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Reference:	Q&C03_01 Procedure_Malpractice /Academic Misconduct_HE
Policy:	**Higher Education Academic Misconduct Procedure**
Owned by:	Senior Quality and Compliance Officer
Approved by:	Academic Board
Reviewed by:	Senior Quality and Compliance Officer
Review date:	May 2025 Version: 2
Date of next review:	**August 2028**

Please contact us on 01904 770132 or email us at qi-admin@yorkcollege.ac.uk if you would like this document in an alternative format or if you have any questions about all or part of this document.

To ensure version control, please do not print this document – as tomorrow it could be out of date.

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

Higher Education Academic Misconduct Procedure – see appendix 1 for flow chart

1. Introduction

Academic Integrity involves a commitment to the core values of honesty, trust, fairness, respect and responsibility in all academic endeavours. The QAA Academic Integrity Advisory Group advice and guidance has been followed in the preparation of this procedure. York College has signed the QAA Academic Integrity Charter as evidence of the commitment it has to ensuring that work submitted by its staff and students has academic integrity.

Individuals sometimes fail to act with academic integrity to gain an unfair advantage in an assessment. This is often termed **academic misconduct** and it will be dealt with by the College in accordance with the procedure set out below. In the content of this policy, academic misconduct includes unintentional acts, where students have not familiarised themselves with good academic practice.

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/Validating Partner/Validating Partner. 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. The procedures associated with this policy are not contractual in nature and there is no right to compensation for any amendment to the procedures.

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.

2. Scope and Definitions

2.1 Scope

The following policy and procedures apply to all Higher Education programmes at York College.

2.2 Forms of academic misconduct

Academic misconduct may take a number of forms. The following is not an exhaustive list but academic misconduct includes:

- Plagiarism: this happens where you incorporate the work of others (published or unpublished) in your own work without properly acknowledging it. You are effectively claiming ownership for work that it not your own. This includes word for-word borrowing as well as copying with minor changes. "Work" is not limited to text, but also includes statistics, assembled facts or arguments, figures, photographs, pictures or diagrams. You must follow the correct referencing guidelines provided by your team.
- Self-plagiarism, i.e. using the same work that you submitted for a previous summative assessment
- Using an essay-writing service, buying or otherwise obtaining work online or elsewhere which you then submit for an assessment. Commissioning an essay is fraud (and the most severe penalty, termination of your programme, may apply)
- Fraudulent or fabricated coursework, such as reports of practical work that is untrue and/or made up; fabrication of research or dishonest interpretation of data; unethical research practice.
- Cheating in exams e.g. through impersonation, taking in unauthorised materials or mobile phones, copying from other candidates or from notes
- Collusion: submitting work produced jointly with another student (save where the terms of the assessment require collaboration)
- Deception, for example faking mitigating circumstances or forging a signature relating to a placement.

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 Machine Learning / Artificial Intelligence systems, such as ChatGPT, as part of their research and not as part of their submitted work. The format '<AI site>, <URL>, Date>must be used in the text. Students must retain a non-editable copy of the question(s) and computer-generated content for reference and authentication purposes and provide a brief explanation of how it has been used

4. Staff responsibilities

4.1 Prevention of the occurrence of academic misconduct

Staff must:
- 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.
- Include statements on academic misconduct in the student handbook, signposting to College policies
  to ensuring consistency throughout the College.
- Provide students with guidance on the format of formal referencing of source material which is expected within the course they are taking.
- 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 aremore detectable. This might include:

- Using Turnitin (similarity and authenticity detection software).
- Changing assignment topics yearly and designing assignments that do rely entirely on text submitted electronically.
- Making all assignments tailored to their students and not making use of generic assignments from Validating Institutions unless they must do so. Tasks for centre-devised assignments should be topical, current and specific, and require the creation of content which is less likely to be accessible to AI models trained using historic data
- Getting to know the style of students' writing/submissions early in the course.
- Comparing subsequent work to initial assessment tests and examining intermediate stages in the production of work in order to ensure work submitted represents a natural continuation of earlier stages.

- Allocating time for sufficient portions of work to be completed in class under direct supervision.
- Introducing classroom activities that use the level of knowledge/understanding achieved during the course
- Engaging students in a short verbal discussion about their work to confirm it reflects their own independent work, where appropriate.
- Checking work for the presence of writing from AI applications should they suspect its use. (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 Curriculum and Standards Manager (CSM) who will ensure that there is an investigation of the suspected academic misconduct in order to establish the facts of the case and who will ensure appropriate action is taken, utilising the proper disciplinary procedures if appropriate.

5. **Academic Misconduct Investigations where work has been submitted – see appendix 2**

Where academic misconduct is suspected in summative work i.e. the work has been formally submitted to the tutor for marking with 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 CSM, 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 serious the case appears. The IO will consult with the tutor and/or progress tutor to establish if there is evidence of academic misconduct. A HE Academic Misconduct Record will be completed as the investigation is carried out.

  If it is established that there is evidence to warrant an investigation the suspected academic misconduct will be discussed with the student in a private meeting with the student's Progress Tutor if appropriate. This discussion should be arranged immediately**.**

- The allegations must be recorded on the HE Academic Misconduct Record form

and sent to HE Co-ordinator with the evidence to support them (Turnitin/Turnitin Reports. Statements from staff etc.) and within 5 working days of the above discussion.

- SQCO will review the evidence and make a decision as to whether a hearing is required as soon as possible after the evidence is provided to QI-Admin@yorkcollege.ac.uk. If a hearing is required it will be arranged as soon as possible after the decision is made.

- An Academic Misconduct hearing, chaired by SQCO or a nominated replacement, may beheld with representation from the Investigating Officer, the student and their supporter, with the Deputy Head of HE, Progress Tutor and/or Award Leader, 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 also of the Student Behaviour Policy. Hearings must be conducted for all cases involving coursework but for misconduct in an examination room may not be necessary.

- The Academic Misconduct hearing will be convened within 10 working days of the written notice to the student.

- If the student is working towards an exam or summative assessment, the relevant Awarding Organisation/Validating Partner may be told what has happened in accordance with their policies/procedure
  - The student will be informed of the outcome of the Academic Misconduct hearing in writing within **2 working days** of the hearing.
  - The student will be informed of any Awarding Organisation/Validating Partner/Validating Partner sanctions within **5 days** of the receipt of the information in College.

It is the College's responsibility to establish that academic misconduct is more likely than not to have taken place. Where relevant, other college policies and procedures may be used as well as or insteadof this policy and procedure, such as Fitness to Study or Student Behaviour Policy.

This procedure shall be implemented with due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations. The procedure applies equally to all students irrespective of age, disability, gender reassignment, pregnancy or maternity, race, ethnic origin or national identity, religion or belief, sex or sexual orientation.

The College is committed to procedures that are fair and transparent, and decisions that are reasonable and have regard to law.

What happens if you are suspected of academic misconduct?

There is insufficient evidence to justify a finding of academic misconduct. If so, no further action will be taken under these procedures. OR
The matter should be considered poor scholarship rather than academic misconduct. No further action will take place under these procedures, although the poor scholarship will be taken into account through the normal marking process. The finding will be noted on your student record and may be taken into account in the context of any future allegations that you have committed academic misconduct.
OR
There is a case to be answered that academic misconduct has indeed taken place. You will be informed of this decision.

Whichever decision is made, you may be referred to appropriate support and guidance to develop your academic skills. This may include, for example, a referral to the relevant staff member. If you fail to take up the support offered, this will be considered negatively should any further allegation of academic misconduct be made against you.

6.   Penalties – see appendix 3
The following penalties may be applied. Please see appendix 3 for full Amber Tariff penalties.

- Student's mark or assessment grade may be reduced or awarded zero, depending on how serious the academic misconduct appears to the College, or in accordance with the relevant Awarding Organisation/Validating Partner Statement of Assessment and procedures.
- The student may or may not be allowed to take the unit/exam/test again.
- Disciplinary action may be implemented. Students could be disqualified from their programme
- Students may be excluded from the College.

The penalty may be made more or less severe depending on the evidence available. Relevant factors may include amount of your work affected by the academic misconduct, the level of your studies, whether you knowingly committed the offence, and the level of deception involved. You may ask for other factors to be considered, but please note that personal difficulties are unlikely to be seen as excusing academic misconduct. A penalty will not be reduced based on the fact that you ran out of time to complete your work or you mistakenly submitted a draft rather than a final version.

No mark is awarded or credit assigned for work affected by academic misconduct. The penalties below are examples of how you may be permitted to resubmit work, with the opportunity to be awarded credits, provided that the resubmitted work is free from academic misconduct, and of a passing standard. Resubmitted work that is not of a passing standard may nevertheless be accepted as sufficient to enable progression or

an award if it satisfies the requirements of a 'serious attempt".

You may be obliged to undertake an alternative assessment. You will only be permitted to resubmit work where you are entitled to another resubmission attempt in accordance with the college regulations. If the academic misconduct affects resubmitted work, you will not normally be entitled to a further attempt.
In all cases where academic misconduct is proven, a note will be made in the student's ProMonitor record of the allegation; the outcome and any penalty given. This information may be used by the College if asked to provide a reference.

The college will retain and dispose of all correspondence relating to case of academic misconduct in accordance with its policy.

A report on academic misconduct cases and their outcomes will be produced annually and submitted to the HE Academic Board for consideration. This process will ensure appropriate monitoring of all academic misconduct cases and related outcomes.

The use of any assistance to produce work, either human or machine e,g, Essay mills, AI bots such as ChatGPT, in submitted coursework shall be regarded as an aggravation and a higher level of Disciplinary Action shall be taken

TABLE 1 – POTENTIAL PENALTIES; INDICATIVE ONLY *Mitigating circumstances (relating tothe student) will be taken into consideration when determining if the sanctions identified in table 1 below need to be revised.*

Level	1st offence	2nd offence	3rd offence
4	*For capped mark (written Warning)*	*For credits only (Final Written Warning)*	*Termination of studies*
5	*For capped pass (Written Warning)*	*For credits only (Final Warning)*	*Termination of studies*
6 or more	*For credits only (Final Warning)*	*Termination of studies*	
Taught Postgraduate (level 7)	*For credits only (Final Warning)*	*Termination of studies*	

These procedures are approved by York College when the programme is validated. You should be able to access information about these procedures. You will receive the decision in the writing. It will be communicated to York College along with the supporting evidence, within 10 working days of the decision being made.

7.   Appeals
If you remain dissatisfied with the outcome, you have the right to appeal to the Deputy Principal. The appeal should be submitted within seven working days from the date on the outcome letter.

The only grounds on which you can appeal are as follows:

a The decision of the Committee was unreasonable in the light of the evidence available.
b The procedure of the hearing was deficient in a way which materially prejudiced your case.

Your appeal will be reviewed by the Director of Curriculum (HE Lead) or nominee, and this decision will be final with regard to York College procedures. This review will normally limit itself to the written material relating to the case at all previous stages along with your appeal form. However, the Director (or nominee) reserves the discretion to interview you and/or other relevant individuals.

If you are still dissatisfied, you may be able apply for a review by the validating HE institution or the Office of the Independent Adjudicator for Higher Education.

8 Office of the Independent Adjudicator for Higher Education

The Office of the Independent Adjudicator for Higher Education (OIA) is an independent body which was established by the Higher Education Act 2004 to consider student complaints which had not been resolved through an institution's internal procedures. It became the statutory body for dealing with such student complaints on 1st January 2005. If you receive a Completion of Procedures letter from us and you remain dissatisfied with the outcome, you may ask the OIA to review your case. You must normally apply to the OIA within twelve months of the date of the Completion of Procedures letter. his service is free to students. More information can be found on the OIA website: www.oiahe.org.uk

Appendix 1: HE Academic Misconduct Process

Tutor suspects Academic Misconduct

Stage 1

Please refer to the HE Academic Misconduct Policy. Inform HoQI who will appoint IO who will complete the necessary forms.

Stage 2

IO Decides academic misconduct has NOT taken place
No further action required

IO Decides there IS evidence of academic misconduct
Further action IS required

The allegations against the student is provided to them in writing at least 5 days prior to any action being taken

Stage 3

Academic Misconduct Hearing Panel to comprise: SQC   IO, Tutor, Student, and/or student representative

Outcome

No academic misconduct has taken place. No further action

Or

Outcome- Evidence of academic misconduct is found.
a) Implementation of Student Behaviour Policy
b) Awarding Organisation/Validating Partner (AO) may be notified where appropriate
c)Student's ILP will be noted to record type of misconduct and penalty. Possible outcomes:

- Student's mark or assessment mark grade may be reduced or awarded zero, depending on how serious the academic misconduct appears to the College, or in accordance with the relevant Awarding Organisation/Validating Partner statement or Assessment procedures.
- The student may or may not be allowed to take the unit/test again.
- Disciplinary action may be implemented.
- Students could be disqualified from the course.
- Students may be excluded from the College.
- Application of external AO's penalties or sanctions may be applied. For a list of these please see the Academic Misconduct Policy

Appeal

For further information please refer to the Appeals procedure

ACADEMIC MISCONDUCT ALLEGATION PROFORMA

Details to be completed by member of staff bringing allegation

Name of student	
Student number	
Title of course	
Level	
Curriculum Area	
Module name	
Module code	
Name of Module Leader	
Name of assessment under investigation	
Weighting / Credit value of Assessment under investigation	
First Offence (please state) **If no, please state how manyprevious offences**	Yes/No
Nature of allegation: Please state which of the following is alleged	Choose an item
If irregular behaviour in examinations please give the main points from the invigilators report	

Turnitin **State whether Turnitin or any other text matching devices have been used**	
Name of Award Leader:	
Signature of Award Leader	
Signature of Course/ Programme	
Date:	

Please note:

- A copy of this form will be sent to the student **before** the meeting and should contain enough information for them to understand the allegation being brought against them
- **At the meeting**, copies of work, highlighted to show the relevant sections, and copies of any available sources also highlighted and mapped to the sections in the student work, will be presented
- In cases involving collusion the names of all students should be identified and students will be informed of the allegation and meeting at the same time.

Appendix C: Identifying AI generated content.

Triangulate by three checkers (Turnitin AI checker and any 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

2000 characters only; but very accurate

AI Detector | ChatGPT, Claude, Gemini | Sapling

Track Changes

Policy: HE Academic Misconduct
Version: Version 1 to Version 2
Date: 16.5.25

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The format '<AI site>, <URL>, Date>must be used in the text. Students must retain a non-editable copy of the question(s) and computer-generated content for reference and authentication purposes and provide a brief explanation of how it has been used

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- Using Turnitin (similarity and authenticity detection software).
- Changing assignment topics yearly and designing assignments that do rely entirely on text submitted electronically.
- Making all assignments tailored to their students and not making use of generic assignments from Validating Institutions unless they must do so. Tasks for centre-devised assignments should be topical, current and specific, and require the creation of content which is less likely to be accessible to AI models trained using historic data
- Getting to know the style of students' writing/submissions early in the course.
- Comparing subsequent work to initial assessment tests and examining intermediate stages in the production of work in order to ensure work submitted represents a natural continuation of earlier stages.
- Allocating time for sufficient portions of work to be completed in class under direct supervision.
- Introducing classroom activities that use the level of knowledge/understanding achieved during the course
- Engaging students in a short verbal discussion about their work to confirm it reflects their own independent work, where appropriate.
- Checking work for the presence of writing from AI applications should they suspect its use. (See Appendix B)

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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)

Triangulate by three checkers (Turnitin AI checker and any 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.

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Header and footer changes

Text Box changes

Header and footer text box changes

Footnote changes

Endnote changes