

# Academic Regulations - Academic Misconduct

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**Approved by:** *Academic Committee*  
**Approval date** *06/07/2022*

## Academic Misconduct

### 1. Purpose and Definitions

1. The purpose of this regulation is to:
  - a. Ensure that Regent's University London and its students have confidence in the values and basis of the awards made; and
  - b. Outline the University's expectations of learners at all stages of study and the responsibilities of students and staff members in meeting these expectations and upholding academic integrity; and
  - c. Provide a consistent and coherent approach to the progression of matters under this regulation.
- 1.2 'Academic Misconduct' is defined as a student attempting to, successfully or unsuccessfully, obtain for themselves, or another student, an unfair advantage with a view to achieving a higher grade, mark or more favourable outcome that they would otherwise secure. Any attempt to convey deceitfully the impression of acquired knowledge, skills, understanding or credentials, shall represent a contravention of the regulations and may constitute grounds for exclusion.
- 1.3 'Poor Academic Practice' means an unintended breach of academic practice or contravention where there has been no attempt to gain an unfair advantage and it has occurred because of poor study skills.
- 1.4 As an academic community, the University must ensure students are given a fair and equitable chance of success in its courses. This includes ensuring that no student gains an advantage for themselves or another unfairly and outside the rules and regulations of the course and University.
- 1.5 Students are responsible for being aware of and familiar with the assessment requirements and these regulations. Ignorance of rules and regulations is not a defence.
- 1.6 There are not usually any valid extenuating circumstances for engaging in academic misconduct.

### 2. Types of Academic Misconduct

- 2.1 **Plagiarism**, which means passing off another person's work, ideas or expression of an idea as a student's own work, for example:
  - The act of copying or paraphrasing a paper from a source text, whether in manuscript, printed or electronic form, without appropriate acknowledgement (this includes quoting directly from another source with a reference but without quotation marks);
  - The commissioning or use of work by the student which is not their own and representing if it were;
  - The submission of all or part of work purchased or obtained from a commercial service;
  - The submission of all or part of work written by another person;
  - The reproduction of the same or almost identical own work, in full or part, for more than one module or assessment (self-plagiarism). This does **not** include those assessments where the participant is permitted or required to develop previously assessed work into a larger argument; or

- Directly copying from a model/solution/answer made available in previous years.
- 2.2 **Collusion**, which means that a piece of work is produced with the support of another person or people when it should have been prepared and completed by a student working individually.
- 2.3 **Fabrication of Falsification of Results**, which occurs when a student claims to have carried out tests, experiments or observations that have not taken place or presents results not supported by the evidence with the object of obtaining an unfair advantage. This also includes practical work, number of hours completed, oral presentations, interviews, and reports.
- 2.4 **Cheating**, which consists of attempts to complete an examination, in-class test (including remote examinations) by unfair means, including but not limited to:
- Deliberately acquiring advance knowledge of the content of an examination or in-class test;
  - Obtaining help from others in a manner not explicitly permitted, including the use of mobile phones or other electronic device and/or accessing the internet and/or stored information in whatever form and use thereof;
  - Bringing into the examination or test any unauthorised materials or information;
  - Communicating or attempts to communicate with other students; or
  - Copies or attempts to copy from another student.
- 2.5 **Impersonation**, this is the assumption by any person of the identity of a student with intent to deceive or gain an unfair advantage.
- 2.6 **Failure to meet legal, ethical and professional obligations**, for example:
- Not observing legal, ethical and other requirements for human research participants;
  - Not observing legal, ethical and other requirements for the protection of the environment;
  - Breach of duty of care for humans involved in research whether deliberately, recklessly or by gross negligence, including failure to obtain appropriate informed consent.
  - Misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality.

### 3. General Principles

- 3.1 Regent's University London values a culture of honesty and mutual trust in its academic endeavours and academic integrity and expects all members, students and staff, to respect and uphold these core values.
- 3.2 The University will provide advice and guidance to students on academic integrity and what constitutes academic misconduct and make students aware of these regulations and the possible outcomes of proven academic misconduct. Students have a responsibility to be aware of the expectations and regulations and to take responsibility for the academic integrity of their own work.

- 3.3 If a student becomes aware of academic misconduct, they should report their suspicions to the Director (Content).
- 3.4 Any participant who is alleged to have been involved in an act of academic misconduct shall have access to Regent's University London Students' Union support and advice at all stages of the procedures contained in these regulations.
- 3.5 Where assessments are text based, they must be submitted in an electronic format so that text matching technology can be used. The University reserves the right to use electronic software for the purposes of detection of suspected academic misconduct. External Examiners shall also have the right to request access to this.
- 3.6 Decisions taken under this regulation by a member of staff or panel shall be made on the basis of the balance of probability and take full account of the principles of natural justice, fairness and equity.
- 3.7 The University reserves the right to monitor incidences of academic misconduct for the tracking of any individual and for the provision and sharing of data to external agencies as necessary.
- 3.8 Every student invited to an Academic Misconduct Panel has the right to submit a defence to present information in support of their case. They may also bring someone to support them at the panel, such as a friend, family member or Union representative.

#### **4. Academic Misconduct identification and investigation**

- 4.1 The initial responsibility for detecting instances of suspected academic misconduct in all forms of assessment rests with each individual academic marker, who need to be vigilant when assessing work.
- 4.2 During assessments, such as in-class tests and examinations, the detection will be the responsibility of the invigilator and/or member of staff overseeing the assessment.
- 4.3 Where an academic misconduct is suspected the regulations must be followed. It is not acceptable to ignore a potential matter and attempt to impose informal penalties.
- 4.4 The academic marker shall work in conjunction with the module leader when a concern is identified. They will use their judgement to decide whether the matter is poor academic practice or academic misconduct.
- 4.5 Where it is decided that the student's work displays some form of poor academic practice the academic marker will deal with this as part of the normal feedback and assessment procedures. The academic judgement of the academic marker may be that poor academic practice should lead to a significant reduction in the mark awarded or that the affected work should be set aside, and the remaining work marked as normal. The student must be informed of the nature of the problem and why it is unacceptable and a note of 'poor academic practice' shall be recorded in the student record.
- 4.6 Where the student displays some form of poor academic practice, but the student has not taken note of previous advice then the matter will be referred to be reviewed by the Academic Misconduct Panel who may determine an 'academic warning' is recorded on the student record.

4.7 Where the academic marker and module leader decide that the matter is deemed as an academic misconduct they will submit the relevant evidence and complete a report form and submit this to the Registry team.

### **Viva Voce procedure**

4.8 If an academic staff member suspects that the work submitted is not entirely the student's own work but there is not sufficient evidence to refer the matter then a viva voce must be scheduled.

4.9 The student must be informed of the reasons the viva voce is taking place and will be given a minimum of 24 hours' notice of the viva voce. The student may be asked to bring their sources and/or research data. This can be held via video conferencing if necessary.

4.10 If the student fails to attend the viva voce or requests an alternative date, then the student will be offered one further date. If the student does not respond or fails to attend the University will conclude that the student has chosen not to contest the allegation, where no reasonable explanation has been given within 5 working days. The matter will be referred to the Academic Misconduct Panel.

4.11 The attendees of the viva voce will normally be:

- Director (Content), or nominated representative; and
- An academic staff member with the knowledge of the relevant discipline, this will normally be the module leader.

4.12 Students should notify the Director (Content), or nominated representative, if they wish to be accompanied by a friend or otherwise supported. Students may not have legal representation.

4.13 During the viva voce the student will be asked questions relating to their submission(s), following the meeting the attendees will consider the student's responses and confirm whether:

- The student has satisfied the attendees that the submission is the student's own work, and no further action will be taken; or
- The student has not satisfied the attendees that the submission has been independently written and/or produced by the student and the matter will be referred to the Academic Misconduct Panel.

4.14 The student will be notified of the outcome of the viva voce in no later than 5 working days of the meeting.

## **5. Academic Misconduct Panel**

5.1 Once a matter has been determined to be progressed to the Academic Misconduct Panel the marker will provide Registry with the relevant evidence and report form. Registry will notify the student, normally via email with at least 3 working days' notice, the following information:

- Confirmation of the allegation and which assessment is being reviewed by the Panel;
- The date, time and location of the Panel (this may be held via video conferencing);
- The right to be accompanied by a friend or member of the Student Union;
- Provided with copies of the evidence which will be considered by the Panel;

- That there is no automatic right to postpone or rearrange the scheduled date and if the date is not convenient the student has the right to provide written submissions

- 5.2 The purpose of the Academic Misconduct Panel is to ensure that all alleged cases are investigated to determine if an academic misconduct has been committed and, if proven, that they are dealt with formally, and to uphold the academic integrity and consistency of approach across the University.
- 5.3 Every student invited to an Academic Misconduct Panel has the right to submit a defence to present information in support of their case. They may bring someone to support them at the Panel, such as a friend or a member of the Student Union.
- 5.4 The Academic Misconduct Panel will be 3 independent permanent members of academic staff, one of whom shall be Chair.
- 5.5 Members of staff involved in the detection of the allegation may attend the Academic Misconduct Panel to provide information, if necessary.
- 5.6 The Academic Misconduct Panel will determine if the matter is found proven, upon a majority decision, if it is substantiated based on a reasonable interpretation of the evidence and on the balance of probabilities.

## 6. Academic Misconduct Panel decisions and penalties

- 6.1 In making the decision the Academic Misconduct Panel should consider and apply the following criteria, this is not an exhaustive set of criteria:
- **Premeditation:** the student planned in advance to gain an unfair advantage (this makes it a more serious matter).
  - **Intention:** the student intended to gain an unfair advantage (the greater the intended unfair advantage, the greater the seriousness).
  - **Recklessness:** the student's behaviour was reckless and thus gained an unfair advantage.
  - **Circumstances:** the circumstances and location in which the misconduct took place (the greater the damage to Regent University London's reputation or impact to the academic integrity the greater the seriousness).
- 6.2 The Academic Misconduct Panel may impose one of the following outcomes or penalties:
- That no action of any kind will be taken. Where appropriate this may mean that the Academic Markers shall be instructed to mark the work normally;
  - That the matter should be considered as a matter of poor academic practice;
  - That an academic warning is noted on the student record, this is normally when a student has repeated poor academic practice;
  - To award a mark of zero to the relevant assessment component or entire module;
  - To award a mark of zero to the module and if passed credit for the module will be awarded in recognition of the learning outcomes being met, but the total module mark will be recorded as zero.

- Assigning a mark of zero for the entire term or academic year and permitting a repeat of these modules, any marks achieved on these modules will be capped at the pass mark;
- Reducing the student's aggregate weighted mark for the course, up to 15%;
- Capping the award classification available to the student for the course;
- A recommendation will be made to the Vice-Chancellor and Chair of the Academic Committee (or nominee) to expel the student from the University. The Vice-Chancellor and Chair of the Academic Committee will take the final decision as to the student's expulsion. Following an expulsion under this regulation a student will not be eligible to be readmitted onto any course of study at Regent's University London.

- 6.3 The student will receive the decision in writing, normally by email, within 5 working days of the Academic Misconduct Panel.
- 6.4 The outcome of the Academic Misconduct Panel will be noted by the Subject Board, who may not overturn the decision but may, if appropriate, review the penalty applied.
- 6.5 A student may lodge an appeal application under the Academic Appeal Regulation if they are dissatisfied with the outcome and their circumstances meet the available appeal grounds.

## **7 Retrospective Detection**

- 7.1 Retrospective detection is defined as the discovery of alleged academic misconduct in work that has been subject to final moderation, including by the relevant Board of examiners.
- 7.2 Regent's University London reserves the right to review work retrospectively and to apply the appropriate procedures, and where reasonable, the appropriate penalties as per this regulation.
- 7.3 Approval by a Progression and Finalist Board of a degree classification and/or award shall not prevent the reasonable application of retrospective review.