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Policy: **Further Education Academic Misconduct Procedure**

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**This is a procedure which falls under the Malpractice and Maladministration Policy and should be read in conjunction with that Policy.**

## **Further Education Academic Misconduct Procedure**

### **1. Introduction**

Plagiarism, cheating, collusion, and any attempt to obtain an unfair academic advantage are all forms of academic misconduct and are entirely unacceptable behaviour of any student at York College.

This document aims to:

- a) define what is meant by unacceptable academic misconduct.
- b) give guidance to help prevent the occurrence of such misconduct.
- c) explain the procedures to be adopted in suspected cases.
- d) indicate the academic, and disciplinary, penalties which may be appropriate in proven cases.

Please refer to the [Joint Qualifications Council \(JCQ\) General and Vocational Qualification for Conducting Examinations](#) for details of specific forms of academic misconduct occurring within examinations.

Please refer to the separate Higher Education Academic Misconduct Procedure for all HE students and programmes.

In establishing this procedure, the College is seeking to maintain the integrity of its academic awards and procedures whilst giving any student affected a fair opportunity to respond to an allegation of academic misconduct. The College will follow the required regulatory procedures of the relevant Awarding Organisation. Each case will be determined on its own facts and merits. Accordingly, it may be necessary to adjust the procedures to allow a proper investigation or to ensure fairness to the student concerned in any case. It may be necessary for the College to seek legal advice in specific cases. These procedures are not contractual in nature and there is no right to compensation for any amendment to the procedures.

### **2. Scope and Definitions**

#### **2.1 Scope**

This procedure applies to all courses delivered by York College and applies to all formative and summative assessed work, even if it does not contribute to awarding of grading criteria, outcomes and certification. This procedure relates to the delivery and assessment of the curriculum and includes all Further Education programmes of study. The procedure applies to public examinations, though there may be less need for a hearing in these cases.

## 2.2 Forms of academic misconduct

Academic misconduct is the abuse of academic rules and regulations and the use of dishonest academic behaviour to gain a personal advantage. The College is committed to developing high standards of academic practice among its students and to safeguarding the standards of its academic awards. It regards any form of academic misconduct as an extremely serious matter.

Students must not, at any stage of their programme:

**Plagiarise** - include within their work without appropriate acknowledgment material derived from the work (published or unpublished) of another. This includes text based, photographic or other multimedia work and or actual physical artefacts

**Collude** - work with other people to produce academic work or artefacts which they then try to pass off as their own or assist another student to gain an advantage by unfair means, or receive such assistance. Passing material to another person in a way which aids and abets their academic malpractice is a form of collusion;

**Cheat** - fail to comply with the rules governing examinations e.g. by making arrangements to have unauthorised access to information, copying the work of another student or from any other source, with or without their permission;

**Fabricate** - mislead examiners by presenting work for assessment in a way which intentionally or recklessly suggests that factual information has been collected which has not in fact been collected, or falsifies factual information;

**Impersonate** - act, appear, or produce work on behalf of another student in order to deceive the examiners, or solicit another individual to act, appear, or produce work on their own behalf;

**Deceive** - intentionally or recklessly present fabricated or misleading information (e.g., relating to medical and compassionate circumstances) in order to gain advantage in regard to an assessment or progression or procedural requirements.

In cases of suspected misconduct during an Awarding Organisation Examination, reference should also be made to Joint Council for Qualifications (JCQ) General and Vocational Qualification for Conducting Examinations and the JCQ Suspected Malpractice in Examinations.

## 2.3 Standard of proof

It is sufficient, for the College, to establish cases of academic misconduct on the balance of probabilities, rather than 'beyond all reasonable doubt'.

## 3. Student Responsibilities

Students at York College must:

- Hand in their own original work for assessment,

- Reference information provided by someone else by giving the person's name and where it's located in their work, using a recognised Referencing System. This includes in-text referencing and the inclusion of a bibliography and/or reference section at the end of the work submitted. Advice and guidance on how to reference accurately is available from the tutors, Blackboard and the Learning Centre
- Reference downloaded information from the Internet.
- Never use someone else's work as if it were their own, nor copy work from an electronic source belonging to someone else and use it as if it were their own.
- Never let other students use or copy from their work and pass it off as if they had done it themselves.
- Only make use of ChatGPT, or similar applications, as part of their research and not as part of their submitted work.

## **4. Staff responsibilities**

### **4.1 Prevention of the occurrence of academic misconduct**

Staff must:

- a) Inform the students clearly about the College's procedures relating to academic integrity and honesty and where to locate any guidelines on academic misconduct, recording the date(s) and occasion(s) of when this information has been given to students for future reference. This information should be repeated and recorded at least once a term.
- b) Include statements on academic misconduct in the student handbook, signposting College policies to ensuring consistency throughout the College.
- c) Provide students with guidance on the format of formal referencing of source material which is expected within the course they are taking.
- d) Inform students, in writing if possible, of the extent to which they can collaborate in course work.

### **4.2 Identification of academic misconduct prior to formal submission for marking/grading**

Staff must:

Implement procedures for assessing work in such a way that plagiarism; cheating and collusion are more detectable. This might include:

- use of Turnitin (plagiarism detection software).
- changing assignment topics yearly.
- making less use of generic assignments in favour of tailored assignments.
- getting to know the style of students' writing/submissions early in the course.
- comparing subsequent work to initial assessment tests.
- Checking work for the presence of writing from AI bots such as Chat GPT (See

## Appendix B)

Where possible, mark/assess a class or group's coursework in a single occasion, to enhance the likelihood of spotting plagiarised content.

When academic misconduct is suspected of having occurred at the formative stage, i.e. before the student has formally submitted the work and claimed authenticity, staff must:

- Inform the Head of Curriculum (HoC) who will ensure that there is an investigation of the suspected academic misconduct in order to establish the facts of the case and ensure appropriate action is taken, utilising the proper disciplinary procedures if appropriate.

### **5. Academic Misconduct Investigations where work has been submitted**

Where academic misconduct is suspected in summative work i.e. the work has been formally submitted to the tutor for marking and the appropriate written statement of authenticity has been completed (electronic submission will be taken as claiming authenticity in line with general academic practice), the following procedures will be followed:

- Senior Quality and Compliance Officer (SQCO) is to be informed as soon as possible; SQCO will appoint an Investigating Officer (IO) immediately to ensure there is a consistency of approach in all cases. This will normally be the DHoC, though SQCO can request that another member of the College Leadership Team act as IO if a conflict of interest applies.
- The IO will investigate the suspected academic misconduct and will decide how on initial scope of the incident, the staff involved, and the potential numbers of learner. The IO will consult with the tutor to establish if there is evidence of academic misconduct. Where there is any evidence of malpractice by staff, the relevant Awarding Organisation (AO) will be informed at this point and their instructions as to how to proceed followed.
- If it is established that there is evidence to warrant an investigatory hearing of suspected academic misconduct by students, the evidence will be discussed with the student in a private meeting. This discussion should be arranged immediately.
- The allegations must be recorded on the relevant JCQ form (Form JCQ/M1) and sent to QI-Admin with the evidence to support them (Turnitin Reports. Statements from staff/student etc.) and within 5 working days of the above discussion
- SQCO will review the evidence and decide as to whether an Investigatory Hearing is required as soon as possible after the evidence is provided to QI. If a hearing is required, it will be arranged as soon as possible after the decision is made and the AO informed that the hearing is taking place.
- An Academic Misconduct Investigatory Hearing, chaired by SQCO or a

nominated replacement, may be held with representation from the Investigating Officer, the student and if the student is under 18 years of age the parents of that student, with the Progress Coach, Learning Support team (if relevant) and Head of Curriculum being invited. The purpose of the hearing is to discuss the allegation with those who were involved (students and staff) and to identify the appropriate sanctions both in terms of the academic work involved, and of the Student Disciplinary Procedure. Hearings must be conducted for all cases involving coursework but for misconduct in an examination room may not be necessary.

- The Academic Misconduct Investigatory Hearing will be convened within 10 working days of the written notice to the student.
- The relevant Awarding Organisations will be sent all the evidence used by the hearing, notes of the hearing, and details of communications with students as soon as practicable after the close of the hearing.
- The student will be informed of the outcome of the Academic Misconduct hearing in writing within **5 working days** of the hearing.
- The student will be informed of any Awarding Organisation sanctions within **5 days** of the receipt of the information in College

## 6. Penalties

The following penalties may be applied.

As a result of a hearing, academic and disciplinary penalties may be applied. Mitigating circumstances will be taken into account when decisions are made.

- Student's mark or assessment grade may be reduced or disallowed, depending on how serious the academic misconduct appears to the College, or in accordance with the relevant Awarding Organisation Statement of Assessment and procedures.
- The student may or may not be allowed to take the unit/exam/test again. They can be required to complete a new piece of work to complete the unit, and this may be capped at a Pass grade.
- The use of AI bots such as CHatGPT in submitted coursework shall be regarded as an aggravation and a higher level of Disciplinary Action shall be taken.

*Mitigating circumstances (relating to the student) will be taken into consideration when determining if the sanctions identified in the table below need to be revised.*

Level	1st offence	2nd offence	3rd offence
<b>Coursework assessment</b>	Written Warning	Final Written Warning	Exclusion
<b>In formal examinations</b>	Final Written Warning	Exclusion	

In **all** cases where academic misconduct is proven, a note will be made in the student's ProMonitor record that Academic Misconduct has been proven and any penalty given by the College and the AO. This information may be used by the College if asked to provide a reference.

## 7. Appeals

The student will be offered the opportunity to appeal the decision under the Student

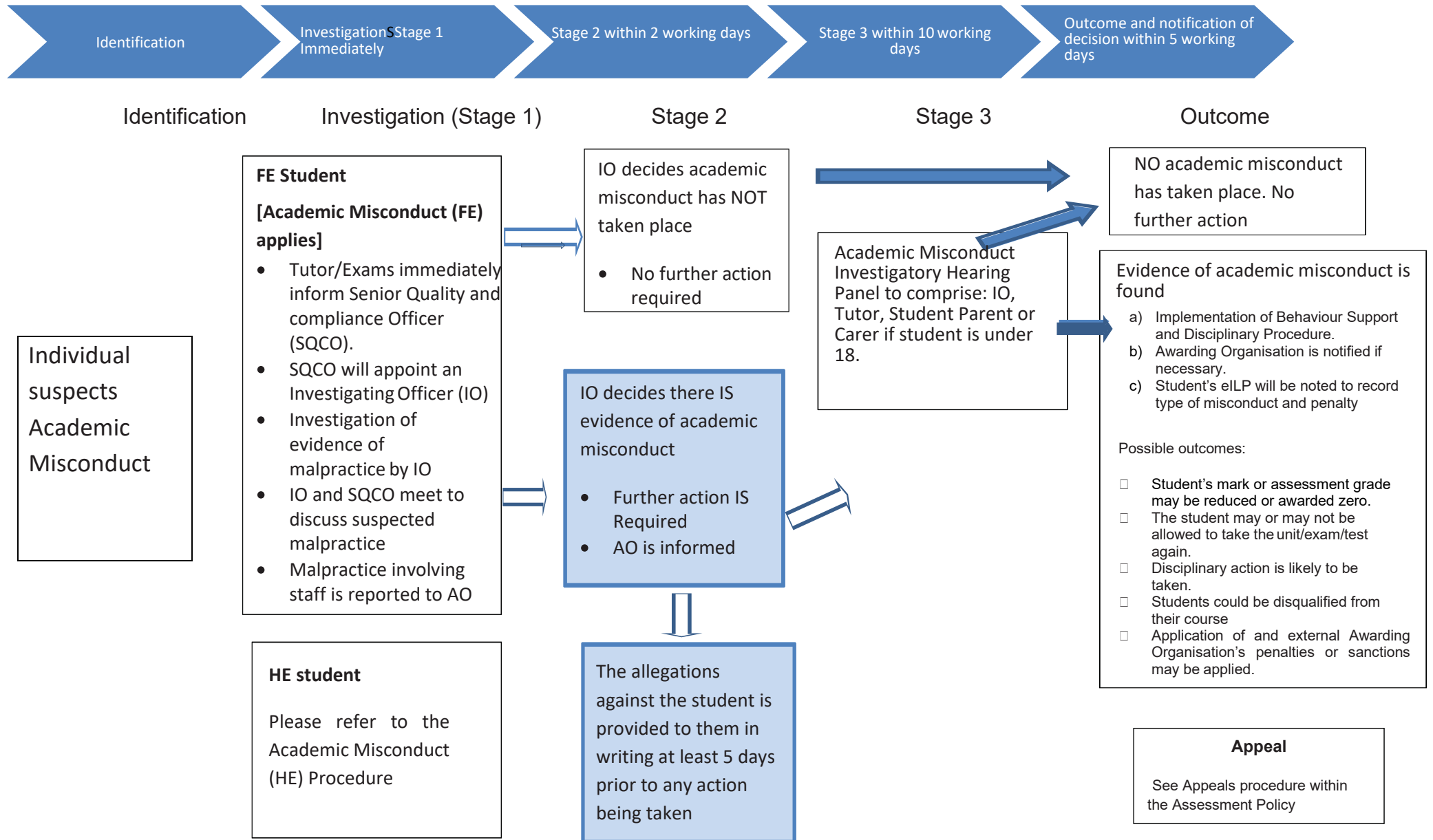
Behaviour Support and Disciplinary Policy and JCQ Suspected Malpractice in Examinations and Assessments: Policies and Procedures.

## **8. Associated Policies and Procedures from external sources**

**Joint Council for Qualifications (JCQ) Regulations** - Instructions for Conducting Examinations (<http://www.jcq.org.uk/exams-office/ice---instructions-for-conducting-examinations> )

**Suspected Malpractice in Examinations and Assessments**  
(<http://www.jcq.org.uk/exams-office/malpractice> )

## Appendix A: Malpractice and Maladministration Flow chart





## **Appendix B: Identifying AI generated content.**

Triangulate by using Turnitin and any two of these. If the piece of work shows as AI on 2 of 3, then there is an Academic Misconduct case to be answered

Allows upload of files.

[ZeroGPT - Chat GPT, Open AI and AI text detector Free Tool](#)

25K characters and works on a range of AI

[AI Detector Checks GPT-4, ChatGPT, and Bard Created Content \(contentatscale.ai\)](#)

1500 characters only; but very accurate

[AI Content Detector | GPT-4, GPT-3, & ChatGPT - Writer](#)