

## Academic Misconduct Policy

<b>Policy Title</b>	<b>Academic Misconduct Policy</b>							
<b>Relates to</b>	HE	X	FE		Online	X	School	X
<b>Approved by</b>	Quality and Standards Committee							
<b>Owner</b>	Head of Quality							
<b>Date Approved</b>	October 2019							
<b>Last Reviewed</b>	October 2019				Next review due: August 2020			
<b>Version</b>	1.0							
<b>Publication</b>	<b>Staff Access</b>							X
	<b>Student Access</b>							X
	<b>Public Access via Point Blank website</b>							

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# Academic Misconduct Policy

## Overview

This policy has been written in compliance with the principles of Middlesex University's Academic Integrity and Misconduct Policy and procedures, and University Strategy (2017-22).

Point Blank Music School shares Middlesex University's target graduate attribute and belief that being able to work in a professional and ethical way is a highly valued. As part of this development the School likewise intends for our students to obtain skills in knowing how to learn from and acknowledging others' work in the process of creating their own unique pieces of academic work – and to be truthful about their own contribution.

## SECTION 1

### a. Aims and Purpose

This policy is designed to support staff and students to embed good practice and develop methods for enhancing Academic Integrity and its aims are to:

- i. Ensure fair and equal treatment of all students when considering whether academic integrity has been breached.
- ii. Make clear the types of behaviours that are considered to be academic misconduct.
- iii. Create a culture of enhancement seeking to learn from cases of academic misconduct and improve the student experience including through appropriate detection training for decisionmakers.
- iv. Ensure clarity in language and process.
- v. Uphold fairness, consistency and natural justice in the treatment of the student body as a whole.
- vi. Maintain awareness through collaboration with support services (academic and welfare), targeted local campaigns, and visible and accessible central information highlighted to students at relevant key points in the academic year.

### b. Definitions and Principles

In conjunction with Middlesex's approach to Academic Integrity (Regulations Section F), Point Blank Music School maintains the following definitions and principles, underpinning the School's approach to maintaining academic integrity:

- i. Academic misconduct (cheating) in assessments is where a student gains, seeks, attempts or intends to gain advantage in relation to assessments or to aid another to gain such an advantage by unfair or improper means.

Academic misconduct is a breach of the values of academic integrity, and can occur when a student cheats in an assessment, or attempts to deliberately mislead an examiner that the work presented is their own when it is not. It includes, but is not limited to, plagiarism, commissioning or buying work from a third party or copying the work of others.

- ii. Regulations Section F deal with breaches of academic integrity through instances of academic misconduct. A finding that academic misconduct has occurred is a judgement based on available evidence, the standard of proof being the balance of probability.
  - iii. In line with Middlesex University, the School recognises that undergraduate students (Levels 3 & 4) who are new to Higher Education may need some time to learn how to acknowledge sources properly. Therefore, it operates an 'academic writing induction period' during which the focus of the response to signs of academic misconduct will be to educate students in regard to appropriate academic practice and academic integrity rather than to penalise unacceptable academic practice. This applies to plagiarism and collusion only. It does not apply to other forms of academic misconduct where penalties will immediately apply. The academic induction period does not apply to any reassessment.
  - iv. When submitting work for summative assessments students will be required to complete a coversheet which includes an acknowledgment confirming that they have not plagiarised; copied material; embellished fabricated or falsified any of the data; nor have they colluded in producing the work nor submitted commissioned or procured work. See example at Appendix 1.
  - v. If academic misconduct is suspected in relation to work submitted by a student, in the interest of helping students to avoid continued acts, cases should be investigated as soon as possible.
  - vi. Cases of suspected academic misconduct should be evidenced and documented before the appropriate procedure is instigated. Where appropriate a Viva should be conducted to demonstrate the student's understanding of the subject matter.
  - vii. In place of a provisional grade for the work submitted the students will receive notification from the marker that their work is under investigation for Academic Misconduct. A Holding Grade of U will be recorded in the student record.
- c. **Academic Support for Academic Skills / Academic Integrity**
- i. Point Blank Music School recognises that academic integrity is a set of learned skills, with honesty, fairness and respect for others and their work at the core. The School will support and guide students to learn the necessary skills through education and reinforcement of learning, the promotion of core values, enabling policies and the appropriate use of technology.
  - ii. In order to demonstrate academic integrity, students will be informed that they must produce their own work, acknowledging explicitly any material that has been included from other sources or legitimate collaboration. Students must also present their own findings, conclusions or data based on appropriate and ethical practice.
- d. **Definitions of Types of Academic Misconduct:**
- i. Academic misconduct (cheating) in assessments is where a student gains, seeks, attempts or intends to gain advantage in relation to assessments or to aid another to gain such an advantage by unfair or improper means. The following definitions are not exclusive or limiting examples of academic misconduct:
    - a) **Cheating in examinations or tests**  
Breaching the Examination Room Rules for Candidates (Section K). This includes assessments that are taken 'in-class', on-line or any other form of summative examination.
    - b) **Minor Errors**

Minor errors arise when a student has attempted to adopt academically acceptable practices but has failed to do so accurately or fully. Examples include forgetting to insert quotation marks, minor mistakes in referencing or citation, gaps in the bibliography or reference list, non-compliance with some aspects of presentation guidelines.

**c) Collusion**

Collusion occurs when, unless with official approval (e.g. in the case of group projects), two or more students consciously collaborate in the preparation and production of work which is ultimately submitted by each in an identical or substantially similar form and/or is represented by each to be the product of his or her individual efforts. Collusion also occurs where there is unauthorised cooperation between a student and another person in the preparation and production of work which is presented as the student's own.

Collusion can also be the act of one student presenting a piece of work as their own independent work when the work was undertaken by a group. With group work, where individual members submit parts of the total assignment, each member of a group must take responsibility for checking the legitimacy of the work submitted in his/her name. If even part of the work is found to contain academic misconduct, penalties will normally be imposed on all group members equally.

**d) Copying**

Copying occurs when a student consciously presents as their own work material copied directly from a fellow student or other person without their knowledge. It includes the passing off of another's intellectual property, not in the public domain, as one's own. It differs from collusion in that the originator of the copied work is not aware of or party to the copying. Copying of work from published sources would be dealt with as plagiarism.

**e) Dishonest Use of Data: Fabricating or falsifying data or using without permission another person's work**

Fabricating or falsifying data to include presenting work that has not taken place. This includes laboratory reports or projects based on experimental or field work. It may also include falsifying attendance sheets for placements where this is part of the assessment requirements.

**f) Plagiarism - Passing off someone else's work, whether intentionally or unintentionally, as your own**

Plagiarism occurs when a student misrepresents, as his/her own work, work in the public domain, written or otherwise, of any other person (including another student) or of any institution. Examples of forms of plagiarism include:

1. the verbatim (word for word) copying of another's work without appropriate and correctly presented acknowledgement and citation of the source
2. the close paraphrasing of another's work by simply changing a few words or altering the order of presentation, without appropriate and correctly presented acknowledgement and citation of the source;
3. failure to reference appropriately or to adequately identify the source of material used;
4. unacknowledged quotation of phrases from another's work;

5. the deliberate and detailed presentation of another's concept as one's own.

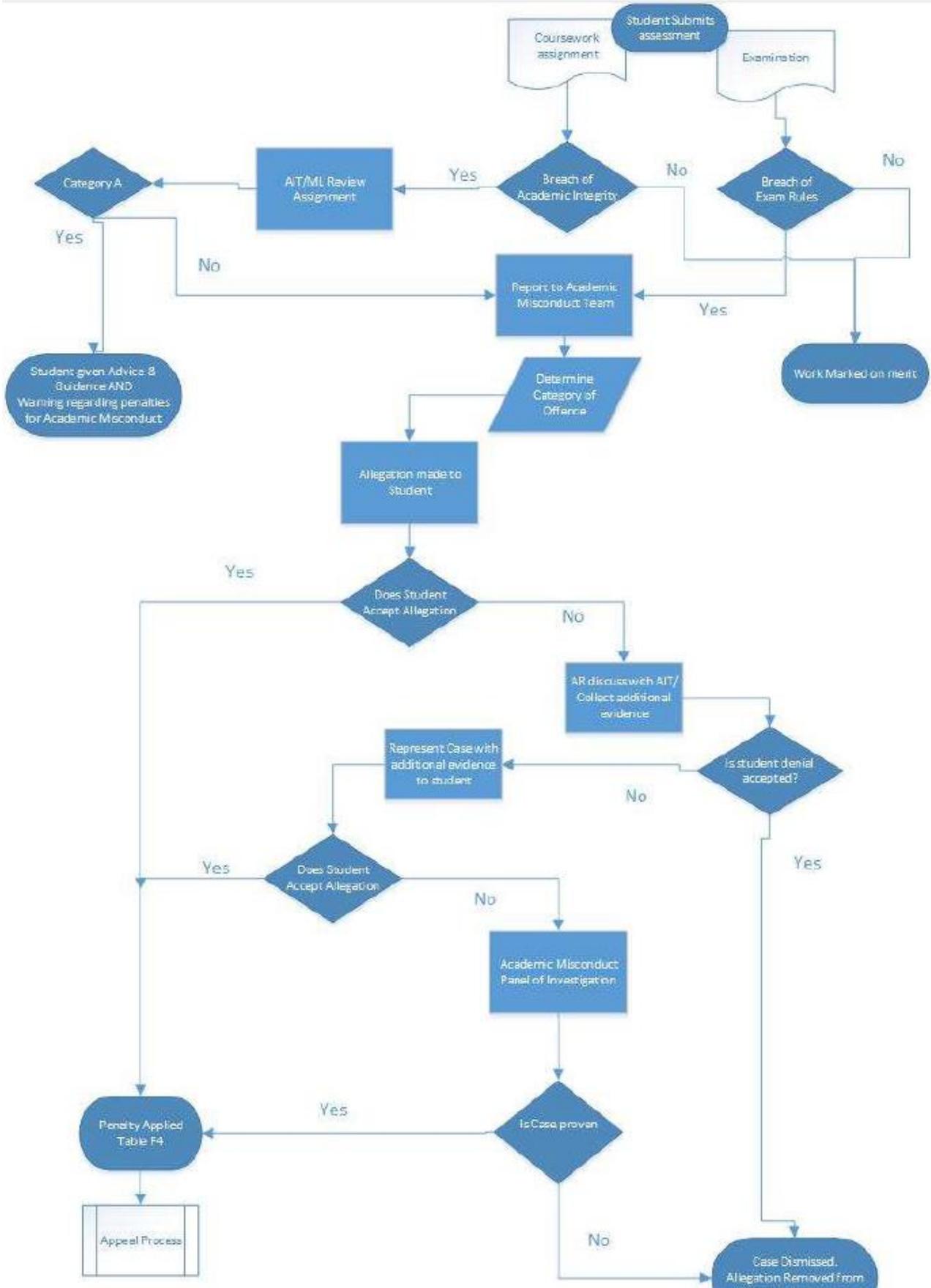
**g) Self Plagiarism**

Self plagiarism is when a student submits the same piece of work, or substantial part thereof, for assessment more than once for graded credit. It will be regarded as Self-plagiarism unless the original piece of work is appropriately referenced.

**h) Purchasing or Commissioning**

Purchasing or commissioning is either attempting to purchase or purchasing work for an assessment including, for example from the internet, or attempting to commission, or commissioning someone else to complete an assessment. For courses at all levels, the commissioning of proof-reading where this substantially alters the content of the original work, whether this is from a commercial provider or a personal contact, falls under this definition and is considered academic misconduct.

e. Procedure



## f. Initial Procedures

### **Formal written examinations:**

Where an invigilator suspects a candidate of infringing examination room rules (section K) they shall, if possible in the presence of another invigilator to act as witness to the action taken:

- a) Confiscate any unauthorised material in the possession of the candidate;
- b) Endorse the candidate's script on the front cover with a note of the time when the alleged infringement is discovered. In the case of suspected collusion they should endorse the script of each candidate involved. Wherever possible they should require another invigilator to act as witness by countersigning the endorsement;
- c) Issue a new examination script booklet to the candidate(s) in question, clearly instructing them to continue (not to restart) the examination;
- d) Inform the candidate(s) in question, at the end of the examination, that a report of the incident will be submitted to the Academic Misconduct Team;
- e) Complete an Infringement of Exam Rules Report detailing the incident, and giving the opportunity to the student to comment on the report, and both invigilator and student sign and date it.
- f) Enter details of the incident on the invigilator's report;
- g) Report the allegation to Academic Misconduct Team for processing.

Where an internal or external examiner suspects a candidate of infringing examination room rules they shall:

- a) attach a cover note to the script detailing the alleged infringement;
- b) Report the allegation to the Academic Misconduct Team for processing.

### **Assessed coursework (including oral examinations, exhibitions, performances, assignments):**

Where an internal or external examiner suspects a candidate of contravening the regulations in assessed coursework, they shall, where appropriate:

- a) Endorse the candidate's work on the front cover, or as appropriate, with a note detailing the location of any plagiarised passages or evidence of collusion and appending sources where appropriate;
- b) Discuss the allegation with the Programme Leader

### **Initial Investigation of assessed coursework**

If the Programme Leader confirms Category A misconduct, the student should be called in to meet with the Module Leader and be given support and guidance, along with written advice of where they can seek help (eg. Academic Writing Workshops)

### **Records of Category**

Misconduct offences should be reported by the Department to the Academic Misconduct Team for monitoring purposes.

If the AMT confirms Category B – D misconduct the case should be investigated. The deadline by which evidence supporting an allegation of academic misconduct to be submitted by the Department should normally be no more than one month after the completion date for that component of assessment.

Please note: If a viva voce assessment of the student is considered appropriate before an allegation is reported to the Secretary to Academic Board, it must not be treated as a formal hearing to consider academic misconduct.

Exceptionally, where serious academic misconduct is discovered after the deadline for submission of an allegation of academic misconduct, an allegation may be pursued retrospectively under these procedures. Where a student has already graduated, the outcome may result in the revoking of a qualification already awarded.

Whilst an investigation is being carried out, the Assessment Board may note the incident and defer judgement. A holding grade of U (allegation of academic misconduct under investigation) should be entered by the Programme Administrator on the student's module record (for cross-reference with other alleged infringements).

To proceed with an investigation into an allegation of academic misconduct, the following where appropriate should be submitted to the Academic Misconduct Team:

#### **For Examinations or Coursework**

- i. The student(s)'s name and number;
- ii. A report of the incident; (use the form: academic misconduct allegation)
- iii. The invigilator's report;
- iv. Originals of scripts involved in alleged infringement of examination room rules;
- v. Copy or original of unauthorised material used in an examination; for coursework (module leader)
- vi. Completed academic misconduct referral form
- vii. Copy or original work with plagiarised passages marked;
- viii. Copy of source material with passages which have been plagiarised marked;
- ix. Summary of any informal interview with the student regarding the incident (it is preferred that no interview takes place before a written allegation is put to the candidate by the secretary to academic board);
- x. Notes of any viva that has taken place.
- xi. Copy of the instructions given to the candidate regarding the component and a copy of the referencing instructions given to the candidate;

#### **Procedure for investigation by the Academic Misconduct Team**

As soon as reasonably practicable following receipt of any allegation and supporting documentation, the Academic Misconduct Team shall decide if there are reasonable grounds at first sight to suggest the candidate contravened assessment regulations.

If the Academic Misconduct Team determines there are no reasonable grounds, they shall request the Assessment Board to consider the work on its academic merits and remove all record of the alleged misconduct from the student's record.

If the Academic Misconduct Team determines there are reasonable grounds to suggest the candidate has contravened the regulations in assessment, they shall write to the student(s) concerned:

- i. To put the allegation.
- ii. If appropriate, to enclose copies of any evidence or report.

- iii. Request a written statement to explain how the allegation may have arisen, stating any mitigating circumstances which may be taken into account when considering a penalty (authenticated evidence to be provided where appropriate).
- iv. To request a reply within 10 working days of the date on which the letter is sent and explaining the consequences of failure to reply.
- v. To refer to guidance notes on myunihub and the MDXSU Student Support Service

### **Student Response**

- a) If a written reply to the allegation is not received from the student within 10 working days of the date on which the letter is sent, or if the student replies accepting the allegation, the Academic Misconduct Team shall report accordingly to the Secretary to Academic Board and recommend an appropriate penalty to be communicated to the Chair of the Assessment Board.
- b) For Category B and C offences, where the penalty does not involve retaking a module, the Secretary to Academic Board will have the authority to impose the penalty and inform the student and Chair of the Faculty Assessment Board of the outcome
- c) If the student does reply within the time limit denying the charge the Secretary to Academic Board shall consider the allegation in the light of the student's response and in consultation with the AMT and/or other appropriate members of staff in order to decide whether to dismiss the allegation, or to proceed and to convene a Panel of Investigation.

### **Panel to investigate the allegation of academic misconduct**

Following B4c above, and if appropriate, the Secretary to Academic Board shall convene a Panel of Investigation which shall consist of two members of staff drawn from Senior Staff of the School – including Heads of Department; Programme Leaders; together with one Student Representative.

- a) Staff involved in the assessment of the student shall be required to attend as witnesses.
- b) The Chair of the Panel shall be the Secretary to Academic Board. For panels held overseas, the role of Chair may be delegated.
- c) No member of staff who has been involved in teaching or assessing the student shall be eligible to serve on the Panel.
- d) The student will be given 10 working days' notice, wherever possible, of the date, time, place and Panel membership, together with any documents to be consulted by the Panel.
- e) The student may object to the appointment of members of the Panel and to the date giving grounds for the objection. However, any change to the arrangement is solely at the discretion of the Chair.
- f) Due notice of the Panel of Investigation meeting will be considered to have been given on sending the notice and supporting information to the student's last recorded email address. At the discretion of the Panel the case may then be heard whether or not the student attends the meeting.

2. All proceedings and papers associated with the meeting shall be strictly confidential to those invited to attend.

3. The student shall have the right to be accompanied by a companion and to submit oral or written evidence. Legal representation is not allowed or considered appropriate at a Panel meeting.

### **Procedure for the Panel of Investigation in session**

- a) The Panel of Investigation may not be held in the absence of the Secretary to Academic Board
- b) The Chair has discretion to organise the meeting as they see fit in order to achieve the principal aims of a hearing:
  - i. to clarify evidence as necessary by questioning those who have submitted it;
  - ii. to enable the student to dispute the allegation;
  - iii. to enable the Panel to reach a decision.

### **Mechanical, electrical or electronic recording by any means shall be prohibited.**

The Panel shall consider its decision in private after the evidence has been heard and shall reach a decision by majority vote, in the light of the evidence presented and on the balance of probabilities, whether the student infringed assessment regulations. If the votes cast are equal, the Chair shall have a second or casting vote.

The student and their companion shall normally be recalled for the Chair to inform them of the decision of the Panel which will be in the form of a recommendation to the Assessment Board. The recommendation in writing will be sent to the student normally within five working days of the Panel meeting.

### **Decision of the Assessment Board**

Where an allegation of academic misconduct is not sustained following investigation, the work shall be assessed on its academic merit, and all record of the alleged misconduct shall be removed from the student's record.

Where an allegation of academic misconduct is sustained, either by admission of the student or following investigation, the Assessment Board shall:

- a) receive the recommendation of the Secretary to Academic Board or Panel (except when B4b applies) and decide on a course of action;
- b) report its decision to the Secretary to Academic Board for recording and monitoring purposes.
- c) Should an Assessment Board agree that a student be expelled from the University then the Chair will inform the Secretary to Academic Board. The Secretary to Academic Board will issue the notification of expulsion. Copies of the notification shall be sent to the appropriate Dean of Faculty and President of Students Union.
- d) Any reassessment following the Assessment Board's decision to fail the student in one or more units of assessment shall be at the absolute discretion of the Assessment Board under the programme assessment regulations.

A student may appeal against the decision of the Assessment Board to impose a penalty. Such an appeal will be made through the established appeal procedures and must be received by the Secretary to Academic Board within 10 working days of the decision being issued. The only subsequent involvement of the Secretary to Academic Board will be to refer the appeal for decision to a senior manager with appropriate academic background.

Normally an appeal may be made on the following grounds:

- a) That there is new and relevant evidence which the student was demonstrably and for the most exceptional reasons unable to present to the Secretary to Academic Board or Panel of Investigation meeting.

- b) That the procedures were not complied with in such a way that it might cause reasonable doubt as to whether the result would have been different had they been complied with.
- c) That there is documented evidence of prejudice or bias on the part of the Secretary to Academic Board or by one or more members of the Panel of Investigation.
- d) That the penalty imposed exceeds the maximum penalties listed in Table F5.

**Guidelines for penalties for Academic Misconduct (Regulation section F4)**

- a) The minimum penalty imposed shall normally exceed that which would follow if the student had merely failed the assessment.
- b) The penalties listed in Table F5 must be taken as indicative of the maximum penalties which may be imposed.
- c) All confirmed offences must be recorded on the student's record as grade P. This grade to remain throughout the student's registration at Middlesex University and to be replaced on formal documents by grade 20.
- d) All records of disproved offences must be deleted from the student record.
- e) A student may appeal against the decision of the Assessment Board to impose a penalty. (see D3 above)

## F5 Categories and Penalties

Category	Examples	Key Indicators	Action
CATEGORY A  Minor Misconduct	<ul style="list-style-type: none"> <li>Reproducing an existing concept or idea unintentionally</li> <li>Failure to adequately reference sources, including incomplete or incorrectly cited bibliographies, footnotes and/or quotations</li> <li>Several sentences of direct copying without acknowledging the source</li> <li>Several instances of inappropriate or unacknowledged paraphrasing</li> <li>Unacknowledged proof reading by another person</li> <li>Unacknowledged help with English language accuracy</li> </ul>	<ul style="list-style-type: none"> <li>The student has not yet learnt about the importance of referencing or has misunderstood the referencing or paraphrasing principles</li> <li>The student's behaviour appears unintentional</li> <li>The student's behaviour might be intentional but on an insignificant scale</li> <li>The student is in 1<sup>st</sup> year of university education</li> <li>The student is not used to UK academic culture</li> </ul>	<ul style="list-style-type: none"> <li>Tutorial support and guidance to help the student understand what is and is not acceptable <i>and</i></li> <li>Written advice for the student on where they can seek help (such as LET)</li> <li>Warning regarding penalties for Academic Misconduct offences</li> </ul>
CATEGORY B  Moderate Misconduct	<ul style="list-style-type: none"> <li>Several paragraphs of direct copying without acknowledging the source (including one's own previously submitted work on another assignment)</li> <li>Several paragraphs of unacknowledged paraphrasing of another person's thoughts, ideas or text.</li> <li>An assignment that has been translated into English by another person</li> <li>An assignment that has been edited by another person</li> <li>Deliberately submitting the same piece of work for assessment for more than one assignment.</li> <li>Collusion</li> <li>Repeated Minor Misconduct, particularly if the student has been previously reprimanded.</li> </ul>	<ul style="list-style-type: none"> <li>The student's behaviour appears intentional but on a small scale</li> <li>The student's behaviour will not have a significant impact on their final award</li> </ul>	<ul style="list-style-type: none"> <li>Normally a mark of <b>P for that module</b> with the opportunity to <b>resubmit the affected component</b>. Resubmitted <b>component</b> will be capped at 16 if passed.</li> <li>Where the student has already been given the opportunity to resubmit a failed component, the Board will normally, subject to Programme Regulations, award <b>P for the module</b> with the opportunity to <b>repeat the module, or an alternative</b>. All repeat, or alternative modules will be capped at 16 and charged full fees.</li> <li>Warning that further offences will have serious consequences for final qualification</li> </ul>

Category	Examples	Key Indicators	Action
CATEGORY C  Serious Misconduct	<ul style="list-style-type: none"> <li>Large sections of unacknowledged paraphrasing of another person's ideas or text</li> <li>Presentation of the work of other students without acknowledgement</li> <li>Presentation of the work of commercial or industry practitioners without acknowledgement</li> <li>Deliberate falsifying of data or using another person's work without permission</li> <li>Breach of Examination Room rules</li> <li>Conspiring or colluding with others to commit any of the above</li> <li>Repeated Moderate and/or Serious Misconduct, particularly if the student has been previously reprimanded</li> <li>False declarations in order to receive special consideration by Assessment Boards, including deferrals and requests for exemption from work.</li> </ul>	<ul style="list-style-type: none"> <li>The student's behaviour appears intentional and on a significant scale</li> <li>The student has intended to deceive the person marking the work</li> <li>The student would benefit substantially from the offence</li> <li>The student's behaviour would significantly compromise the integrity of the University's awards</li> <li>The student may have been warned and/or reprimanded for previous attempts to deceive.</li> </ul>	<ul style="list-style-type: none"> <li>Normally a mark of P <b>for that module</b> with the opportunity to resubmit the component. <b>The module will be capped at 16</b> if the resubmission is passed.</li> <li>Where the student has already been given the opportunity to resubmit, or for substantial plagiarism in a project or dissertation, the Board will normally, subject to Programme Regulations, award P <b>for the module</b> with the opportunity to <b>repeat the module, or an alternative</b>. All repeat, or alternative modules will be capped at 16 and charged full fees</li> </ul> <p><i>Or, for the most serious misconduct:</i></p> <ul style="list-style-type: none"> <li>A mark of P for all modules at that level/stage with the opportunity to repeat the Level/stage. All repeat modules will be capped at 16 and charged full fees.</li> <li>Exceptionally, the Board may, at its discretion and for reasonable cause, decide that a candidate may not be reassessed.</li> </ul>
CATEGORY D  Gross Misconduct	<ul style="list-style-type: none"> <li>Submitting an assignment purchased or downloaded from the internet.</li> <li>Commissioning another person to produce a piece of work.</li> <li>Theft of the work of other students</li> <li>Theft of the work of commercial or industry practitioners</li> <li>Copyright Theft</li> <li>Fraud, including impersonation and misrepresentation of identity</li> <li>Acts of Violence or vandalism</li> <li>Breach of Examination Room Rules</li> <li>Conspiring or colluding with others to commit any of the above</li> <li>Repeated Serious Misconduct, particularly if the student has been previously reprimanded</li> </ul>	<ul style="list-style-type: none"> <li>Any offence in which the offender commits physical violence, malicious abuse, theft, fraud or other fundamental breach of trust, including substantial plagiarism in a postgraduate dissertation, purchasing or commissioning of work, will be regarded as gross misconduct and may therefore lead to expulsion. Also <b>see Student conduct and discipline rules.</b></li> </ul>	<ul style="list-style-type: none"> <li>A mark of P for that module and repeat Module with new registration and full fee payable <b>OR</b></li> <li>Award lower level qualification <b>OR</b></li> <li>Expulsion</li> <li>Revoking a previously awarded degree</li> </ul>

Note: All cases will sit on a sliding scale of severity. There will be occasions when the misconduct is normally considered minor, but the extent of the deliberation and intention to deceive is such that it fits the criteria of serious misconduct. As a result the examples given should be used as a guide to help staff identify procedures, but there will always be an element of academic judgement in determining the level of misconduct and the appropriate action to take.

**Appendix 1 – SAMPLE COVER SHEET**

<b>Assessment Submission Sheet</b>
Student Name:
Student No:
<p><b>Declaration of Academic integrity:</b></p> <ol style="list-style-type: none"><li>1. I confirm that this is all my own work and that any information copied in part or full including references and quotations from both primary and secondary sources have been fully identified and properly acknowledged in line with the Guidelines on Referencing and Citation Style of the Module.</li><li>2. I have read the regulations relating to academic misconduct and submit this work as my own in line with those regulations. <a href="https://www.mdx.ac.uk/data/assets/pdf_file/0027/424179/Section-F.pdf">https://www.mdx.ac.uk/data/assets/pdf_file/0027/424179/Section-F.pdf</a></li><li>3. I understand that my work may be compared against the work of others for the purposes of detecting plagiarism and collusion. When software is used for this purpose, I am aware this will mean it will be held on a (secure) external database for the sole purpose of detecting plagiarism. When requested by the module tutor, I agree to provide an electronic copy of the work.</li><li>4. This work has not been submitted by me previously towards any credit bearing component of any award.</li><li>5. I have read the 'Confidentiality Statement' as it relates to practical assignments in my programme handbook (where appropriate) and have ensured that my assignment complies with this statement</li></ol> <p>Please enter your name here to confirm adherence to the above:</p> <p>Signed:.....</p>