

# REGULATIONS GOVERNING ACADEMIC MISCONDUCT

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## Introduction

1. Academic integrity is fundamental to the reputation of individual students and to academic institutions. The University of Hull is committed both to developing high standards of academic practice among its students and to safeguarding the standards of its academic awards by detecting and acting upon cases of academic misconduct.

## Purpose and Scope

2. The Academic Misconduct Regulations apply to all credit bearing awards of the University and should be read in conjunction with the University Programme Regulations.
3. The purpose of these regulations is to facilitate investigation of and, if proven, levy a penalty on any form of unacceptable behaviour by a candidate taking any qualification (academic, professional or combined) either delivered solely by or as collaborative provision with the University of Hull.
4. The term 'collaborative' in these regulations means programmes and modules which are delivered in whole or in part by the staff of a partner institution or organisation (whether further education institution or other, whether publicly funded or not) irrespective of the location or mode of delivery, and leading to credit or an award of the University of Hull.
5. The policy and procedures for academic misconduct are monitored and reviewed by the University Education Committee who is the final arbiter of these regulations.
6. The University Research Degrees Committee (RDC) is the final arbiter for those programmes, modules or other awards classified as 'research', including modules undertaken as part of the Postgraduate Research Training Scheme (PGTS) and cover allegations against graduate research students.
7. These regulations do not apply to candidates studying at Hull York Medical School (HYMS), for which separate regulations apply as approved by the HYMS Joint Senate Committee.

## Definitions

8. Acts of academic misconduct can take many forms. Indicative definitions are given below, although these are not exhaustive and not intended to constrain or determine the outcome of an academic misconduct allegation.
9. **Plagiarism:** using the ideas or work of another person (including experts and fellow or former students) and submitting them as though they are original work. By not referencing the source properly, paraphrasing it without acknowledging it, or by not mentioning it at all, the true origin of the material is hidden from the marker. Plagiarism may take the form of direct copying, reproducing or paraphrasing ideas, sentences, drawings, graphs, internet sites or any other source and submitting them for assessment without appropriate acknowledgement. Plagiarism can also include copying another student's work without their knowledge, or submitting work which has already been published in another language. The latter relates to copying of translated material, copying and re-arranging material, as well as taking ideas and findings of the material without attribution.

10. **Self-Plagiarism:** submission of work that is the same as, or broadly similar to, assessments previously awarded academic credit, without proper acknowledgement. This may include work submitted and awarded credit at this University or another institution.
11. **Collusion:** unauthorised collaboration between two or more students in the preparation and production of an assessment, which is then submitted by each of them individually as their own work.
12. **Cheating in an exam:** either possessing or using materials prohibited in the examination venue and/or breaching any of the conditions outlined in the Examination Conduct Policy. This may include but is not limited to actions such as:
  - a) Continuing to write after the invigilator has announced the end of the examination;
  - b) Copying, or attempting to copy, from any other candidate during the examination;
  - c) Communication of any kind with any other person other than an authorised invigilator or other member of staff during an examination;
  - d) Possession of any written, printed or electronic materials in the examination room unless expressly permitted;
  - e) Involvement in impersonation of another during an examination or other assessment event.
13. **Contract cheating:** to seek to gain advantage by incorporating material in work submitted for assessment that has been improved by, or commissioned, purchased or obtained from a third party e.g. family members, friends, essay mills or other students.
14. **Fabrication or falsification of data:** submitting work containing data measured in the field, in the laboratory or other setting, any part of which is untrue, made up, falsified or fabricated in any way. This includes the presentation of data in reports, projects, theses etc. based on experimental work falsely purported to have been carried out or data obtained by unfair means. This also includes using false statements or presenting false evidence in support of a request to withdraw from an examination, obtain an assessment extension, or explain any form of absence.

## Categories of Academic Misconduct

15. The University of Hull recognise three categories which determine the seriousness of the alleged academic misconduct.

### Poor academic practice

16. This may arise from a lack of understanding of the standard methods of acknowledging the source of words, ideas or diagrams in a piece of work or the appropriate levels of collaboration or the correct behaviour within an exam. It may also be applicable where the extent does not justify further investigative proceedings or a penalty, for example, for errors made through carelessness.

### Academic Misconduct

17. This is behaviour which, if not detected, would give a student an unfair advantage in an assessment. The main difference between academic misconduct and severe academic misconduct is the extent of the alleged misconduct. Indicative examples of what constitute academic misconduct are:
  - a) Failure to correctly reference sources and claim an idea as original work (i.e. plagiarism);
  - b) Submitting for assessment an item which has been previously submitted for credit in another module with little change made to the assessment (i.e. self-plagiarism);
  - c) Submitting coursework in collaboration with another student (i.e. collusion);

- d) Attempts to communicate with another candidate during an examination (i.e. cheating).

### Severe Academic Misconduct

18. Where there is clear evidence of extensive or substantial attempts to gain an unfair advantage or where there has been a previous, proven case of academic misconduct or severe academic misconduct against a student. Any proven allegations of contract cheating, impersonation or fabrication or falsification of data will always initially be considered as a case of severe academic misconduct.

## Procedure for the determination of allegations of Academic Misconduct

19. Allegations of academic misconduct will be investigated and will be determined on the balance of probabilities (more likely than not). All cases will be investigated using the guiding principles of transparency and fairness.

### Identification of plagiarism, collusion or contract cheating

20. Where an examiner marking a piece of summatively-assessed work suspects plagiarism, they should decide if it warrants further investigation. If they decide that it is poor academic practice, and it is not appropriate to investigate, they should complete the examining process. The feedback should indicate that poor academic practice has been identified and the student should be referred to appropriate sources of guidance. At this stage, no penalty may be imposed and the mark may not be reduced.
21. If the examiner decides the poor academic practice is sufficient to warrant an allegation of plagiarism, they must, within 20 working days of the assessment event, complete the Academic Misconduct Form and forward it along with the work, the assignment brief, relevant supporting evidence and any other guidance given to the Academic Misconduct Officer of the Faculty. The Academic Misconduct Officer should remove the anonymity of the piece of work at this point.
22. The faculty who own the module will be responsible for investigating the case and issuing any penalties.

### Identification of examination room breaches

23. In the case of examination room breaches, Registry Services will undertake the role of the Academic Misconduct Officer.
24. Where an invigilator suspects that a candidate may have breached the examination conduct policy they must:
  - a) Confiscate any contraband materials and issue a receipt; (any confiscated mobile phones will be available for collection immediately following the examination);
  - b) Annotate the examination booklet;
  - c) Complete an Academic Misconduct Form;
  - d) Complete their Invigilator's Report;
  - e) Submit relevant documentation to Registry Services.
25. On receipt of any confiscated items, Registry Services will copy the relevant items to be retained for evidential purposes. The confiscated items will then be labelled and made available at the AskHU desk by the next working day for collection by the student.

26. Registry Services will review the Academic Misconduct Form and the Invigilator's report within 10 working days of the examination and must determine whether there is a case to answer.
27. Where there is no case to answer, the matter will be deemed closed and will be reported to the student within 5 working days of this decision.
28. Where there is a case to answer, they must proceed in accordance with paras 32-35.

## Procedure for the investigation of allegations of Academic Misconduct

### Investigation of allegations

29. On receipt of the Academic Misconduct Form, the AMO will review the evidence and decide if there is clear evidence of a breach of the regulations i.e. that there is a case to answer. This decision will be made within 10 working days.

### No case to answer

30. If the AMO determines that there is insufficient evidence to support the allegation, the matter shall be closed. It must be reported back to the examiner within 5 working days of the decision.
31. For examination room breaches, it must be reported in writing via email to the student and the examiner/s within 5 working days of the decision.

### Case to answer

32. If the AMO determines that there is clear evidence that academic misconduct has taken place the student must be informed via email advising them of the following:
  - a) A summary of the allegation;
  - b) A request for the student to respond to the allegation via email within 15 working days of the date of notification;
  - c) Where the allegation is admitted, provide an opportunity for the student to make any statement by way of explanation.
33. On receipt of a response from the student, or after 15 working days the AMO will consider all the material presented with regards to the matter. They may request further information before making a decision on the most appropriate penalty. The following points may be considered in determining the most appropriate penalty:
  - a) The assessment where an unfair advantage was attempted to be gained;
  - b) Any previous experience of academic study in a UK higher education institution;
  - c) The extent of the misconduct in relation to the assessment in question i.e. the level of work affected;
  - d) Any prior proven allegations of Academic Misconduct;
  - e) Whether the student has accepted responsibility and / or acknowledged awareness of the Academic Misconduct.
34. Where the candidate is proven to have committed more than one breach of these regulations, but notification of the first breach had not been received by the student at the time of committing the second breach, both shall be considered 'simultaneous' breaches. Each breach shall be treated as one breach only for the purposes of determining penalty.
35. In cases where a more severe penalty may be warranted, the AMO must refer the case to a University Academic Misconduct Panel.

## Penalties: Students on taught programmes or modules

36. The following penalties may be issued by the Academic Misconduct Officer and will be applied in accordance with the severity of the academic misconduct as outlined in paras 16-18.

<b>Penalty 1: Issue a formal warning.</b>
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Warning letter will remain on the student record. The original mark awarded will stand.
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<b>Penalty 2: Mark of 0 awarded in the assessment task at first attempt with the right to reassessment.</b>
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If the Academic Misconduct was for a first attempt at the assessment; you will have the right to undertake a second attempt in the reassessment period. The result of this reassessment attempt for this element will be capped at the pass mark.
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Student will also be issued with a University Warning.
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<b>Penalty 3: Mark of 0 in the module.</b>
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If the Academic Misconduct was for a first attempt at the module, you will be required to undertake reassessments in all assessment components of the module. The result of these reassessment attempts will be capped at the pass mark.
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Student will also be issued with a University Warning.
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### The following penalties can only be issued by a University Academic Misconduct Panel

<b>Penalty 4: Mark of 0 in the module with no right to reassessment.</b>
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This will result in a failed module which may affect your ability to progress on your programme of study.
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Student will also be issued with a University Warning.
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<b>Penalty 5: Termination of Study.</b>
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This should only occur where there is evidence of sustained attempts at Academic Misconduct.
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\* NOTE: where academic misconduct is evident in the submission of reassessments, this may result in the student being unable to progress further with their studies.

## Penalties: candidates on research by thesis degrees

<b>Penalty 1: Issue a formal warning.</b>
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Warning letter will remain on the student record.
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In the case of plagiarism or collusion, the student will be required to re-write the sections tainted by plagiarism, including properly acknowledging all sources. No re-write of other sections of the thesis will be allowed other than minor corrections.
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<b>Penalty 2: Denial of eligibility for the award of Certificate or Diploma.</b>
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The student will be unable to receive an award of Certificate or Diploma.
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<b>Penalty 3: Denial of progression from Masters to Doctorate.</b>
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The student will be unable progress.
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<b>Penalty 4: Termination of Research Degree Programme of Study.</b>
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This should only occur where there is evidence of sustained attempts at Academic Misconduct.
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## Penalties: Decisions of Programme Boards of Examiners

37. At the time of a Programme Board meeting:

- a) Where work for a module's summative assessment is currently under investigation for an alleged breach of these regulations, the Board must defer decision in respect of the student;
- b) Where the Board has received a copy of the Academic Misconduct decision, it must apply the penalty imposed and must not impose any other penalty.

## University Academic Misconduct Panel

### Informing the student of the Panel meeting

38. The student should be informed via email of the date, time and venue of the panel meeting, at least 10 working days prior to the meeting. This email will include all evidence relating to the case including any witness details or statements.

39. The student should confirm their attendance at the meeting within 3 working days of receipt of the notification. If no response is received, the meeting will go ahead as planned.

### University Academic Misconduct Panel Constitution

40. The panel shall consist of

- a) The Chair (normally an Associate Dean, Education) or nominated person;
- b) At least two Directors of Learning and Teaching or nominated persons;
- c) A Secretary.

41. No person who has been involved in the marking or investigating of the allegation shall be a member of the panel.

### Conducting the Panel Hearing

42. The student has the right to attend the panel meeting in person and to be accompanied by a person of their choosing. This person may not act as a legal representative and may not speak on behalf of the student unless invited to do so by the Chair of the panel.

43. At the request of the student or the panel, the student's Personal Supervisor is entitled to be present throughout the giving of evidence and to provide advice to the student or panel as required.

44. The student can waive the right to attend the panel by notifying the Secretary of the panel via email. In this case, the panel will proceed in the student's absence. If the student has a legitimate reason for being unable to attend on the specified date, the panel shall be rearranged. If no legitimate reason is given (as determined by the Chair), the panel will proceed as planned.

45. The Academic Misconduct Officer will present the case to the panel.

46. The panel may call any witness to provide any relevant evidence or discipline context where required. Other than in exceptional circumstances as defined by the panel, the student shall be entitled to be present while such evidence is presented. Where the panel deems it inappropriate to allow the student to be present, they shall be fully apprised of the evidence given afterwards and may be permitted to have questions put to the witness by the panel in their absence.

47. Once the panel is satisfied that sufficient evidence has been presented and the student has been given fair and reasonable opportunity to respond, the panel shall consider its decision in private. They will consider whether, on the balance of probabilities, the case has been proven, and the penalty to be imposed.
48. The Panel Secretary must:
- a) Minute all proceedings of the panel and ensure they are agreed as an accurate record.
  - b) Inform the student, via email, of the decision, any penalties imposed and a summary; reason for the decision. This information should normally be provided within 5 working days of the panel meeting.
49. A copy of the panel's decision must be copied to:
- a) The Chair of any relevant Module Board of Examiners;
  - b) The Chair of any relevant Programme Board of Examiners;
  - c) Relevant faculty staff.

## Appeals

### Right of Appeal

50. A student may appeal against the decision and/or penalty imposed by either the Academic Misconduct Officer or by the Academic Misconduct Panel in accordance with the University's Academic Appeals and Queries Regulations.
51. Any appeal should be submitted using the appropriate form.

## Monitoring

### Monitoring by Faculties

52. The Subject Enhancement Report, part of the University's Academic Monitoring and Review and Enhancement Process (AMREP) shall provide the following information relating to the previous academic session, taking into account the subject group, mode, level of study, gender, disability, ethnic origin and any outstanding issues:
- a) The number of allegations rejected (no case to answer);
  - b) The number of Academic Misconduct Panels held;
  - c) The number and type of allegations upheld;
  - d) The number of penalties issued.



## Annexe 1

### Plagiarism Collusion Caution Letter

Faculty/Academic Unit Headed Paper
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#### Regulations governing Academic Misconduct

#### Caution for Plagiarism and/or Collusion

[Name of student]

[Title of module and piece of assessed work]

#### Finding of Plagiarism or Collusion [edit as necessary]

This letter is to confirm that the examiners have identified sections of the above piece of work which have been investigated and found to be in breach of the Regulations governing Academic Misconduct. These sections have been identified ... [explain how].

#### This letter is a formal caution. This requires you to do three things:

- (1) Properly acknowledge the sources you have used in producing the work – you may not otherwise change the work (in cases of plagiarism).

**OR** [Secretary to edit]:

Properly acknowledge the sources you have used and re-write the work in your own words (e.g. in cases of collusion).

- (2) re-submit the piece of work by [deadline]
- (3) seek further guidance so that you do not in future submit work via the means of plagiarism or collusion [define what this further guidance involves].

**If, after receiving this letter, you repeat this offence, or commit any other offence related to Academic Misconduct, an Adjudication Panel may be held. That Panel will have powers to impose severe penalties which will significantly affect your progress on your programme of study and could result in your programme being terminated.**

The purpose of this caution is to provide you with an opportunity to learn from what has happened, without suffering severe penalty, and to ensure it is not repeated. The maximum mark you may be awarded, is the standard reassessment mark.

If you do not re-submit the work you will be awarded **zero** for the piece of work.

If you do re-submit the assessed work, but do not give all the references required, you will be awarded no more than **30** for the piece of work concerned.

#### Right to challenge this caution

If you do not agree with this caution – for example because you do not accept that the work has been submitted with use of academic misconduct – you have the right to a hearing before a full Adjudication Panel. You have 10 (working) days in which to notify the Academic Misconduct Officer in writing of your wish to challenge the decision. **You are hereby warned that if such an Adjudication Panel finds that the work has been submitted with the use of academic misconduct, the penalty it will impose may be more severe than the penalty if you accept this caution.**

#### **Further guidance**

You may need further guidance to decide what to do next. You should consider talking to your Personal Supervisor and/or the Students' Union Advice Centre.

## Annexe 2

### Possession of Unauthorised Materials Letter

Student Services Directorate Headed Paper
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#### **Regulations governing Academic Misconduct**

##### **Caution for Possession of Unauthorised Materials in the Exam Room**

[Name of student]

[Title of module and piece of assessed work]

##### **Finding of Possession of Unauthorised Materials in the Exam Room**

This letter is to confirm that during the examination for the module [title/code] you were found to be in possession of prohibited materials in contravention of the Regulations governing Academic Misconduct.

**This letter is a formal caution.**

**If, after receiving this letter, you repeat this offence, or commit any other offence related to Academic Misconduct, an Adjudication Panel may be held. That Panel will have powers to impose severe penalties which will significantly affect your progress on your programme of study and could result in your programme being terminated.**

The purpose of this caution is to provide you with an opportunity to learn from what has happened, without suffering severe penalty, and to ensure it is not repeated. The maximum mark you will be awarded is the standard reassessment mark.

##### **Right to challenge this caution**

If you do not agree with this caution – for example because you do not accept that the work has been submitted with the use of academic misconduct – you have the right to a hearing before a full Adjudication Panel. You have 10 (working) days in which to notify the Head of Student Services Directorate in writing of your wish to challenge the decision.

**You are hereby warned that if such an Adjudication Panel finds that the work has been submitted with the use of academic misconduct, the penalty it will impose may be more severe than the penalty if you accept this caution.**

##### **Further guidance**

You may need further guidance to decide what to do next. You should consider talking to your Personal Supervisor and/or the Students' Union Advice Centre.