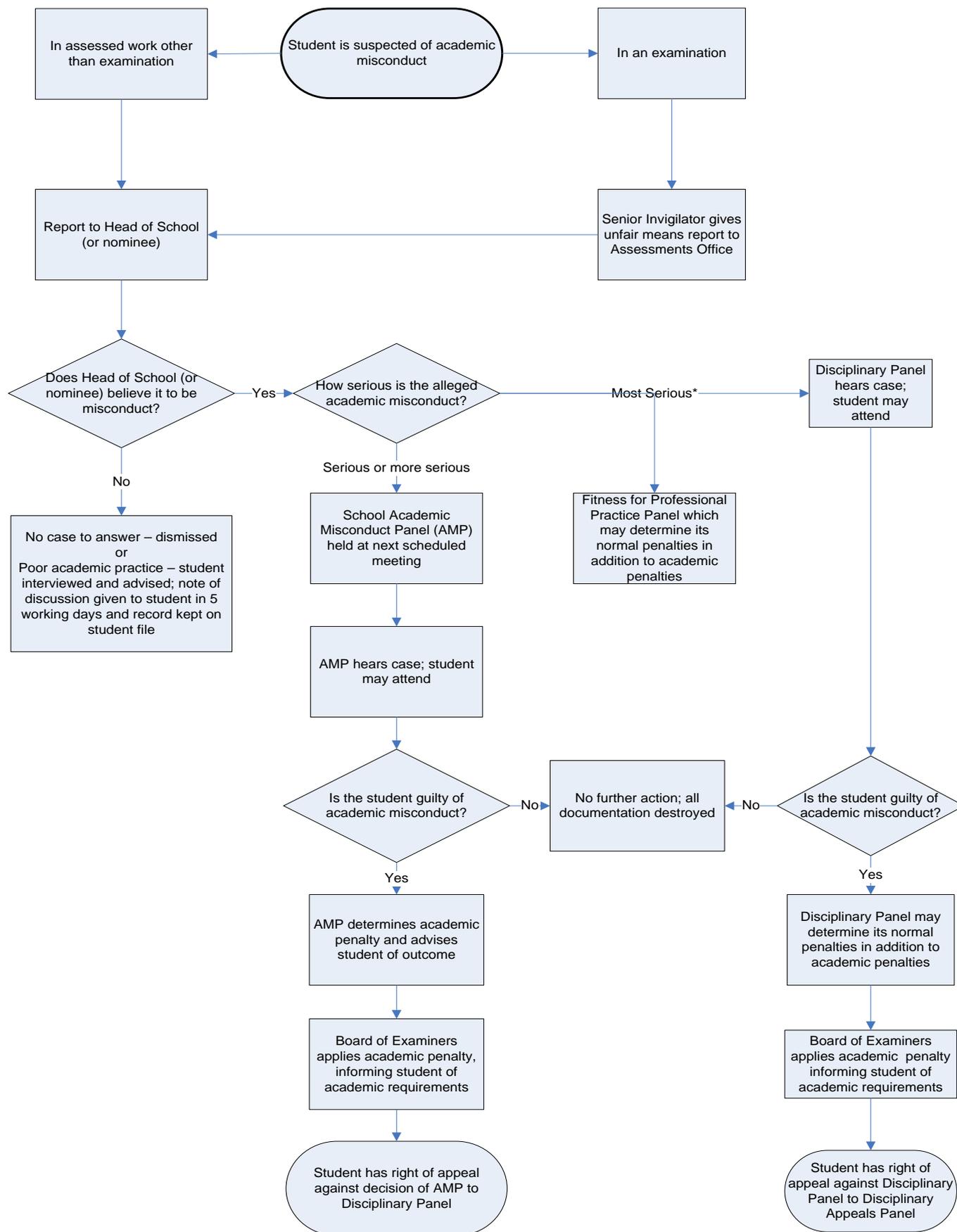
- misunderstanding

- misuse
- misconduct

- A.8.2 If cases of misunderstanding are arising schools should examine the support offered to, and provided for, students as outlined above.
- A.8.3 Cases which clearly fall into the category of misconduct will automatically invoke the full weight of the Academic Misconduct Procedure. Cases falling into the other two categories may be handled in a different way with a view to preventing re-occurrence. However, where misuse, for example in the form of poor academic practice or recurrent inability following instruction to apply proper referencing techniques, becomes habitual, it may be considered to constitute misconduct. Before each incident of academic misconduct by a student is categorised the file of that student may be checked to see if it records previous poor academic practice and/or findings of academic misconduct.
- A.8.4 In determining where a particular case falls, it may be helpful to take account of the following:
- the extent
 - the student's level and prior experience
 - the conventions of the discipline
- A.8.5 In considering the extent, it is sometimes possible to quantify, if approximately, how much plagiarism has taken place as a proportion of the unit of assessment, both in terms of the piece(s) of work concerned and of the module of which it forms a part. A rule of thumb used in other institutions and followed by the University suggests that 15% is considered as the very upper limit of tolerance and that below that the advice to a tutor may be a) to award a lower mark on the ground so failure to respect norms of academic good practice and/or b) appropriate counselling, support or advice about good academic practice for the student with a record kept on file.
- A.8.6 Consideration of a student's level and prior experience takes account of the fact that the clear majority of plagiarists are students who may not yet have had sufficient opportunity to familiarise themselves with and to implement the standards of academic practice required in UK HE institutions. Schools should take into account that this may apply to international students and also, for example, to students who have entered university through APEL, Access, vocational qualification or other routes with less preparation than, for example, the traditional 'A' level route. If on investigation it can be shown that plagiarism has occurred for genuine reasons of misunderstanding and/or lack of clear instruction it suggests that action should be taken which should be remedial and admonitory rather than punitive, with expectations as to future conduct clearly set out and understood.
- A.8.7 The norms of academic practice are not uniform across all disciplines. Conventions in biological sciences are different from those in, say, business studies. This is why it has been recommended that one form of prevention should be subject specific exercises designed to teach the norms of the discipline. If plagiarism has arisen out of failure to understand the conventions of a discipline, it again suggests that action should be remedial rather than punitive, at least in the first instance.

Appendix B – Flowchart – Academic Misconduct Procedure

ACADEMIC MISCONDUCT PROCEDURE



*see Guidance on Mitigation and Aggravation, Appendix C of the Student Disciplinary Procedure.

Appendix C Academic Misconduct Panel (AMP)

C.1 Frequency of Meetings

C.1.1 Each School will schedule at least 2 meetings of an Academic Misconduct Panel (AMP) per semester at an appropriate time, taking into account expected submission and marking schedules for assessments and forthcoming Board of Examiners.

C.2 Remit of AMP

C.2.1 The remit of the AMP is to determine whether an offence of academic misconduct has been committed. If it determines that a student is guilty of academic misconduct it will apply a penalty from the range permitted within the procedure.

C.3 Membership of AMP

C.3.1 The AMP will be chaired by an independent member of academic staff who is external to the School in which the AMP is located from a list held by Governance Services Unit. Mandatory training will be provided for Chairs in order to support consistency in the application of the procedure. The AMP will comprise one other member of academic staff who is the Associate Head Academic from the School in which the AMP is located and a student representative, nominated by the Students' Union.

C.3.2 No members of the AMP shall have been directly involved in the assessment of cases being heard by the AMP. Schools will therefore need a pool of members. The School will provide secretarial support and maintain a record of the meeting.

C.4 Conduct of Panel

C.4.1 The AMP will hear a student's case in accordance with the procedure and will determine an appropriate penalty in the event a decision that a student is guilty of academic misconduct. The Panel shall find the student guilty of academic misconduct if, on the available evidence it is satisfied on the balance of probabilities of the student's guilt. In cases of alleged collusion offences, each student should be interviewed and their cases heard separately. No conclusion should be reached until all cases have been heard. It may be appropriate in certain circumstances of alleged collusion to treat each case as one of plagiarism of an individual piece of work (third party) or one from another (or others). In cases of collusion where an individual student believes that another / others have misappropriated his / her work, it is his / her responsibility to provide evidence to the Panel that he / she is the innocent party.

C.4.2 The student shall be advised by the Chair of the AMP of the factors which be taken into account as mitigation in determining an appropriate penalty after a decision of guilt (see paragraph C.5.2). The Chair will also invite the student to declare any factors which may impair their performance (e.g. ill health, medication).

C.4.3 The **Order of Proceedings** for a meeting of the AMP shall normally be as follows:

- i) Introduction of those present;
- ii) Allegation of academic misconduct set out by the Head of School (or nominee);
- iii) The student, or his/her representative, responds to the allegations;
- iv) The AMP has the opportunity to question both the Head of School (or nominee) and the student;
- v) Either party may call witnesses who attend only to present their evidence and to answer any questions from the AMP or the other party, put through the Chair. Once their evidence has been heard and there are no more questions witnesses are required to withdraw (students will have to bear the costs of any witnesses they choose to call);

- vi) The Head of School (or nominee) sums up the allegations. New evidence is not admissible at this time;
- vii) The student sums up. New evidence is not admissible at this time;
- viii) The Head of School (or nominee) and the student withdraw whilst the AMP reaches its decision

- C.4.4 Whilst the AMP is considering the evidence, the student and the Head of School (or nominee) must be available and may be required to provide further information or clarification to the Panel. If the Panel needs further information or clarification, both parties shall be recalled to the meeting.
- C.4.5 Wherever possible, the AMP shall seek to reach a decision after adjourning to consider the evidence. In this instance the student and the Head of School (or nominee) will be recalled and informed orally of the decision of the AMP. The decision shall also be confirmed in writing to both parties within 5 working days.
- C.4.6 The AMP shall reach a decision on every case presented to it, save only where the Panel considers it would be contrary to the interests of natural justice to reach a decision, in which case the AMP shall adjourn the case to a future meeting.
- C.4.7 Where it proves oral communication is not possible, the decision of the Panel shall nevertheless be communicated in writing to all parties, normally within 5 working days.
- C.4.8 If the student is found not guilty of academic misconduct but the assessment is characterised by poor academic practice then he/she will be invited to discuss their practice with an appropriate member of staff, advice will be given and a record kept on the student's record.
- C.4.9 If the student is found not guilty of academic misconduct and there is no evidence of poor academic practice then all documentation relating to the case should be removed from the student and School files. Such cases must still be reported to the Governance Services Unit using the Record of Consideration of an Allegation by the AMP for the purpose of maintaining full and accurate anonymised data on the outcomes of AMPs.

C.5 Indicative Guidance for the Application of Penalties

- C.5.1 The following is indicative guidance for the application of penalties but, in the final event, application is entirely at the discretion of the AMP:
- a) for students who are at an early stage of their programme of study and who have committed an offence for the first time: a mark of 0 or grade of Fail is awarded for the component of assessment in question;
 - b) for students who are at a stage of their programme of study where they are expected to have some understanding of academic good conduct but have committed an offence for the first time: a mark of 0 or grade of Fail is awarded for the module in question;
 - c) for students at an advanced stage of their programme of study and/or who have a previous proven offence of academic misconduct: a mark of 0 or grade of Fail is awarded for the module in question and marks for all other modules at that level will be kept at the minimum pass mark.

Students typically in the early stages of a programme are those who have recently joined the University at Levels 3 and 4. It may in certain circumstances include Level 7 students who have completed training on academic good practice normally up to the first half of the first semester but no later than the end of the first semester of studies, discounting the examination period

C.5.2 In addition a Panel may take account of the following factors which may result in higher or lower levels of penalties from the indicative levels suggested above:

- whether an offence has been readily admitted by the student and if so whether or not the admission was made readily at an early stage or was made reluctantly;
- whether this is a first offence or whether the student has previously been found guilty of (similar) academic misconduct;
- whether there are previous records of poor academic practice;
- the form of academic misconduct;
- the extent of academic misconduct and the proportion of assessment affected (see section A.8 of appendix A above);
- academic level and learning background of the student;
- extent of understanding of academic misconduct, bearing in mind that students are required to attend induction and study skills sessions and complete training assignments;
- the weighting of the particular component of assessment in relation to the assessment of the module as a whole (e.g. a 40 credit dissertation weighted at 100%);
- assessment for a module may be considered a more serious offence than a book review assignment weighted at 20% of a 20 credit module);
- the student is able to demonstrate clearly to the Panel that there has been no intention either to deceive or to gain an unfair advantage

C.5.3 Typically a penalty may be lowered if, with good reason, the student registered late and/or there is no record of attendance at induction sessions on academic good practice. However, mitigation may not be applied for the lowest penalty option of 0% for the component of assessment. Moreover if, for example:

- there is no admission or a reluctant admission by a student of academic misconduct
- the student has previously been found guilty of academic misconduct
- a student was found repeatedly accessing unauthorised material in an examination

the situation could be deemed to be aggravated. Under these circumstances an indicative penalty may be increased if the extent of the academic misconduct and/or the weighting of the component is considered substantive.

C.5.4

C.6 Personal Mitigating Circumstances

C.6.1 Students citing personal mitigating circumstances should be advised that such matters are dealt with at School level by the PMC Panel, with documentation provided to the same at the appropriate point in time.

Appendix D – Procedure for applying to have legal representation

- D.1 The student's application for permission will be considered by the Chair of the AMP in accordance with paragraphs D.2 and D.3 below. The Chair should consult with the University Secretary or nominee before reaching any decision on the application.
- D.2 If the Chair considers that the outcome of the hearing could deprive the student of the right to practise his/her chosen profession or could irretrievably prejudice that right, then he/she must grant permission.
- D.3 If the Chair considers that the outcome of the hearing could neither deprive the student of the right to practise his / her chosen profession nor irretrievably prejudice that right, then the decision whether or not to grant permission is at the discretion of the Chair. However, in deciding whether or not to grant permission, the Chair should take into account the following relevant factors:
- i) the seriousness of the charge/allegation and the potential penalty/outcome for the student
 - ii) whether any points of law are likely to arise at the hearing (in most cases the purpose of the hearing will be to determine points of fact and not law)
 - iii) the capacity of the student to defend/present his/her own case
 - iv) the difficulty the student would have in cross-examining witnesses, particularly (if applicable) expert witnesses
 - v) the need for reasonable speed in achieving an outcome
 - vi) the need for fairness as between students or between the student and the University
 - vii) The Chair may also consider other relevant factors, including any representations by the student in reaching his/her decision.
- D.4 The Chair will reach a decision within 10 working days starting on the date of receipt by the University Secretary of the student's notice and his/her decision will be notified to the student by the University Secretary.
- D.5 The decision of the Chair on the student's application for permission is final and there is no right of appeal for the student under this Procedure against this decision.
- D.6 Where permission is granted, then the University may also be represented at the meeting hearing by an individual who is legally qualified. The notification to the student under paragraph D.3 above will confirm whether or not the University will have its own legal representation and, if so, whether this will be a member of the University's in-house legal team or an external legal adviser.
- D.7 Where permission is not granted, the hearing will, if necessary and if the University Secretary receives a request from the student within 5 working days starting on the date of the notification to the student under paragraph D.1 above, be delayed so that the student has a period of at least 10 working days starting on the date of that notification and ending on the date of the hearing within which to find alternative representation.
- D.8 The student will be responsible for paying the costs of his/her representation (including legal costs) and the University will not reimburse any of them.

** Any other member of the Panel may act as a substitute for the Chair under this paragraph if for any reason he/she is unable to deal with the matter.*