



MEaP Academy Community Training and Research Institute (MaCTRI)

Procedure for the investigation of Academic Misconduct

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Introduction

MEaP Academy Community Training & Research Institute seeks to operate a framework for academic Integrity. Academic Integrity involves the application, by all members of the academic community, of the positive values and behaviours that underpin good academic practice. All students will be given information, guidance and education about academic integrity, and will be required to develop good academic practice throughout the duration of their studies. Academic Misconduct occurs when a student does not follow good academic practice in an assessment, thereby gaining unfair advantage and undermining academic standards. The Institute takes academic misconduct very seriously. It has mechanisms to identify when it may have taken place.

Where academic misconduct is suspected it will be investigated in all cases. When a student is found guilty penalties will be applied, ranging from a mark of zero for the assessment to expulsion from the Institute. This procedure sets out how the Institute deals with cases where academic misconduct has been identified: how it will be investigated; how it will be penalised; and how students can appeal.

A high-level flowchart of the procedure can be found at Appendix 1.

1. Scope

The Academic Misconduct procedure applies to all registered students, including postgraduate researchers who have been referred for plagiarism or collusion. This includes students studying on programmes at partner institutions, except where it has been formally agreed that the partner's procedures will apply. All disciplinary aspects of this procedure apply solely in relation to academic misconduct which has taken place within summative assessment (assessment that evaluates learning and counts towards academic credit, level progression and final awards). When academic misconduct is identified within formative assessment (which takes place in-year as part of the learning process and does not count towards academic



credit) it will not be penalised: however, it may lead to developmental engagement, as described in the section on Minor Cases.

2. Definition of Academic

Misconduct Assessment, in any form, is a core element of academic practice. It is the means by which the Institute tests whether a student has achieved the learning outcomes of their programme of study and the standards of an award. It is a fundamental principle that students are assessed fairly and on equal terms. Academic Misconduct occurs when a student does not follow good academic practice in an assessment, thereby gaining unfair advantage and undermining academic standards. Academic Misconduct covers a spectrum of behaviours. A minor example might involve a lack of rigour e.g. sub-standard referencing.

More serious examples of academic misconduct include:

- plagiarism– unacknowledged incorporation in your work of substantial amounts of material derived from another person's work, whether published or unpublished
- collusion – collaboration between two or more students, resulting in the submission of work as if it is solely their own (N.B. collusion includes allowing other students to look at your work). Postgraduate Research and Postgraduate Taught students who have committed offences other than plagiarism or collusion (e.g. ethics breaches) will be dealt with under the Procedure for Investigating Allegations of Research Misconduct.
- cheating – usually takes place in an examination context e.g. copying from another candidate in an examination, bringing unsanctioned materials or devices into the examination room, gaining access to unauthorised materials prior to an examination
- contract cheating – commissioning a third party to do some or all of a piece of work.
- self-plagiarism – submitting all or part of a piece of work for which you have already received credit.
- falsification of data



- non-compliance with ethics procedures – for instance, proceeding with the collection of data without ethical approval, failure to secure appropriate consent to carry out research, etc Detailed definitions and examples of academic misconduct are shown in Appendix 3.

3. Elements of the Procedure Investigations establish facts.

Investigations do not take into account contextual factors such as a student's intention, history of academic misconduct, level of study or mitigation. However, mitigation will be collected as part of the investigation process so that it can be considered when setting penalties.

Standard of Proof: All cases will be considered on the basis of evidence.

The standard of proof at any stage of the investigation is that the Institute is satisfied that, on the evidence available, the student's responsibility for the academic misconduct is more likely than not. Penalties take into account the extent and severity of the academic misconduct, a student's prior record of academic misconduct, and level of study. Penalties may also be adjusted in the light of mitigating circumstances. Appeals can take into account intention, mitigation, and a student's prior record. There may also be a reconsideration of facts if new evidence is brought forward. Reviews will take account of all factors i.e. findings, context and mitigation. Reviews will also examine the way in which the investigation was conducted and the extent to which other factors were taken into consideration when allocating penalties and considering appeals.

Mitigation: students will be invited to provide evidence of mitigating circumstances as part of their appeal against a penalty.

If mitigating circumstances are raised at the investigation stage they will be discounted for the purposes of the investigation, but a note should be taken and supplied to Student Case Management for reference in the event of an Appeal or Review.

Timescales: MEaP Academy Community Training & Research Institute seeks to complete procedures within the maximum timescale of 90 days advised by



the Office of the Independent Adjudicator, and to operate within the timescales outlined in these procedures.

However, there may be circumstances (e.g. complex, strongly contested cases) which cause these guidelines to be exceeded. In these cases, the Student Case Management team will advise the student of the delay and the reasons for it.

Concurrent Cases: if multiple cases are identified in the same round of assessments, they will be dealt with as one and will not count as a “history” of academic misconduct. However, the overall volume of misconduct will be taken into account when calculating the final penalty.

Student History of Academic Misconduct: when determining the penalty, the Student Case Management Team will refer to the student's formal record to see whether they have been penalised for academic misconduct in the past.

In this specific context, “penalised” includes developmental engagement (see the procedure for Minor Cases).

Group Cases: in cases where academic misconduct has been conducted by a group (e.g. collusion), the investigation may be undertaken at group level. However, penalties will be applied at an individual level. Appeals can be made by individuals or by the group. When it emerges that individual cases are related to each other evidence from one case can be used in another, and the severity of the case may also be impacted (for instance, group collusion or falsification may increase the severity of the offence).

Professional, Statutory or Regulatory Bodies (PSRBs): where a PSRB has particular procedures and penalties for academic misconduct, MEaP Academy Community Training & Research Institute procedures and penalties shall take precedence. The only exceptions to this are when variance has been approved by Academic Quality and Standards Committee (Advisory Board): in these cases, the PSRB procedures and penalties should be communicated clearly to students and fully documented in the Programme Specification.



5. The Procedure

5.1 Identification Academic Misconduct may be identified or suspected in a number of ways, including:

- Scribbr is the Institute's default mechanism for identifying plagiarism, collusion and poor academic practice.
- Some programmes use subject-specialist detection software to detect academic misconduct in assessments.
- The academic staff who mark assessments are experts in their field and will often be able to identify plagiarism from published works. They have also been trained to identify other forms of academic misconduct.
- Invigilators are trained to detect cheating in examinations. In addition, the academic judgement of markers, assisted in some cases by detection software, can identify potential academic misconduct in examination scripts.
- In some cases e.g. breaches of ethics procedures, the investigation may be triggered by a complaint (internal or external).
- The Institute will keep abreast of changes in the area of academic misconduct e.g. monitoring changes in anti-detection software, testing new detection software, participating in professional networks that share information about e.g. new essay mills, trends in academic misconduct.

5.2 Investigation and Interaction

What Investigations establish the following:

- has academic misconduct taken place?
- what type(s) of academic misconduct has taken place?
- is the academic misconduct minor, major or severe?
- what proportion of the assessment is affected by the academic misconduct?

Investigations do not take the following into account:

- whether there was an intention to commit academic misconduct



- a student's prior record of academic misconduct
- a student's level of study
- mitigating circumstances: however, students are able to submit mitigating circumstances during the investigation process, and can also discuss mitigation when meeting with the investigating member of staff. The mitigation plea, along with supporting evidence, will be passed to the Student Case Management team, who may take it into account when setting penalties.

Who

The Programme Leader will normally have overall responsibility for the investigation stage. The Programme Leader will assign a member of academic staff, with the necessary subject expertise, to undertake the investigation (this could include the original marker). When the investigation is completed, the investigator sends the outcome form and evidence to the Programme Leader, who will review it. Departments can make alternative arrangements (e.g. have a named individual as a departmental reviewer) provided they enable both robust investigation and review. Alternative arrangements should be notified to, and approved by, Student Case Management. In exceptional cases the investigation may be undertaken by a more senior member of local academic staff, such as the relevant Programme Leader or the Head of Department. In some cases, it may be appropriate to allocate the investigation to someone from outside the department.

For Postgraduate Research Students, the Institute will identify the most appropriate person to undertake the investigation. A student who is accused of academic misconduct should be involved in the investigation process. The investigator should meet with the student, and the student may bring a representative to the meeting.

When

The investigation should commence as soon as reasonably possible after the academic misconduct has been identified or suspected.



How

The member of staff (usually one of the assessment's markers) who suspects academic misconduct has taken place should notify the Programme Leader. The Programme Leader will allocate a member of staff with necessary subject knowledge to undertake the investigation. The core of the investigation will be the evidence collected at the point of identification e.g. Scribbr report, chief invigilator's report. This may be supplemented by further evidence such as e.g. marker's comments, contextual extracts from the documents that have been plagiarised, etc. Interviews may take place with e.g. secondary markers, invigilators, witnesses, other students accused of collusion, etc. The student accused of academic misconduct should be given every opportunity to take part in the investigation. They should be made aware of the allegation, given an overview of the investigation process, provided with copies of any evidence collected, and given the opportunity to provide additional factual evidence. The student should be informed that mitigation and intention are not taken into account at this stage of the process. However, they can provide a plea of mitigation (with evidence) to the investigator, who will forward it to Student Case Management at the conclusion of the investigation. If a student accepts academic misconduct in advance of the investigation, the investigation should still go ahead to collect evidence. The proactive acceptance should be communicated to Student Case Management, who will take it into consideration when assessing penalties. An interview will take place with the student accused of academic misconduct. The investigator will present the full facts of the case to the student, explain the potential penalties and make it clear that the offence will be retained on the student's formal record.

If it is felt that developmental engagement would benefit the student it can be offered, but it should be made clear that this will not affect the penalty. The student, or their adviser, will be given the opportunity to present their case and to table additional evidence. In exceptional cases the student will be verbally assessed by the investigator to establish their knowledge of the subject of the assessment. This verbal assessment may be undertaken by the investigator, or by a small panel. This might, for instance, take place when it is suspected that the assessment is not the student's own work, but the plagiarised sources cannot be located. In these cases, the student will be



notified in advance of the form that the interview will take. When the investigation has been concluded the investigator will complete a form which sets out their findings, the type of academic misconduct involved, its severity and magnitude. This should be supplied, along with any evidence, to the Programme Leader (or other designated reviewer).

Following scrutiny by the designated reviewer, the summary form and evidence, along with any pleas for mitigating circumstances, should be sent to the Student Case Management team.

Note 1: Contract cheating will be investigated in a different way to other cases, using a central investigation and disciplinary interview panel. If contract cheating is identified or suspected, the Programme Leader should immediately contact the Student Case Management Team, who will instigate the procedure for Severe Cases.

5.3 Minor Cases

What Poor academic practice by students who are at an early stage in their academic journey will be dealt with in a supportive, developmental way.

Minor Cases are restricted to:

- Students with no previous experience of higher education – normally Level 3 or Level 4, but may include e.g. apprenticeships at Level 6
- Students with no prior history of academic misconduct
- The poor academic practice constitutes less than 20% of an assessment item. If there are multiple concurrent assessments with less than 20% poor academic practice in each one this can still be classified as Minor provided the other factors apply. The developmental process for minor cases may also be used to address poor academic practice in formative assessment, at any level of study and irrespective of a student's history.

Who

Minor Cases will be dealt with locally, at Programme or Department level. The Programme Leader will delegate a member of academic staff, usually from the programme team, to undertake developmental engagement. The member of staff will meet with the student as part of this process.



When

The developmental process will be instigated immediately in all cases which meet the criteria for Minor: there is no need to wait until an investigation is completed.

How

The student will be invited to a meeting with the delegated member of academic staff. Prior to the meeting the student will be informed of the nature of the poor academic practice and provided with supporting information. At the meeting the student and the academic will discuss the poor practice. The exact nature of the developmental engagement is a matter of academic judgement, but it is expected to involve advice on how to resolve the specific issues identified, broader guidance on good practice, and signposting of further information and resources. There will be no penalty for the student: the assessment will go forward as marked. However, the case should be recorded on the student's academic record. The student should be given a summary of case and the developmental engagement recommendations. The student should be informed that the case will be placed on their academic record. It should be made clear that further cases of academic misconduct will be penalised.

Summaries of Minor Cases will be recorded in a standardised format. The information will be available to Programme Leader, who will use it in an anonymised format as part of the annual report to Academic Board on academic misconduct.

5.4 Major Cases

What Major Cases include any offences that do not fall into the Severe category, including collusion, plagiarism, exam cheating, and falsification of data. Penalties will be determined according to the severity of the offence (see Appendix 2) taking the following factors into account:

- the type of academic misconduct



- the severity of the academic misconduct
- the proportion of assessment affected
- the size of the assessment
- a student's prior record of academic misconduct
- a student's level of study Penalties will also take mitigation or pro-active acceptance of the allegation into account.

Who

Penalties are calculated and administered centrally, by the Student Case Management (SCM) team.

When

On receipt of the outcome of the Investigation stage. How SCM will access the student's record to find out whether they have a prior record of academic misconduct (including Minor cases, as above) and to check on their level of study, the credit value of the unit, and size of assessment. They will combine this with information from the investigator about the type of academic misconduct, its severity, and the proportion of assessment affected. Student Case Management will inform the student of the penalty. The student will also be provided with the summary of the case outcome and details of how the penalty has been calculated. The student will be provided with information on how to appeal, and on what grounds.

SCM will also consider any claims for mitigation and any pro-active acceptance of the allegation. They will seek additional evidence from the student if required. If mitigation is accepted, SCM will reduce the penalty in consultation with the Programme Leader. The penalty decision will be communicated to the relevant Assessment Board, for incorporation in the student's overall results. Information on investigation outcomes and penalties will be used in anonymised format as part of the annual report to Academic Board (Co-opted members of the Advisory Board) on academic misconduct.



5.5 Severe Cases

What

The main type of Severe Case is contract cheating, where a student commissions a third party to do some or all of a piece of work. Other types of Severe cases could include large-group collusion and cheating, and large-scale falsification of data. The default penalty for a Severe offence is normally expulsion.

Who

The procedure for Severe Cases will be coordinated centrally by the Student Case Management team. In the case of PGR students, SCM will liaise with the Institute. The investigation of the case will include a disciplinary interview with the student, undertaken by a panel. The Disciplinary Interview Panel (DIP) will be selected to give the following combination of elements:

- a Standing Chair, who will be suitably senior and have appropriate experience/knowledge of academic misconduct
- academic expertise in the subject (usually local academic staff)
- expertise on the specific type of academic misconduct e.g. contract cheating
- student representation. A student who is accused of Severe academic misconduct will be strongly advised to attend the disciplinary interview and to be accompanied by a representative.

When

The procedure for Severe Cases can be instigated at an early stage if, for instance, where contract cheating is discovered or suspected, or if there has been major disruption of an examination. There is no need to await the completion of local investigations before e.g. establishing a Disciplinary Interview Panel.

There may be other circumstances where a case is classified as Severe at a later stage in the process e.g. following local investigation(s), or when Student Case Management become aware of a number of concurrent collusion cases that indicate a possible conspiracy.



How

The Programme Leader will immediately inform the student that a Severe case has been instigated, and give details of the procedure, next steps, contacts, and sources of advice/representation. The default penalty for Severe offences should be made clear. The Programme Leader will liaise with the Standing Chair of the DIP. Evidence from the local team will be scrutinized. The Programme Leader and the Chair may decide that further investigation is required e.g. further documentary evidence, interviews with witnesses and/or accomplices, external expert statements. This will be undertaken in advance of the disciplinary interview.

The DIP will be selected, and the disciplinary interview convened. The student will be invited to the disciplinary interview. The student will be given a minimum of 5 working days' notice of the interview. The student, who should already be aware of the allegation, will be given an overview of the investigation process, provided with copies of any evidence collected, and given the opportunity to provide additional factual evidence. The student will be informed that mitigation and intention will not be taken into account, although they may be used as an admission of guilt and they will be considered when setting penalties.

At the disciplinary interview, the student will be allowed to make a statement and present any additional evidence. The panel will then question the student. The DIP may conclude that an offence has been committed but is not severe – for instance it may be a case of plagiarism. In these cases, the DIP will complete a standard investigation outcome form and will pass it to SCM, who will apply a standard penalty. A full record of the DIP will be kept, including the rationale for its decision. The decision of the DIP will be notified to the Student Case Management team, along with details of any pleas for mitigation. SCM, will liaise with the Chair of the DIP to decide on an appropriate penalty in the light of mitigation. The penalty decision will be passed to the student, along with details of how to appeal.

The decision will be communicated to the relevant Assessment Board who will make adjustments to the student's results and, if appropriate, give final and formal ratification of the withdrawal decision. The information from the



cases will be used in anonymised form in the annual report to Academic Board on academic misconduct.

6. Appeals What Appeals will be considered by an Appeals Panel.

The Appeals Panel can take the following factors into account:

- facts (including new evidence if made available)
- whether there was an intention to commit academic misconduct
- mitigating circumstances
- a student's prior record of academic misconduct
- a student's level of study

The grounds on which a student can appeal are:

- That a decision made at any stage of the process was unreasonable or
- That there was a material and/or procedural irregularity in either the investigation (or DIP) or the penalty setting, which has prejudiced the student's case or
- Additional evidence has come to light since the investigation or DIP which could not have been expected to have been produced at the time of investigation of the case.

Who

For students on Taught Programmes the Appeals Panel will normally consist of:

- Director of Training who will be Chair
- A lecturer not involved with the teaching or assessment of the student
- A student representative nominated by the Students' Cohort who shall not be from the same programme as the student appealing
- A member of Governance

For Postgraduate Research students, the Appeals Panel will consist of:

- Director of Research who will be Chair
- A lecturer/advisory board member not involved with the supervision of the student



- A student representative nominated by the Students' Cohort who shall not be from the same programme as the student appealing
- A member of Governance

The student who has appealed may be invited to attend the meeting of the Appeals Panel. The student can bring a representative with them.

When

If a student appeals against a Fixed Penalty decision, or if a student appeals against the outcome of the Disciplinary Interview Panel in a Severe Case. In both cases the Appeal should be made within 2 working weeks of the date on which the decision is sent. The Appeal stage should normally be completed within 30 days of receipt of the appeal.

How

The Panel will be scheduled to meet on a regular basis and will deal with any cases as they arise. It is not essential for the student to attend the meeting. However, the Panel may decide to invite a student who has appealed to one of the scheduled meetings, and the student may request to attend. If the student is unable to attend the offered meeting the case will be pended to another scheduled meeting. Whilst every attempt will be made to enable the student to attend, there will not normally be any unscheduled meetings of the Standing Panel. The Appeals Panel will consider the available evidence, including mitigation and intention. Panel members will use their academic judgement in considering the extent to which the appeal makes a case for an adjustment to the penalty. The Standing Panel is empowered to amend the fixed penalty for Major cases or the default penalty for Severe cases. The Appeals Panel will produce a report of its deliberations and the rationale for its decisions. This will be made available to the student when notifying the student of the Panel's decision. The student should also be given details of the Review stage. If the penalty is amended, the relevant Assessment Board will be informed. Both the original penalty and the revision made by the Standing Panel should be recorded and both should be



included, in anonymised format, in the annual report to Academic Board on academic misconduct.

7. Reviews

What

Reviews will take account of all factors i.e. findings, context and mitigation. Reviews will also examine the way in which the investigation was conducted and the extent to which other factors were taken into consideration when allocating penalties and considering appeals. Grounds for Review are the same as the Grounds for Appeal.

Who

For Taught Students, the Review will be undertaken by a member of the Governance team who has had no prior involvement with the case.

For Research Students, the Review will be undertaken by a member of the Advisory Board or their nominee who has had no prior involvement in the case.

When

If a student requests a Review within 2 working weeks of sending the results of the Appeals stage. The Review stage will normally be completed within 20 days of the receipt of the request for Review.

How

The Programme Leader will compile a full case file for the Reviewer including all evidence received at all stages of the case. The Reviewer may, at their discretion, request further evidence or investigation. The Reviewer may, if they see fit, interview any person who has been involved in the case, in any role: however, there is no requirement for the Reviewer to do this if they feel



that the documentary evidence is sufficient. On the basis of this holistic analysis the Reviewer will reach a judgement as to whether:

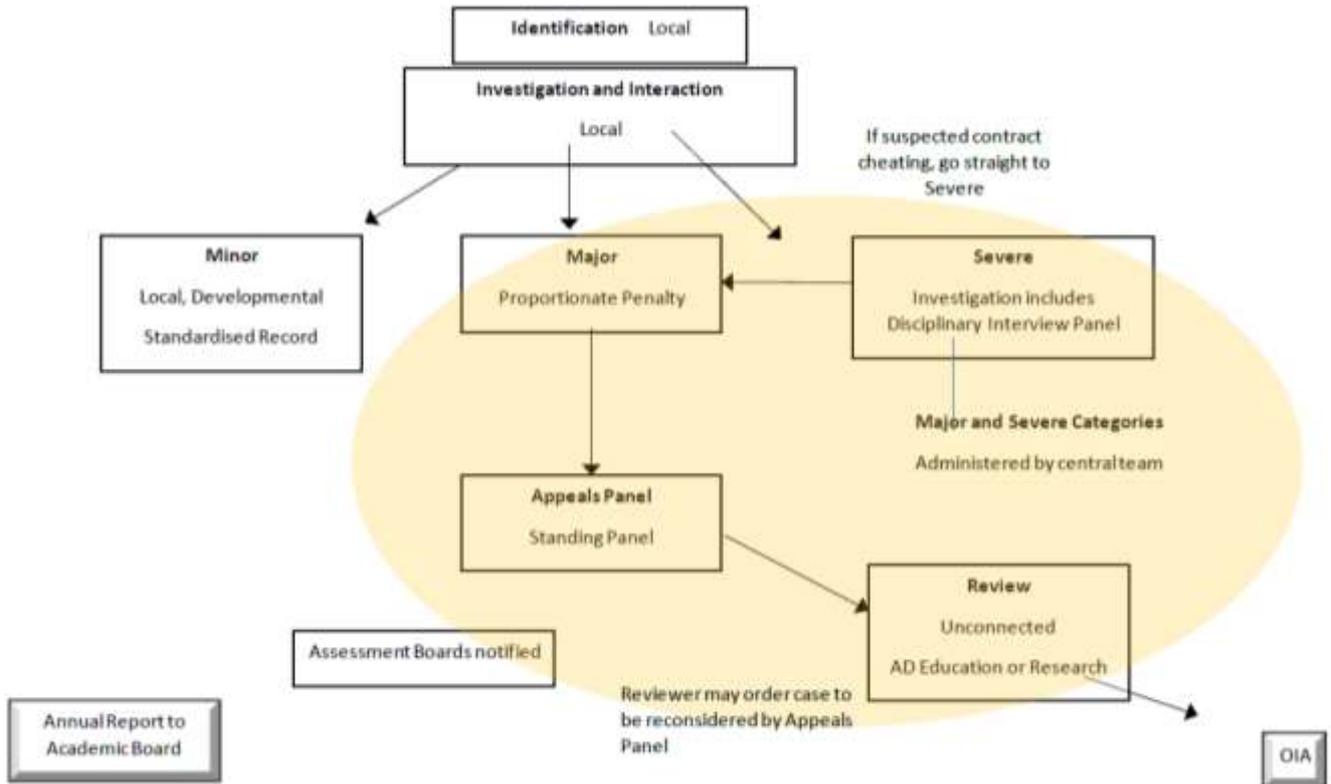
- Procedures were followed correctly
- All evidence was taken into consideration, including mitigation at the Appeal stage
- Judgement was applied impartially and consistently
- The penalty was proportionate to the offence

The Reviewer will then advise on whether the case outcome should stand or whether it should be re-considered by the Standing Panel. If the Standing Panel re-considers the case, it will do so in the absence of attendance by the Student. The Reviewer will, with the assistance of Student Case Management, produce a summary of the rationale for their decision. The student will be informed of the Reviewer's decision and the rationale for it (or the Standing Panel's decision if the case has been referred back to them). The student will be advised of their right to appeal to the Office for the Independent Adjudicator. Numbers of Review applications, and their outcomes, will be included in the Annual Report to Academic Board on academic misconduct.

8. Office of the Independent Adjudicator

At the conclusion of the Institute's internal processes under this Procedure, the student shall be issued with a Completion of Procedures letter, as prescribed by the Office of the Independent Adjudicator for Higher Education (OIA). A student who is dissatisfied with the outcome of their case may submit a complaint to the OIA under the rules of its scheme within 12 months of the issue of the Completion of Procedures letter. Information on the process may be obtained directly from the OIA at <http://www.oiahe.org.uk>.

Appendix 1 – Process Flowchart





Appendix 2: Penalties for Academic Misconduct

Part A: Offences relating to assessed work other than event-based assessments (e.g. coursework and essays)

Students on Level 3 or 4 of Undergraduate Programmes

Type of Misconduct	Penalty
First offence where the plagiarism or collusion does not represent more than 20% of the element of assessment.	Assignment marked and no cap applied (i.e. Developmental Engagement)
First offence where the plagiarism or collusion is greater than 20% of the element of assessment.	Written warning and mark of 0 – with no opportunity to rework the assessment – for the element carried forward.
Second offence of any degree in any unit within the same programme of study	Further written warning and a mark of 0 – with no opportunity to rework assessment – for the element carried forward.
Any subsequent offence anywhere within the same programme of study.	Mark of 0 for all units the student has taken so far at that level, and imposition of a 40% cap on unit marks in all further units taken at that level.

Offences occurring at level 5 or level 6

Type of Misconduct	Penalty
First offence at any academic level where the plagiarism or collusion does not represent more than 20% of the element of assessment	Assessment element mark capped at 40%
First offence at any academic level where the plagiarism or collusion represents more than 20% of the element of assessment	Mark of 0 for the element of assessment



Any offence at Level 5 or 6 where there is any previous offence recorded in a lower academic level	Mark of 0 for the unit concerned
Any offence at Level 5 or 6 where there is any previous offence recorded in the same academic level	Mark of 0 for all elements of assessment previously undertaken at that level, and 40% cap on all unit marks at the level.

Note: Where an Assessment Board agrees to allow a student who is subject to the penalties described above to repeat ab initio units on which he/she has been enrolled, or an equivalent group of units, the assessments taken by the student shall be as if for the first time, but the unit marks achieved shall be capped at 40%.

Students on Taught Postgraduate Programmes

Type of Misconduct	Penalty
First offence	Element(s) of the unit in which academic misconduct occurred must be resubmitted and passed. Both the element and unit marks shall be capped at 50%.
Any subsequent academic misconduct	Student deemed to have failed the programme

Indicative Penalty Ranges – Research Students

Type of Misconduct	Penalty
First offence	Allow revision and resubmission
Minor	Academic assessment continues with the identified sections removed (the student has no opportunity to rewrite those sections)
Major	Student deemed to have failed the programme.



Part B: Offences relating to event-based assessments (e.g. time-limited examinations)

Students on Undergraduate Programmes of Study

Type of Misconduct	Penalty
First offence	Written warning and mark of 0 – with no opportunity to rework assessment – for the assessment being undertaken at the time of the misconduct carried forward
Any second offence within the same programme of study	Unit mark of 0
Any subsequent offence within the same programme of study	Mark of 0 for all units undertaken at that level, and imposition of a 40% cap on unit marks in all further units to be taken at that level

Students on Taught Postgraduate Programmes

Type of Misconduct	Penalty
First offence	Mark of 0 for the unit in which academic misconduct occurred
Any subsequent academic misconduct	Student deemed to have failed the programme