# [Academic Misconduct](#AcademicMisconduct" \o "This procedure is used where a member of academic staff thinks they have found some sort of malpractice or ‘cheating’. It is a way of fairly finding out if a student has done something wrong or if they just need more advice and guidance)

**Procedure to be followed where academic misconduct is suspected**

1. **Context**

* 1. *[Definition](#Definition" \o "This section 1.1 defines all the sorts of academic misconduct, e.g. describing what plagiarism means in an actual piece of work, or what counts as unacceptable when doing a research project)*

Academic misconduct is defined for this purpose as:

* + 1. An attempt by a student to complete an examination, project or other assessment by any means considered to be unfair.

This definition includes actions such as

* + - * Plagiarism (see below for more details)
			* unreasonable collusion between a group of students and
			* research misconduct (see below for more details)
			* falsifying results
			* taking unauthorised materials or devices into examination rooms without permission
			* other breaches of the [General Assessment Regulations](https://www.rvc.ac.uk/Media/Default/About/Academic%20Quality%2C%20Regulations%20and%20Procedures/Examiners%20and%20Assessment/General%20Assessment%20Regulations%20for%20Taught%20Courses%20from%202014-15%20onwards.pdf)
		1. If a student misrepresents a case of extenuating circumstances in order to gain extension to a deadline or any other advantage in assessment this shall be considered as academic misconduct.

The definition of plagiarism used by RVC

Plagiarism is the copying and use of someone else’s work, whether intentionally or unintentionally, as if it were the student’s own. Another person’s work includes any source that is published or unpublished that has been produced including words, images, diagrams, formulae ideas and judgments, discoveries and results. Direct quotations, whether extended or short, and from the published or unpublished work of another person must always be clearly identified. Quotations must accurately refer to and acknowledge the author or person who originally wrote or produced the work. Paraphrasing – using other words to express another person’s ideas and judgments – must be acknowledged (in a footnote or bracket following the paraphrasing).

The definition of Research Misconduct used by RVC

Research Misconduct includes (but is not limited to): fabrication; falsification; misrepresentation of data and/or interests and/or involvement; piracy (deliberate exploitation of the ideas of others without their consent); plagiarism and failure to follow accepted procedures or to exercise due care in carrying out your responsibilities for i) avoiding unreasonable risk or harm to animals or humans used in research and the environment ii) the proper handling of privileged or private information on individuals collected during the research.

* 1. *Available Procedures*

Two procedures are defined below: One for misconduct discovered in more minor pieces of work and one where a more significant piece of work is affected.

* 1. *Penalties and Referrals*

This procedure enables the Board of Examiners or Research Degrees Committee (as appropriate) to be the final arbiter of the penalty decided. However it is recognised that they will require advice from the Panel investigating the misconduct.

In determining a penalty in relation to academic misconduct, the *[intention to deceive](#Intention_to_decieve" \o "This is because honesty coupled with open, full and transparent communication is a cornerstone of academic and professional endeavor. See the RVC Charter)* will be an important consideration.

* 1. *Staff involved.*

Where ‘members of staff’ are referred to this may be two academic members of staff or one academic member of staff and one member of senior academic administrative staff.

* 1. *Communications between the College and the student*

All correspondence concerning proceedings under these regulations will be sent, by PDF to the student’s [RVC email address](#RVC_email_address" \o "Make sure your email address is working and live and if you are not currently in attendance check it regularly). Any material sent will be deemed to have been received by the student concerned unless non-delivery is subsequently proved.

* 1. *Attendance*

None of the proceedings outlined below will be invalidated or postponed by reason of absence (except for notified good and sufficient reason) from any hearing of any party called to attend, provided that the student against whom a case has been made has been sent written notice of the hearing.

* 1. *Continued Study*

Whilst these procedures are underway the student may continue to attend classes and sit examinations or continue with research.

* 1. *Relation to other procedures.*

At any stage of this process the staff involved can refer any student to the [professional requirements procedure](#professional_requirements_procedure). Should this occur this procedure will be suspended unless and until it is referred back to this procedure. If the matter is not referred back then this procedure will be considered complete.

Where a student is studying towards a qualification leading to qualification as a veterinary nurse or a veterinary surgeon and this procedure has established that the student had used unfair means or shown an intent to deceive or a significant failure of due care in research, then the case will be [referred to the Senior Tutor](#referred_to_the_Senior_Tutor" \o "This is because honesty and due care are central features of sound professional conduct) to consider in relation to the Professional Requirements Procedure.

The Senior Tutor will determine if, after consideration of the findings and the penalty already applied if any [further action is warranted](#further_action_is_warranted" \o "Here the Senior Tutor will avoid procedures which might give ‘two penalties for the same offence’, but will review the overall pattern of the student’s conduct including this extra information).

# Procedure for in course assessments other than major projects within taught courses that appear to plagiarise another published source or show some evidence of research misconduct in a minor project. (A major project counts for more than 30 credits or equivalent).

* 1. The student will be [interviewed](#interviewed" \o "This interview is to find out how much a student knows about good academic practice. It will go into the detail of the piece of work and the sources used to produce it and how the student set about doing the work) by two members of staff to determine whether the student copied the work and under what [circumstances](#circumstances" \o "You should be honest, open, transparent and full answering the questions. If you have done this in error it's a really good opportunity to learn how to get it right in future. If you knowingly did the wrong thing, take the same approach. Don't be evasive.). Members of staff will also check on the student’s understanding of scholarship and referencing processes and proper conduct of research as appropriate Notes will be taken.
	2. After consideration of the circumstances the student’s work will be awarded a mark reflecting the extent of plagiarism or misconduct In awarding the mark members of staff will determine whether the incident represents:
		1. nothing more than poor scholarship or research practice

or

* + 1. demonstrates intent to deceive the markers.
1. In the case of poor scholarship or research practice the work will be given the mark it deserves in light of the low quality of the work and the extent of the work affected. (This could result in a mark of zero when the poor scholarship or work of others’ is taken into account). The student will be directed to sources of advice about how to improve their work.
2. In the case of intent to deceive the work will be penalised and a mark of zero awarded as a minimum penalty. The student will be directed to sources of advice about how to improve their work. A higher penalty is available see 2.3 below.

In either case no further penalty other than the award of zero for the piece of work concerned can be recommended by the two members of staff.

* 1. After the interview and the consideration of the mark one of three courses of action may be taken:
* Both student and members of staff accept the mark awarded.

or

* The two members of staff recommend that the case be put before an [Academic Misconduct Panel](#Academic_Misconduct_Panel" \o "This is used where members of staff consider that there has been a significant attempt to deceive that has wider implications than the piece of work in question) where the Panel will consider the case further and so allow (or not) the Board of Examiners or Research Degrees Committee to consider the imposition of a penalty greater than award of zero marks for the work.

or

* The [student rejects the mark](#student_rejects_the_mark" \o "As a student, if you really think those interviewing you came to the wrong conclusion then you can use this route) and asks for the case to be put to the independent Academic Misconduct Panel on the understanding that this could result in the increase, decrease or elimination of the penalty.

Both members of [staff and the student will sign a memo](#staff_and_the_student_will_sign_a_memo" \o "This is so it is absolutely clear to everyone what has been agreed) confirming the course of action that has been agreed and this will be sent to the Secretary of the Board of Examiners or Research Degrees Committee so that the incident is reported at the next meeting. The memo will be retained on the student’s file until graduation.

# [Procedure in all other circumstances](#Procedure_in_all_other_circumstances" \o "3.1. to 3.3 below describe how the decision is made as to whether a case should go forward to be considered by a panel)

* 1. On suspecting an irregularity, the invigilator or marker for a taught course shall present a written report on the incident to the Academic Registrar who shall determine whether there is a prima facie case for the suspected misconduct to be considered by a Panel.
	2. On suspecting any other irregularity in relation to a taught course (that is not covered by section 2 above) the student will be interviewed by two members of staff to determine whether there is a prima facie case for the suspected misconduct to be considered by a Panel. Where relevant, members of staff will also check on the student’s understanding of scholarship and referencing processes and proper conduct of research as appropriate. Notes will be taken. Members of staff are advised to consult the Academic Registrar before and after this event. A short report shall be written by the members of staff involved.
	3. On suspecting any unsatisfactory matter concerned with a person registered for a research degree, the person discovering the event shall write a report and submit it to the Supervisor and the Head of the Graduate School, who shall determine whether there is a prima facie case for the suspected misconduct to be investigated. Where relevant, the student’s understanding of scholarship and referencing processes and proper conduct of research will be checked. Notes will be taken. Supervisors are advised to consult the Academic Registrar before and after this event. A short report shall be written by the staff involved.
	4. Where the case is to go forward, the Academic Registrar shall convene a meeting of the Academic Misconduct Panel. This meeting, wherever possible, should precede the relevant meeting of the Board of Examiners or Research Degrees Committee.

# Composition and Conduct of the Academic Misconduct Panel (AMP)

* 1. Composition

*4.1.1* [*Membership*](#Membership)

An alternate is proposed for each member since there will be a need to convene the panel at short notice:

Principal or a Vice Principal who shall be Chair

A nominee of the President of the Union selected for (i) their independence from the student whose case is being considered (ii) their understanding of the principles at stake and (iii) the broad context of the study of the student whose case is being considered.

*For taught courses:*

A course director, or year leader, from a course different to that being studied by the student concerned.

And

Another senior member of academic staff.

*For Research Degree Students:*

An expert in the subject area who is independent of the student concerned and his/ her project. (This might well be a person external to the College).

And

Another senior researcher from a different research area within the RVC.

The Academic Registrar or nominee will act as Secretary to the Panel. The quorum shall be two persons plus the Secretary.

*4.1.2* The Student Union member of the panel can be omitted from the panel membership at the request of the student whose case is being considered. Where this occurs the quorum will be reduced by one member*.*

* 1. *Conduct*
		1. The Panel and the student will be presented with the evidence of any written work involved, and any related evidence two weeks prior to the meeting.
		2. Any member of the Panel discovering, on reading the papers, that they are connected to the case will declare their interest to the Secretary who will consult the Chair and if required find an alternative person to take their place.
		3. The student will be allowed to make a written response to the papers if they wish. This response should be submitted one week before the meeting. Exceptionally, later submissions will require the permission of the Secretary before they can be accepted.
		4. The Panel will meet the college staff concerned with the incident and the student concerned at the same time. The meeting in the presence of the student and the Panel will be [voice-recorded](#voice_recorded" \o "The student will be entitled to a copy of this recording if they wish) under the supervision of the Secretary.
		5. The student may attend by video conference provided they are not a full time student and the content of the case is [deemed suitable](#deemed_suitable" \o "Attendance in person might be required because of the nature of the discussions and the decisions required. This is to facilitate proper decision making) for such an arrangement by the Chair.
		6. The Student has the right to be accompanied by a [supporter](#supporter" \o "You should bring the person who will give you good moral support and be understanding of your situation. It is not an adversarial legal process; it is a College process that observes the requirements of natural justice. We do not allow legal representation). The student must notify the Academic Registrar of the name and status of the supporter in advance of the meeting. The supporter may not be a member of the relevant Board of Examiners or Research Degrees Committee.

4.2.7 After interviewing all persons concerned with the case and considering all evidence, the Panel will make its decision in private. This session will not be recorded but summary notes will be taken by the Secretary

* + 1. The panel shall report its decision to the [relevant Board](#relevant_Board" \o "Because only the Board of Examiners or Research Degrees Cttee can view & confirm a penalty, & its consequences, in the context of all other info. about the academic progress of the student. It is not relevant information to the Academic Miscoconduct Panel) within two weeks of the meeting. The decision shall state whether in the view of the Panel an academic misconduct has or has not been established. The Panel shall also make any other supporting comment, which might be of value to the Board.
		2. Where the process has raised concerns about the Fitness to Practise and Study of a student, the Panel shall make a relevant comment to the Board of Examiners and additionally refer information to the [Senior Tutor](#Senior_Tutor" \o "Here the Senior Tutor will avoid procedures which might give ‘two penalties for the same offence’, but will review the overall pattern of the student’s conduct including this extra information).

4.2.10 The procedure should be completed within 60 days from receipt of the report described in 3.1. above to the decision of the Academic Misconduct Panel being sent to the relevant Board.

# Action of the Board of Examiners for taught courses.

* 1. The Board of Examiners shall take no account of allegations of misconduct, nor confirm the result of the student concerned, until a decision has been made by the Panel.
	2. Upon receipt of a decision of the Panel that misconduct has occurred, the Board shall apply a penalty to the student concerned.

In applying a penalty the Board shall consider, and would normally be expected to follow, the advice of the Panel, values of scholarship and the relevant professional or vocational context of the studies and the national guidelines on penalties for plagiarism found in the “[AMBER Tariff Document](http://www.rvc.ac.uk/Media/Default/About/Academic%20Quality%2C%20Regulations%20and%20Procedures/General/AMBeR%20Tariffv2.pdf)”.

* 1. The Board may determine on the advice of the Panel that the misconduct is so severe that the student’s studies for the award be terminated, irrespective of any rights of re-sit or reassessment. In such cases the student shall still be eligible for any award for which work has already been completed (excluding the affected work). In such circumstances the Board of Examiners will recommend termination of the student’s studies to Academic Board.

The Board may determine that a lower penalty be applied given advice received. However the Board must always determine the pieces of work giving rise to the misconduct as a fail. If, under normal circumstances, the student would be eligible to re- sit or re-submit the work, then the Board shall also determine whether or not the student may be re-assessed in the pieces of work concerned.

* 1. Where the Panel meets after the Board of Examiners the decision of the Board may be made retrospectively on behalf of the Board by the Chairman of the Board and the Course Leader. The Secretary to the board must be present at any meeting and the retrospective decision formally recorded. A decision to recommend the termination of a student’s studies cannot be taken by this means.

# Action of the Research Degrees Committee for research degrees

In the case of Research Degrees the Research Degrees Committee shall determine whether or not the student should be required to withdraw from study, or be permitted to proceed towards the same or a lower award

# Relation to the Academic Board

* 1. If the student has already been awarded his / her degree the relevant Board will make a recommendation to the Academic Board that the degree be rescinded and the penalty be applied.
	2. Where termination of study is determined as the penalty this shall be a recommendation to Academic Board.
	3. For all other penalties the final decision rests with the relevant Board of Examiners or Research Degrees Committee.
	4. The Academic Board will receive a quinquennial report on Academic Misconduct processes and review the consistency of any penalties applied.

# 8 Appeal

Any student who has lost the right to progress to the award for which s/he originally registered as a result of this procedure has a right of Appeal through the Appeals Process.

January 2017 revision

June 15