



# Bradford College Academic Misconduct Procedures

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## Revision history

Version	Type (e.g. replacement, revision etc...)	Date	History (reason for changes)
V1	College has previously utilised the procedures of awarding bodies. These procedures brings together broad guidance across all awarding organisations to support staff and students to understand their obligations.	June 2022	New policy and procedures: bringing together guidance relating to academic misconduct to ensure transparency and accessibility.
V2	Annual updating	August 2023	Changes to job titles and ownership. Section 13.7 added regarding UoB appeals.

## Monitoring and review

These procedures will be reviewed by the Academic Board and Senior Leadership Team every two years.

# Bradford College Academic Misconduct Procedures

## 1. Summary and Scope of Procedures

This document outlines the procedures which the college employs when a student is suspected of committing academic misconduct. This document should be read alongside the regulations of the awarding or validating body.

## 2. Roles and Responsibilities

All Higher Education academic and support staff are responsible for:

- Understanding the Academic Misconduct Policy and Procedures
- Understanding their responsibilities to act on suspected cases of academic misconduct in a timely way and in line with procedures
- Engage with advice and guidance relating to academic misconduct to ensure that all action taken complies with the procedures of the college and relevant awarding organisation.

The Senior Leadership Team are responsible for:

- Ensuring that the college discharge their responsibilities relating to academic misconduct in an appropriate and effective manner
- Overall responsibility and accountability for the management of academic misconduct procedures at the college
- Ensuring that mechanisms are in place to verify a consistent approach to the way academic misconduct is managed, monitored, reviewed and reported
- Ensuring that information relating to academic misconduct is effectively used to drive continuous improvement of good academic practice and the college's commitment to upholding the highest levels of academic integrity.

The Quality Team are responsible for:

- Discharging efficient and effective administrative processes to support the College in handling cases of suspected academic misconduct
- Liaising efficiently and in a timely manner with awarding organisations in relation to academic misconduct – and ensuring compliance with their procedures for reporting incidents of misconduct
- Recording accurate information regarding misconduct and adhering to GDPR guidance in the storage and retention of associated documentation
- Offering training and development to academic staff in relation to identifying academic misconduct and effectively utilising the procedures to support investigation
- Producing management information associated with the volume, characteristics and equality impacts of academic misconduct for the consideration of governance and management bodies in the College

## 3. Definitions

The College's Policy on Academic Misconduct includes definitions for academic misconduct that fall within the scope of these procedures including: Bribery, collusion, examination irregularities, falsification of results/data, impersonation, plagiarism, purchase/commissioning and theft.

## 4. Procedures for the Identification and Investigation of Academic Misconduct

### 4.1 Establishment of the Existence of a Case

- 4.2 An invigilator, tutor or assessor who suspects that a candidate has breached programme or College regulations in relation to academic misconduct should report this to [academicintegrity@bradfordcollege.ac.uk](mailto:academicintegrity@bradfordcollege.ac.uk) as soon as possible.

- 4.3 This report should be made on an Alleged Academic Misconduct Report Form, which is available on the Quality Department SharePoint site, within the Academic Integrity section.
- 4.4 The Head of Governance and Operations (or nominee) shall arrange for the Academic Misconduct records to be checked to ascertain whether this is the first offence, or whether previous offences of academic misconduct have been found. The investigator will be informed of this.
- 4.5 The Quality Department shall arrange for a copy of the Alleged Academic Misconduct Report Form to be sent to the Head of School/Curriculum Area Manager with responsibility for the programme (or their nominee) to undertake an investigation. Where the Head of School/Curriculum Area Manager is the person who has reported the suspected academic misconduct the investigation will be undertaken by another senior manager from another department. The investigator shall not be the member of staff who has reported the suspected academic misconduct.
- 4.5 It shall be the responsibility of the investigator to establish whether a case for academic misconduct exists. This decision is based on the evidence submitted by the member of staff reporting the suspected offence. In exercising this judgement, the investigator shall take in to account the extent of the alleged academic misconduct and any alleged intention of the candidate to deceive. The investigator may interview the reporting tutor and invigilators (in the case of examination irregularities) to seek clarification of the offence and evidence.
- 4.6 The investigator must judge whether the academic misconduct represents an intention to deceive, or whether it is an outcome of poor scholarship i.e. has the student neglected or omitted academic references because of a lack of competency in study skills? In reaching this judgement the investigator should take in to account the level of study of the student.
- 4.7 Where the judgement is one of poor scholarship then the work should be referred back to the marking process and marked accordingly to take in to account the poor scholarship in relation to the assessment criteria. Appropriate feedback to improve the student's referencing skills, and tutorial support (where necessary), must be provided. Students should also be referred to the guidance available in programme handbooks, and the various guides contained in the Study Skills section of the Learning Resources' Moodle site.
- 4.8 The investigator will normally make a decision within five working days (excluding bank holidays or discretionary closures) of receipt of the Alleged Academic Misconduct Report Form. The outcome of this decision will be informed to the student as either case dismissed, or referral to the next stage of investigation.
- 4.9 If the investigator decides that there is no case, all records that can identify the student in relation to the alleged academic misconduct shall be expunged from College systems. A record may be kept (that does not identify the student), for statistical purposes, indicating that there was no case to answer.
- 4.10 The College will make every effort to ensure that the procedures are applied so as to be accessible to students with disabilities. This will include offering additional advice and guidance, communicating with the student using accessible and clear language and referring the student to the Students' Union for additional impartial support.

## **5. Determination of Procedures**

- 5.1 If the investigator decides that there is a case for further investigation, then he/she shall at the same time determine whether the case is sufficiently minor that it may be dealt with informally, or whether it should be treated as a Minor or Serious Offence. The investigator will inform the Head of Governance and Operations

of the outcome via a decision form referring to the relevant awarding organisation regulations.

- 5.2 Where a number of incidents are reported concurrently within a limited timescale, normally in the same semester, and these are a first offence, they will be dealt with as a minor offence, in order that the student can receive appropriate advice and guidance on how to avoid academic misconduct in the future.
- 5.3 If the investigator decides that the matter may be dealt with as a minor offence, this will be notified to the Head of Governance and Operations, together with a date for the Minor Offence meeting. The Head of Governance and Operations (or nominee) will inform the student in writing of the allegation and the date for the meeting (see Section 3). All correspondence associated with this procedure will be sent to the student via the student's college e-mail address.
- 5.4 If the student expresses concern that the case will be heard by the investigator through the minor offence meeting, they may request it is heard by a panel, normally convened for serious offences. In this case, the panel shall normally take place within 15 working days of the referral from the investigator deciding that a case exists.

## **6. Minor Offence Procedures**

- 6.1 The following procedures shall apply in cases which are to be dealt with as a Minor Offence:
  - 6.1.1 The Head of Governance and Operations (or nominee) shall write to inform the student that they are required to attend a hearing with the investigator giving reasonable notice, normally within 10 working days of the investigator deciding that a case exists.
  - 6.1.2 The student will be sent the report of the allegation, together with, where practicable, a copy of the original work in which s/he is alleged to have committed the academic misconduct. This may not always be possible due to the volume of documentation or the nature of the academic misconduct. Where this is not possible the student is invited to contact the Head of Governance and Operations to arrange to view the work in advance of the hearing. The student will also receive a copy of the validating body's Academic Misconduct Regulations and Procedures.
  - 6.1.3 The student has the right to be accompanied at the meeting by one friend. The friend may be a fellow student or a member of staff from the Student's Union, or, if the student has a disability, a support worker, but may not otherwise be external to the College. It should be noted that the friend is there to support the student, not to answer questions or put forward a case in their stead.
  - 6.1.4 The investigator shall normally be accompanied at the hearing by a representative of the Head of Governance and Operations for the purposes of the provision of advice and the production of a formal record of the proceedings.
  - 6.1.5 The investigator shall have the power to conduct such investigations of the circumstances surrounding the allegation prior to the hearing as may seem to them to be appropriate to the case. If further investigations disclose matters that are considered to be serious then the investigator can refer the matter to be treated as a Serious Offence.

## **7.0 Minor Offence Panel Proceedings**

- 7.1 The Minor Offence Hearing will consist of:
  - The investigator (normally Head of School/Curriculum Area Manager)
  - The tutor reporting the alleged academic misconduct
  - The Head of Governance and Operations (or nominee)

- Student and their representative (where requested)

At the meeting, the investigator shall:

- 7.2.1 Confirm the status of the meeting as a Minor Offence within the wider validating body Academic Misconduct Regulations and Procedures; outline the process for the meeting and inform the student that a record will be made of the meeting. The outcome will be forwarded to the student within 5 working days of the meeting.
- 7.2.2 Introduce those present at the meeting, together with an explanation of their attendance.
- 7.2.3 State the precise nature of the alleged academic misconduct.
- 7.2.4 Outline the case against the student by the presentation of the evidence provided by the tutor who has reported the allegation.
- 7.2.5 Ask the student if s/he admits all or any of the allegations, and/or wishes to present any evidence/mitigation in support of their case.
- 7.2.6 If the student denies all or any of the allegation, the conduct of the hearing shall be fair and reasonable, to ensure that the student has the opportunity to present his/her case.
- 7.2.7 If the student does not attend on the date and time fixed for the meeting with the investigator, having given reasons for the non-attendance in advance, the investigator shall consider whether the reasons are valid. If the investigator decides that they are valid, then the hearing shall be adjourned to a later date to be arranged. If the investigator is not prepared to accept the reasons given as valid, he/she shall proceed in the student's absence on the basis of the evidence to hand and shall regard the student as having admitted no part of the allegation.
- 7.2.8 If the student fails to attend on the date and at the appointed time and has not given valid reasons for non-attendance, the investigator shall proceed in the student's absence on the basis of the evidence to hand and shall regard the student as having admitted no part of the allegation. If the student has submitted documentary evidence but does not attend the meeting, the evidence submitted will be considered.
- 7.2.9 The investigator will consider whether the case is proven or not proven, referring to the validating body's Academic Misconduct Regulations and Procedures and range of penalties.
- 7.2.10 The investigator may decide that the gravity and complexity of the case is such that s/he is unable to conclude on a decision as to whether the case is proven, and the matter is then referred to a Serious Offence. The Serious Offence Hearing shall be convened within 10 working days.
- 7.2.11 The decision of the investigator and the nature of any penalty being imposed shall be confirmed to the student in writing by the Head of Governance and Operations (or nominee), normally within 5 working days of the hearing conducted by the investigator.
- 7.2.12 Where an allegation has been admitted, or found proven, the outcome of the hearing shall be recorded on the Academic Misconduct systems maintained by the Head of Governance and Operations in order to inform the next Examination Board/Committee.
- 7.2.13 If the investigator decides that the case is not proven all records that can identify the student in relation to the alleged academic misconduct shall be expunged from College systems. A record may be kept (that does not identify the student), for statistical purposes, indicating that the case was dismissed. The Head of Governance and Operations (or nominee) will confirm this outcome to the student in writing.

## 8. Serious Offence Procedures

The following procedures shall apply in cases which are to be treated as a Serious Offence.

### 8.1 Composition of a Serious Offence Panel

Where the decision has been made to refer a case to a Serious Offence Panel, the Head of Governance and Operations will convene, on behalf of the Academic Board, a Serious Offence Hearing with the following composition:

- Chair – A member of the College SLT or a Head of Department
- A Senior Academic (Higher Education) from the same subject area
- A Senior Academic (Higher Education) from an independent subject area
- A validating body representative (if appropriate and available)
- A student representative, if available

*Together with:*

- The Head of Governance and Operations (or nominee)
- The lecturer alleging the academic misconduct
- The student (and representative)

The membership of a Serious Offence Panel shall remain constant throughout the hearing of any particular case and the Chair shall be present throughout.

The Head of Governance and Operations (or nominee) shall be present throughout the hearing for the purposes of the provision of advice and the production of a formal record of the proceedings.

### 9.1 Notification of a Serious Offence Hearing

- 9.1.1 At least 5 working days before the date fixed for the meeting of the Serious Offence Panel, the Head of Governance and Operations (or nominee) shall inform the student in writing of the date, time and place for the hearing, and the allegation which has been made.
- 9.1.2 The student shall be notified that s/he may be accompanied at the hearing by a friend, who must be a student of the College or an officer of the Students' Union. In incidences where the student has a disability or learning difficulty, a student worker may attend.
- 9.1.3 The student will be sent the report of the allegation, together with, where practicable, a copy of the original work in which the s/he is alleged to have committed the academic misconduct. This may not always be possible due to the volume of documentation or the nature of the academic misconduct. Where this is not possible, the student is invited to contact the Head of Governance and Operations to arrange to view the work in advance of the hearing. Where a student has been referred from a Minor Offence Hearing, and has already had access to this material, this will not be resent but must be referenced in correspondence.
- 9.1.4 The student shall be informed that s/he may present written evidence to contest their case and/or in mitigation and/or character references. This written evidence should, preferably, be forwarded to the College in advance of the hearing date but if this is not possible the student may bring it to the Serious Offence Panel.
- 9.1.5 At least 5 working days before the meeting the Head of Governance and Operations (or nominee) will provide the Serious Offence Panel members with a copy of the electronic paperwork relevant to the case i.e:
- Notification of the date; time and venue of the hearing.
  - The report of the allegation.

- The work under investigation. Where this is impracticable, additional meeting time will be scheduled in order to give members access to the materials and sufficient time to consider the implications of these.
- The associated regulations and procedures.

## 10.1 Serious Offence Hearing Proceedings

- 10.1.1 The Chair will confirm that the procedure being followed is that of a Serious Offence Hearing within the validating body's academic misconduct regulations and procedures. The process for the Panel must be outlined, and the student must be informed that a formal record of the Panel will be taken. Correspondence confirming the recommended penalty will be forwarded to the student within 5 working days.
- 10.1.2 Those present at the Serious Offence Panel must be introduced and an explanation given for their attendance.
- 10.1.3 The precise nature of the alleged academic misconduct by the student must be stated.
- 10.1.4 The case against the student will be outlined by the presentation of evidence submitted by the lecturer (or nominee who should be from the same course team).
- 10.1.5 The student will be allowed to respond to the allegation and make any relevant statements.
- 10.1.6 The Serious Offence Panel shall make every attempt to conclude its proceedings at one meeting; however, if at any time evidence is brought forward which needs further investigation, the Serious Offence Panel will be adjourned and a time and date agreed for it to be reconvened. No more than one of its members may be absent when it is reconvened; where such a member is absent, that member may not subsequently re-join the proceedings.
- 10.1.7 A period for general discussion will be allowed, during which both sides can ask factual questions and provide explanations of points which have been raised. The student will be entitled to ask questions of the member of staff alleging academic misconduct and the member of staff will be entitled to ask questions of the student.
- 10.1.8 At any stage in the proceedings, members of the panel may question the lecturer alleging the academic misconduct, the student or the student's friend on a point of clarification.
- 10.1.9 The Student will be invited to advise the Serious Offence Panel of any mitigating circumstances they feel should be taken into consideration. If, after consideration, the Panel decides that the mitigating circumstances are legitimate and relevant to the case, this will only affect the decision on the penalty to be awarded and not the decision as to whether academic misconduct has occurred. Where additional evidence is required to support mitigating circumstances, this should be requested and ratification of the decision deferred until the evidence is received. Students must also be advised that any mitigating circumstances considered by the panel will only apply to the assessment that is the subject of the allegation.
- 10.1.10 The main points concerning the alleged academic misconduct and the statements provided by both sides will be summarised by the Chair to ensure that nothing has been overlooked by either side.
- 10.1.11 After hearing the evidence, the non-panel members, with the exception of the Head of Governance and Operations (or nominee), will leave the panel. The Serious Offence Panel members will consider all the points raised and any reason given by the student to explain their conduct. The panel members will decide

whether there is clear, strong and cogent evidence of academic misconduct and if so, the nature and extent of the academic misconduct. Decisions regarding the penalties to be recommended must take full account of all the evidence available.

10.1.12 The Hearing will be guided in the penalties it imposes by Annex C: Range of Penalties set out In University of Bolton Academic Misconduct Regulations and Procedures or Annex D: Penalties set out for use on programmes awarded by other associated awarding bodies (e.g. Pearson Education Ltd.).

10.1.13 When a conclusion has been reached, the non-panel members will be invited back into the panel and informed of the outcome. The student must be provided with an opportunity to seek clarification if they wish.

10.1.14 Students found guilty at a Serious Offence Panel will be informed at the conclusion of the meeting of the decision as to whether academic misconduct has occurred and the penalty.

10.1.15 If it becomes apparent that there is no firm basis for the allegation of academic misconduct, or the student has provided an adequate explanation such that the allegation can be withdrawn, then the proceedings must be stopped and the case dismissed. The Head of Governance and Operations (or nominee) will inform the student in writing, normally within 5 working days, noting that the grade/mark, without penalty, will be reported to the Examination Board/Committee. No record will be kept that identifies the student as having been investigated.

10.1.16 In reaching its decision, the Hearing shall have available to it the student's entire academic record at the College, full details of the student's assessment performance.

#### **11.0 Non-Attendance of a Student at a Serious Offence Panel**

11.1 If the student does not attend on the date and at the time fixed for the Serious Offence Panel, having given reasons for the non-attendance in advance, the Chair of the panel shall consider whether these reasons are valid. If the Chair feels that they are, the panel shall adjourn its proceedings to a later date, to be arranged. If it is not prepared to accept the reasons given as valid, the panel shall proceed in the student's absence and shall regard the student as having admitted no part of the allegation.

11.2 If the student does not attend on the date and appointed time but chooses to submit documentary evidence, the meeting will go ahead in the student's absence and consider the case based on the evidence submitted by the lecturer and student.

11.3 If the student fails to appear on the date and at the appointed time and has not given reasons for non-attendance, the panel shall proceed in the student's absence and shall regard the student as having admitted no part of the allegation.



## 12.0 Outcome

- 12.1 The decision of the panel and the nature of any penalty being imposed shall be confirmed in writing to the student by the Head of Governance and Operations (or nominee) to the student within 5 working days of the hearing.
- 12.2 Where an allegation has been admitted or found proven, the outcome of the Serious Offence shall be recorded on the Academic Misconduct systems maintained by the Head of Governance and Operations in order to inform the next Examination Board/Committee.

## 13.0 Appeals

- 13.1 A student who has been found by a Serious Offence Panel or investigator to be guilty of academic misconduct may appeal against the decision on any or all of the following grounds:
- The penalty is inconsistent with the type and degree of academic misconduct found;
  - Further information is now available that would have meant that the panel would have made a different decision had that information been available at the time; [Note: if students wish to appeal on such grounds, they must give adequate reasons with supporting documentation why this information was not made available prior to the decision being made];
  - That there was a material administrative error or procedural irregularity in the conduct of the Hearing of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred.
- 13.2 The student must present the appeal to the Head of Governance and Operations within 10 working days of the date of the Serious Offence Panel or the Minor Offence Hearing unless the student can evidence good reason for being unable to comply with this requirement.
- 13.3 The appeal must comprise the appeal form setting out in writing and in full the grounds for and the nature of the appeal. Where appropriate, supporting documentary evidence should also be presented.
- 13.4 Students may approach the Students' Union for assistance with the preparation or submission of an appeal.
- 13.5 Grounds for appeals shall be considered in the first instance by the Head of Governance and Operations. If there are grounds for appeal, the Head of Governance and Operations will convene an appeal panel consisting of members independent of the original panel. This panel shall normally be chaired by the Vice Principal, Quality & Student Experience (or their nominee from the college's senior leadership team). All the documentation relating to the case shall be made available to the appeal panel including the report of the Serious Offence Panel.
- 13.6 If it is held at this stage that there is not a case for consideration, the appeal is dismissed by the College.
- 13.7 Students studying on a programme validated by the University of Bolton, may request that their appeal outcome be sent to them for consideration.
- 13.8 The College's Complaints Procedure may be invoked where an appellant is not satisfied with the outcome of the appeal.

## 14.0 Monitoring and Analysis

- 14.1 The Head of Governance and Operations (or nominee) will complete annual reports for the Academic Board and monitor and analyse statistical data relating to Academic Misconduct. Quarterly reports on the volume and outcomes of Academic Misconduct activities will be considered by the Performance Review

panel. All data provided for analysis and review will ensure that individual students cannot be identified.

## **15.0 Related Policies and Procedures**

- Bradford College Academic Misconduct Policy
- Positive Behaviour Policy and Procedures
- Awarding Organisation Policies and Procedures relating to Academic Misconduct/ Breaches of Assessment
- Staff Disciplinary Policy
- Professional, Statutory and Regulatory Bodies' policies and procedures relating to academic misconduct