



## Senate

<b>Paper title</b>	<b>Academic Misconduct Policy</b>
<b>Outcome requested</b>	The Senate is asked to <b>approve</b> the revised Policy.
<b>Points to note and further information</b>	<p>The Academic Misconduct Policy was approved in 2019 and replaced the Assessment Offence Regulations (though with relatively few changes).</p> <p>During the first year of operation, small adjustments that would improve the Policy have been identified, as follows:</p> <ol style="list-style-type: none"><li>1. A formal definition of ‘academic misconduct’ (replicating the text in the Academic Regulations’ has been included at the beginning.</li><li>2. Unauthorised access to an examination question paper has been included as a specific offence (this was already covered under offence 2.i, “breach of any section of the Academic Regulations relating to the conduct of assessment”, but it is helpful to be explicit in the Policy.</li><li>3. A short section explaining the appeal process has been added to the end of the Policy.</li></ol> <p>The full Policy is appended, with the amendments shown in track changes and explained with comments.</p>
<b>Questions to consider</b>	No specific points. The three amendments do not have any impact on the academic misconduct process, but rather are intended to make the policy document itself clearer and more useful.
<b>Regulatory/statutory reference points</b>	<p><a href="#">OfS conditions of registration</a>, notably sections B, E, and F.</p> <p><a href="#">OIA Good Practice Framework: Disciplinary Procedures</a></p> <p>QAA: UK Quality Code for Higher Education &gt; Advice and Guidance &gt; <a href="#">Assessment</a> &gt; Guiding principle 10 (academic integrity)</p>
<b>Strategy and risk</b>	
<b>Reporting/consideration route for the paper</b>	Considered and endorsed by the EQSB (13 May 2020). Senate to approve.
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## Academic Misconduct Policy

### Scope

1. Academic misconduct is cheating (or attempted cheating) that occurs in relation to an assessment.

**Commented [SH1]:** This clause is new here, but taken verbatim from the Academic Regulations, to provide a definition of academic misconduct.

1.2. Allegations of any of the following will be dealt with under the Academic Misconduct Policy:

- i. breach of any section of the Academic Regulations relating to the conduct of assessment.
- ii. misconduct relating to an invigilated examination or in-class test:
  - a. unauthorised access to an examination paper or venue before an examination.
  - b. forgery of an examination timetable produced by Queen Mary.
  - c. removal of a question paper, answer script, or other examination stationery from an examination venue.
  - d. causing a disturbance during an examination, either physically, verbally, or through an electronic device.
  - e. refusal to cooperate with an invigilator, or to follow an invigilator's instructions.
  - f. possession of unauthorised material while under examination conditions, or leaving unauthorised material in an examination venue (including cloakrooms and toilets).
  - g. access, possession, or use of unauthorised material on a computer, mobile telephone, or other electronic device during an examination.
  - h. communication with another candidate while under examination conditions.
  - i. copying, or attempting to copy, the work of another candidate.
  - j. having writing on the body in an examination venue.
- iii. plagiarism (including self-plagiarism).
- iv. fraudulent reporting of source material.
- v. fraudulent reporting of experimental results, research, or other investigative work.
- vi. collusion in the preparation or production of submitted work, unless such joint or group work is explicitly permitted.
- vii. use, or attempted use, of a ghost-writing service for any part of assessment;
- viii. impersonation of another student in an examination or assessment, or the employment of an impersonator in an examination or assessment.

**Commented [SH2]:** Unauthorised access to an exam paper noted as a specific offence (this is not a change – it was covered under point i above, but has been made explicit).

2-3. The Academic Misconduct Policy applies to all students, irrespective of cohort.

3-4. There is no statute of limitations on application of the Academic Misconduct Policy. The Policy may be applied retrospectively if a graduate is alleged to have committed academic misconduct while studying at Queen Mary. Under certain circumstances this may result in the revocation or reclassification of an award.

### Terminology

4-5. In the Academic Misconduct Policy:

- i. 'Head of School' refers to the member of academic staff nominated by a Head of School or equivalent to oversee issues of academic misconduct in their school or institute.
- ii. 'Chair of the Academic Misconduct Panel' refers also to Deputy Chairs of the Academic Misconduct Panel.

5-6. Queen Mary defines 'plagiarism' as presenting someone else's work as one's own, irrespective of intention. Close paraphrasing; copying from the work of another person, including another student; using the ideas of another person without proper acknowledgement; and repeating work that you have previously submitted – at Queen Mary or at another institution – without properly referencing yourself (known as 'self-plagiarism') also constitute plagiarism.

## Allegations of academic misconduct

6-7. Where a member of staff suspects that academic misconduct may have been committed they will report this to the Head of School (or, in the case of invigilated examinations, directly to the Appeals, Complaints and Conduct Office). If the element of assessment in which the offence is alleged to have occurred counts for 31 per cent or more of the module mark and/or the student has committed an assessment offence previously the Head of School will refer the case to the Appeals, Complaints and Conduct Office for investigation. Otherwise, the Head of School will normally investigate the case within the school, but may choose to refer it to the Appeals, Complaints and Conduct Office for investigation. The Head of School may choose to refer the case to the Appeals, Complaints and Conduct Office at any point in the investigation.

7-8. In all cases the investigating officer will notify the student of the allegation and provide copies of all evidence submitted in support of the allegation. The student will be invited to admit or deny the allegation, and to submit evidence and make representations in response to the allegation.

8-9. A student who fails to respond to this notification within seven calendar days of the allegation to make alternative arrangements will be considered not to have denied the offence. Evidence and representations made beyond this point by the student will not be considered without good reason for the late submission.

9-10. The investigating officer will also gather other evidence as part of the investigation. This may include analysis of documentation, interviewing the student, and other relevant enquiries. A school may test on subject knowledge by an oral assessment; this will be conducted by two members of academic staff.

10-11. If the investigating officer finds that there is no case to answer, they will notify the student that the matter is closed. Where the Appeals, Complaints and Conduct Office is the investigating body it will also report this to the Chair of the relevant Subject Examination Board.

11-12. If the investigating officer finds that there is a case to answer then the next steps will vary depending on whether the case was investigated by the school or by the Appeals, Complaints and Conduct Office.

### Investigations by a school or institute

12-13. If the Head of School determines that the student attempted to acknowledge their sources fully and/or comply with the regulations for assessment but a minor oversight or error has given cause for concern this will be deemed a technical offence. The Head of School may decide either that no further action will be taken or require submission of a corrected version of the assessment.

13-14. If the Head of School is satisfied that misconduct has been committed they will impose one of the following penalties, considering all evidence and any mitigating factors:

- i. a formal reprimand.
- ii. failure (a mark of zero) in the element of assessment in which misconduct occurred, with a resubmission of the element permitted with the same attempt at the module. This will not count as an additional attempt, but the mark for the resubmitted element will be capped to the minimum pass mark.
- iii. failure with a mark of zero for the relevant element of assessment, with no right to resubmit<sup>1</sup>.

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<sup>1</sup> In some circumstances this may result in failure of the module as a whole, with no right of resit. The Head of School will consider whether this is a proportionate penalty, where that is the case.

~~14-15.~~ The Head of School will notify the student of the outcome of the case.

### Investigations by the Appeals, Complaints and Conduct Office

~~15-16.~~ If the Appeals, Complaints and Conduct Office finds evidence of potential academic misconduct, it will refer the matter to the Chair of the Academic Misconduct Panel or the Academic Misconduct Panel and notify the student to that effect.

~~16-17.~~ If a student admits or does not deny an allegation of academic misconduct, the case will be considered by the Chair alone rather than the full Panel. This may also occur where a student denies an allegation, by agreement with the student. The Chair may choose to refer a case to a full Panel at any time.

### Academic Misconduct Panel

~~17-18.~~ The Academic Misconduct Panel is responsible for determining whether academic misconduct has been committed, and for determining penalties. The Panel comprises:

- i. a Chair, or Deputy Chair.
- ii. a member of academic staff from a department cognate to that of the student (normally from the same Faculty).
- iii. a further member of academic staff, not necessarily from a cognate department.
- iv. a student member, normally the President of the Queen Mary Students' Union (or nominee).

~~18-19.~~ The Chair and Deputy Chair(s) will be appointed by the Senate to hold office for terms of three years. If, for any reason, the Chair or Deputy Chair is unable to act, the Principal will appoint an Acting Chair.

~~19-20.~~ The other academic members of the Panel will be drawn from the membership of the Senate and from other academic staff appointed as members of the Panel by the Senate for terms of three years.

~~20-21.~~ The quorum for a meeting of the Panel is 75 per cent (three members).

~~21-22.~~ The Academic Misconduct Panel (or Chair, where acting alone) will consider the allegation and the evidence, determine – on balance of probabilities – whether misconduct has occurred, and determine an outcome. The full procedures for a Panel meeting are outlined in [Appendix 2](#).

~~22-23.~~ The student may be assisted or represented by any one person. Both the student and the Appeals, Complaints and Conduct Office may submit written evidence and call witnesses. If the Panel determines that academic misconduct has been committed, the student has the right to address the Panel in mitigation.

~~23-24.~~ The Appeals, Complaints and Conduct Office will nominate a member of staff as Secretary to the Panel. The Secretary is responsible for advising the Panel on the regulations.

~~24-25.~~ If a student has been given at least seven working days' notice of a meeting of the Panel and fails to attend without providing a reasonable explanation in advance, the hearing will proceed as planned in the student's absence. If the student cannot attend for good reason the Panel will be rearranged.

~~25-26.~~ If a Panel is divided on a decision to be taken, the Chair will have a second and casting vote to determine the outcome.

## Penalties

26-27. If it is determined that academic misconduct has been committed, the Chair or the Panel will impose one or more of the following penalties:

- i. a formal reprimand.
- ii. capping to the minimum pass mark for the assessment in which misconduct occurred.
- iii. failure (a mark of zero) in the element of assessment in which misconduct occurred, with a resubmission of the element permitted with the same attempt at the module. This will not count as an additional attempt, but the mark for the resubmitted element will be capped to the minimum pass mark.
- iv. capping to the minimum pass mark for the module in which misconduct occurred.
- v. failure (a mark of zero) in the module of which the assessment forms a part, with the maximum mark on any resit or retake limited to the minimum pass mark.
- vi. failure (a mark of zero) in the module of which the assessment forms a part, with no permission to resit or retake the module.
- vii. capping to the minimum pass mark for all modules taken (and yet to be taken) in the current academic year. Any module marks below the minimum pass mark will stand.

The following penalties can only be applied after a full meeting of the Academic Misconduct Panel:

- viii. a recommendation to the Principal that the student be suspended from the programme for a period of up to one academic year, with marks of zero in all modules taken during the academic year in which the misconduct occurred.
- ix. a recommendation to the Principal that the student be expelled from Queen Mary, with marks of zero in all modules taken during the academic year in which the misconduct occurred.

27-28. For the purposes of the Academic Misconduct Policy, each Section of each Part of the MBBS programme and of Parts 3-5 of the BDS programme will count as a module.

28-29. Where a penalty involves failure in a module but a resit or retake is permitted the reattempt will be at the next normally available opportunity.

29-30. Where a penalty involves the reworking or resubmission of an element of assessment, this will take place within the current academic year. If the student does not resubmit then a mark of zero will be given for the element of assessment.

31. Where a penalty involves failure in one or more modules and resits are permitted, a school/institute may choose to retain any coursework marks achieved in the academic year of the academic misconduct, except in elements where misconduct occurred. Schools/institutes may require a student to resubmit some or all coursework if this is deemed academically appropriate; this may also depend on whether the reassessment is formative rather than summative, or synoptic rather than standard.

## Appeal process

32. [A student may appeal a decision arising from the Academic Misconduct Policy using the process set out in the Queen Mary Appeal Policy. This includes the right to appeal any penalty imposed.](#)

33. [A student who has exhausted all stages of Queen Mary's Appeal Policy will be issued with a Completion of Procedures letter, and may be eligible to request a review by the Office of the Independent Adjudicator for Higher Education \(OIA\). The Appeal Policy and the Completion of Procedures letter contain additional details on the OIA.](#)

Commented [SH3]: New section, for completeness.

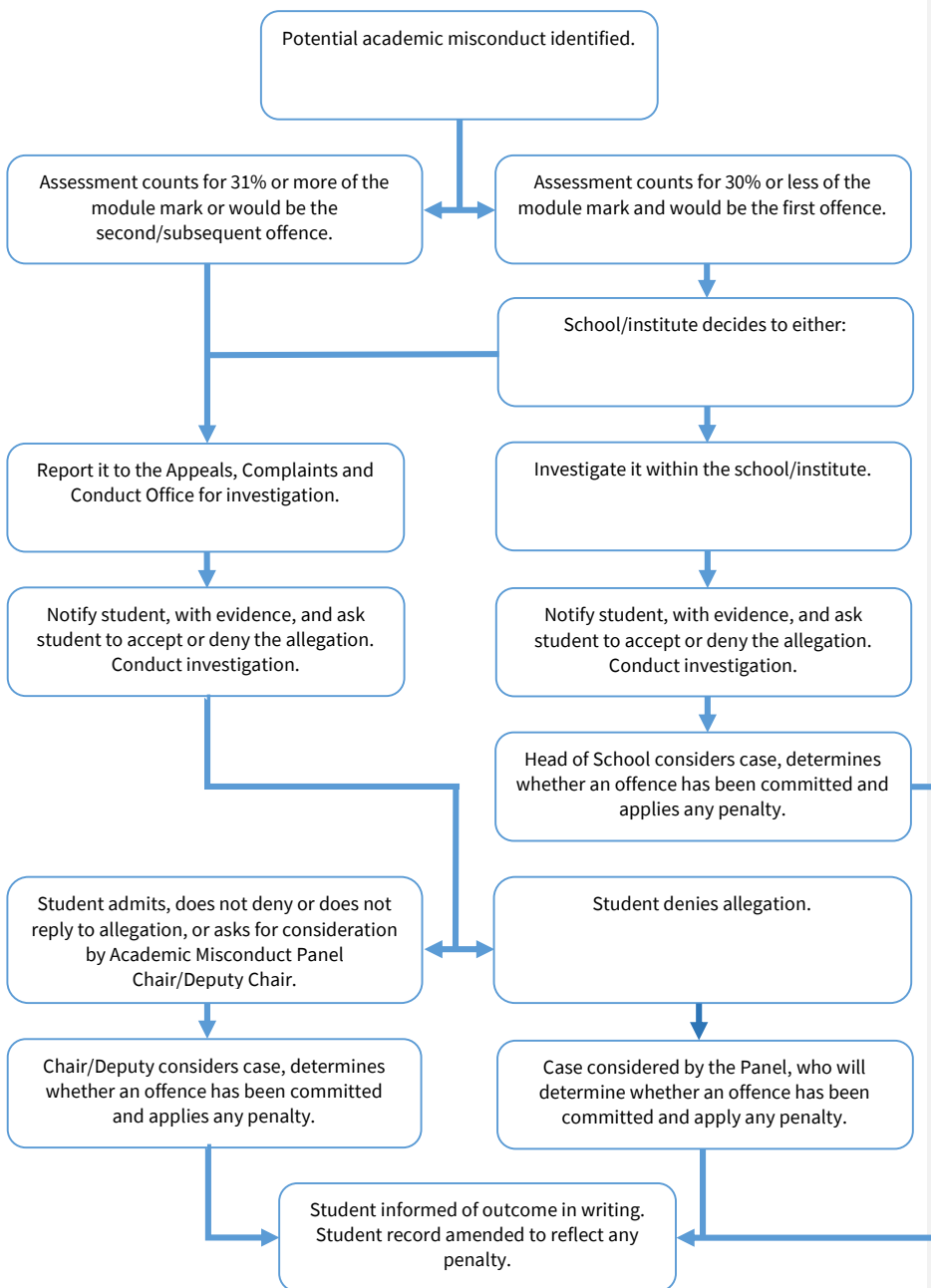
## Reporting

[30-34](#) Academic misconduct penalties will be reported to the Professional Capability Committee and, where it is a stipulated requirement, to other professional bodies that accredit awards.

[31-35](#) All allegations of academic misconduct dealt with by a Head of School must be reported to Appeals, Complaints and Conduct Office.

[32-36](#) The Appeals, Complaints and Conduct Office will present an annual report to the Senate on all cases of academic misconduct, however resolved.

## Appendix 1: Academic misconduct procedure



## Appendix 2: Academic Misconduct Panel Procedure

### Scope

1. These are the procedures for a full meeting of the Academic Misconduct Panel.

### Procedure

2. At the start of the meeting, the Chair will:
  - i. introduce the student (and/or their representative) and the members of the Panel.
  - ii. indicate the Queen Mary representative, who will present the facts in the possession of Queen Mary.
  - iii. check that the student (and/or their representative) has copies of all the documentation supplied to the Panel.
  - iv. inform the student (and/or their representative) and the Panel of their right to examine any documents, reports or written statements used in the case by any of the parties, and their right to call witnesses, who may be examined by any of the parties.
3. The Chair will read the allegation and ask whether the student admits to the allegation or not.
4. If the student admits to the allegation, the Panel will proceed to consider its findings. The student (and/or their representative) will be informed that they will be able to address the Panel after it has considered its findings and before it considers its decision. The Queen Mary representative, the student, and (where relevant) the student's representative must leave the room while the Panel considers its findings. Continue to paragraph 8 of this document.

*or*

If the student denies the allegation then the Queen Mary representative will be asked to present the facts in the possession of Queen Mary and to call any witnesses, who may be examined by any party.

5. The student will be asked to give their evidence. If they call any witnesses they may be examined by any party.
6. After both the Queen Mary representative and the student have given evidence, each party may address the Panel. The Queen Mary representative will address the Panel first, followed by the student.
7. The Queen Mary representative, the student, and (where relevant) the student's representative must leave the room while the Panel decides whether academic misconduct has been committed. The Secretary may also be asked to leave the room, at the discretion of the Chair. The Panel must reach its decision without adjournment if possible, and must give reasons for its decision. No penalty is issued at this stage.
8. Once the Panel has decided whether academic misconduct was committed, the Queen Mary representative and the student (and/or their representative) will be recalled for the decision.
9. If the Panel finds that no academic misconduct was committed, the Chair will inform the student and all parties may leave.



10. If the Panel finds that academic misconduct was committed the following procedures will follow:
  - i. if the student admitted academic misconduct, the Chair will invite them to explain the circumstances of their actions.
  - ii. the Chair will invite the Queen Mary representative to address the Panel on the penalty to be applied.
  - iii. the Chair will next invite the student to address the Panel on the penalty to be applied.
  - iv. witnesses cannot be called at this stage, but written statements may be submitted to the Panel with a copy given to all parties.
11. The Chair will ask the Queen Mary representative and the student (and/or their representative) to leave the room while the Panel determines the penalty. The Secretary will provide the Panel with the information required under section 12 below.
12. When determining the penalty, the Panel will consider all relevant information, including:
  - i. the relation of the module(s) in question to the structure of the programme for which the student is registered (in cases where the penalty is applied to the module)
  - ii. the effect that failing the module would have on the student (if applicable)
  - iii. the arrangements for resitting the module (if applicable)
13. The Chair will recall the Queen Mary representative and the student (and/or their representative).
14. The Chair of the Panel will announce the penalty decided on by the Panel and the reasons for the penalty. The penalty will be read verbatim, as it appears in the Academic Misconduct Policy.
15. The student will be informed of their right to appeal against the penalty in accordance with the Appeal Policy.
16. The meeting of the Assessment Offences Panel will be closed.