

## **ACADEMIC MISCONDUCT POLICY**

<b>Responsibility for Policy:</b>	Registrar and Deputy Chief Executive
<b>Relevant to:</b>	All LJMU Students
<b>Approved by:</b>	Academic Board, Academic Registrar
<b>Responsibility for Document Review:</b>	
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### **RELEVANT DOCUMENTS**

### **RELATED POLICIES & DOCUMENTS**

- Academic Framework Regulations
- Appeals: Against the decision of an Academic Misconduct Panel
- Appeal Against Expulsion or Exclusion from the University
- Fitness to Practise Policy
- Student Disciplinary Policy

## **Academic Misconduct Policy**

### **1. Introduction**

Students at LJMU are expected to conduct themselves appropriately and in accordance with the ethical values of an academic community.

The University promotes and supports a culture of academic integrity and takes all forms of academic dishonesty very seriously. Academic misconduct is deemed to cover all deliberate attempt(s) to gain an unfair advantage in assessments. This includes cheating, plagiarism, unauthorised collusion or any other deliberate attempt to gain an unfair advantage in summatively assessed work (see appendix).

The University will provide students with clear guidance and instruction early in their programme of study on the appropriate preparation for and presentation of work, including writing and citation requirements. The guidance will also explain the consequence of, and penalties associated with, academic misconduct.

Students when signing the enrolment form agree to abide by the rules and regulations of the University. Students submitting a piece of coursework or undertaking an examination or other form of assessment, confirm that the work submitted is their own or a legitimate piece of group work and that they have not copied the work or cheated or made any attempt to pass off the work of others as their own.

Allegations of academic misconduct will be referred to the Assistant Academic Registrar for consideration as to whether there is sufficient evidence to justify convening an academic misconduct panel (AMP).

Whilst marking a student's assessment, a marker may suspect that the work isn't entirely the student's own, but on further investigation cannot find any textual evidence to substantiate their suspicions. In such cases (i.e. where it is strongly suspected that academic misconduct has been committed but where no direct evidence can be produced), a viva voce may be held to determine the authorship of the work. The aim of the viva voce is to give the student the opportunity to demonstrate that the piece of work is entirely their own and is held to confirm that the student:

- undertook the reading and research themselves;
- undertook all the preparatory work themselves;
- understands what they have written; and
- Wrote the piece of work themselves.

The outcome report of the viva voce can be used as evidence to justify the convening of an academic misconduct panel (AMP) to investigate the matter further.

If the AMP finds the case is proven a tariff-based penalty depending on the nature of the offence will be applied (see section 2 below). Please note that the panel may draw adverse inferences from the failure of a student to use the opportunity to defend their work.

If the AMP believes there has been a breach of the University's disciplinary code, then the matter will be referred to the Student Governance Office for consideration under the Disciplinary Procedure. Proven cases of academic misconduct will be recorded on the student record and may be referred to a Fitness to Practise Panel. The University may be required to inform relevant professional bodies or regulators of proven cases of academic misconduct.

For the Academic Framework Regulation regarding academic misconduct see the appendix to this document or the Academic Framework: Assessment Regulations section C.5 <https://www.ljmu.ac.uk/aboutus/public-information/academic-quality-and-regulations/academic-framework>

## 2. Penalties for Academic Misconduct

The University strives to ensure fairness and consistency in the application of penalties to students across all faculties and has adopted a standard penalty tariff to be used in all cases of proven academic misconduct.

The tariff works on a points system - where the misconduct is proven, points are attributed according to:

- the type and extent of academic misconduct
- the level of the student
- any previous proven academic misconduct by the student
- the notional credit size of the assessment item

### Calculation of penalty points

Category of misconduct	Points Awarded
Cheating in an examination	50 points
Collusion 1% - 25% of assessment item	10 points
Collusion 26 - 50% of assessment item	20 points
Collusion 51%-75% of assessment item	30 points
Collusion 76% - 100% of assessment item	40 points
Falsification of data	50 points
Plagiarism 1% - 25% of assessment item	10 points
Plagiarism 26% - 50% of assessment item	20 points
Plagiarism 51% - 75% of assessment item	30 points

Plagiarism 76% - 100% of assessment item	40 points
Submission commissioned or purchased from a third party	50 points
Any other categories of Cheating	50 points

<b>Level of module</b>	<b>Points Awarded</b>
Level 3 or 4	5 points
Level 5	10 points
Level 6, 7 or 8	15 points

<b>History</b>	<b>Points Awarded</b>
1 <sup>st</sup> Time	0 points
2 <sup>nd</sup> Time	25 points
3 <sup>rd</sup> Time	75 points

The notional credit size is calculated dependent on the module credit size and the weighting of the assessment item.

**Example 1**

*A module is 20 credits and the assessment item is worth 50%  
20 credits multiplied by 50%  
 $20 * 0.5 = 10$  points*

**Example 2**

*A module is 60 credits and the assessment item is worth 90%  
60 credits multiplied by 90%  
 $60 * 0.90 = 54$  points*

Note: 120 credit sandwich placement modules are exempt from the notional credit size calculation and proven cases will use a tariff point value of 25 points for this element.

The points total is calculated and the appropriate penalty applied as outlined below:

<b>BANDING</b>	<b>POINTS</b>	<b>PENALTY</b>
AMP1	Up to 39 points	Zero for assessment component
AMP2	40 – 69 points	Zero for assessment component and module mark capped
AMP3	70 – 89 points	Zero for all module components
AMP4	90 - 99 points	Zero for all module components and no referral allowed

AMP5	100 or more points	<p>Case referred to Board of Examiners to determine one of the following:</p> <ul style="list-style-type: none"> <li>• Recommendation for expulsion with an alternative exit award as appropriate</li> <li>• Recommendation for expulsion with any alternative exit award withheld</li> </ul>
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*Note: A referral will only be offered by a Board of Examiners if the student has not exhausted the referral opportunities for the module.*

### 3. Appeals against AMP outcome

A student may appeal against the outcome of an AMP if they can demonstrate:

- i. that there has been a material administrative error or;
- ii. that the assessment, in whatever format, was not conducted in accordance with the current regulations or;
- iii. that some other material irregularity has occurred.

Disagreement with the decision of the AMP is not in itself grounds for appeal.

There are strict deadlines for the submission of an AMP Appeal. Students must lodge the appeal with the Student Governance Office **within 10 working days of notification of the outcome of the AMP.**

Guidance notes on the appeals process and appeals forms are available at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/academic-misconduct>

If the appeal is upheld the AMP may be required to reconvene to reconsider its decision. Where the decision(s) of the AMP is modified, the Board of Examiners may also be required to reconsider the student's profile in the light of any change(s) made by the AMP.

Please note that there is a separate appeals process for appealing against a recommendation for expulsion. Appeals will not be accepted until the recommendation is approved. Where a student has been notified of the formal decision to expel them from the University, the student has a right of appeal to the Board of Governors.

## **Appendix: the Academic Framework regulations governing academic misconduct**

*Please note this content is common across all versions of Academic Framework Regulations*

### **UG.C5 Academic Misconduct**

Procedure notes on the operation of Academic Misconduct Panels are available at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/academic-misconduct>

UG.C5.1 Academic Misconduct is deemed to cover all deliberate attempt(s) to gain an unfair advantage in assessments. This includes cheating, plagiarism, unauthorised collusion or any other deliberate attempt to gain an unfair advantage in summatively assessed work. Summative assessment includes all forms of written work (including in-class tests), e-assessments, presentations, demonstrations, viva voces, recognition of prior learning portfolios and all forms of examination.

UG.C5.2 It is the responsibility of the Programme Leader to provide students with clear guidance and instruction early in the programme, on the appropriate preparation for and presentation of work, including writing and citation requirements. This guidance must clearly indicate that all types of academic misconduct are considered to be serious. The guidance must also indicate the consequence of, and penalties associated with, academic misconduct (see UG.C5.5.7).

UG.C5.3 It is the responsibility of the student to take reasonable precautions to guard against unauthorised access by others to his/her work, however stored in whatever format, both before and after assessment.

UG.C5.4.1 Cheating includes:

- (i) any form of communication with, or copying from, any other source during an examination;
- (ii) communicating during an examination with any person other than an authorised member of staff;
- (iii) introducing any written, printed or other material into an examination (including electronically stored information) other than that specified in the rubric of the examination paper;
- (iv) gaining access to unauthorised material in any way during or before an assessment;
- (v) the unauthorised use of mobile phones or any other communication device during an assessment or examination;
- (vi) the submission of false claims of previously gained qualifications, research or experience in order to gain credit for prior learning;

- (vii) the falsification of research data, the presentation of another's data as one's own, and any other forms of misrepresentation in order to gain advantage;
- (viii) the submission of work for assessment that has already been submitted as all or part of the assessment for another module without the prior knowledge and consent of the Module Leader for the subsequent assessments;
- (ix) the submission of material purchased or commissioned from a third party, such as an essay-writing service, as one's own.

UG.C5.4.2 Plagiarism is defined as the representation of the work, artefacts or designs, written or otherwise, of any other person, from any source whatsoever, as the student's own. Examples of plagiarism may be as follows:

- (i) the verbatim copying of another's work without clear identification and acknowledgement including the downloading of materials from the Internet without proper referencing of materials;
- (ii) the paraphrasing of another's work by simply changing a few words or altering the order of presentation, without clear identification and acknowledgement;
- (iii) the unidentified and unacknowledged quotation of phrases from another's work;
- (iv) the deliberate and detailed presentation of another's concept as one's own.

UG.C5.4.3 Collusion includes:

- (i) the conscious collaboration, without official approval, between two or more students 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;
- (ii) where there is unauthorised co-operation between a student and another person in the preparation and production of work which is presented as the student's own.

UG.C5.5.1 All cases of suspected Academic Misconduct as defined above must be referred to the Faculty Registrar or nominee. If there is sufficient evidence to support the finding of a prima facie case of Academic Misconduct, the Faculty Registrar or nominee will initiate an Academic Misconduct Panel (AMP). The type of assessment and the alleged academic misconduct may prohibit the marking of the assessment and any subsequent feedback to the student, pending the outcome of the investigation. Where the decision of the AMP is that the allegation is not proven, then the work should be assessed and feedback provided to the student within 15 working days from the date of the AMP.

UG.C5.5.2 Terms of reference and operation of Academic Misconduct Panels:

- (i) to consider allegations of academic misconduct;
- (ii) to determine whether an allegation of academic misconduct is proven or not proven based on the evidence presented;

- (iii) where a case is proven, to apply the penalty in accordance with the University penalty tariff;
- (iv) to notify the student(s) of the outcome in writing;
- (v) to report all proven decisions and the penalties applied to the relevant Board of Examiners;
- (vi) the proceedings of the AMP will be formally minuted.

UG.C5.5.3 Membership of the AMP will be determined by the Director of School (or nominee) prior to the AMP. The Panel will comprise three members of academic staff, two of whom, including the Chair, must not be significantly associated with the student. The Faculty Registrar should not be a member of the AMP. At least one member will be independent of the programme team.

UG.C5.5.4 It is the responsibility of the AMP to consider the allegation and the evidence presented. Where any academic misconduct (as defined in UG.C5.1) is proven, the AMP will apply the penalty in accordance with the University's agreed penalty scheme (see UG.C5.5.7). Where evidence of academic misconduct becomes available subsequent to a meeting of a Board of Examiners, the University has the right to investigate/reopen the matter and to determine the outcome(s) according to the circumstances.

UG.C5.5.5 In the event of a student being suspected of cheating in more than one examination during the same examination period all suspected cases will be considered at the same AMP. If the cheating is proven in relation to more than one examination the penalty points for prior offences will be applied.

UGC5.5.6 In cases of alleged collusion all suspected students will be called to an AMP. In the event that one or more students is deemed to have given their work to one or more other students the former students will be subject to disciplinary procedures and the latter students will be subject to the AMP penalty tariff, if the misconduct is proven.

UG.C5.5.7 Academic Misconduct penalty scheme. These penalties are calculated on a points-based tariff as follows:

Banding	Points	Penalty
AMP1	Up to 39	Zero for assessment component
AMP2	40 - 69	Zero for assessment component and module mark capped
AMP3	70 - 89	Zero for all module assessment components
AMP4	90 - 99	Zero for all module assessment components and no referral allowed
AMP5	100+	Recommend expulsion



UG.C5.5.8 The Board of Examiners will implement the penalty and consider its recommendations thereafter. Where the penalty tariff permits, the Board may include offering a referral or an exceptional second referral in a module failed after the application of a penalty. Where the penalty tariff permits re-submission of work, the Board of Examiners must ensure that the student is made aware of the assignment or re-examination requirements and the relevant submission date(s).

UG.C5.5.9 If the AMP finds the breach of assessment regulations may involve a breach of the University's disciplinary code, it will refer the matter to the Student Governance Office for consideration under the Disciplinary Procedure.

UG.C5.5.10 Students have the right to appeal against the decision of an AMP in accordance with the procedures outlined in UG.C9.

UG.C5.6 Further details about AMP procedures and the penalty tariff can be found here <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/academic-misconduct>