



KMS112

Higher Education (HE) Academic Misconduct Policy and Procedures

Higher Education (HE)

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Alternative formats

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Summary:

Plagiarism, cheating, collusion and attempting to obtain an unfair academic advantage are forms of academic misconduct and are entirely unacceptable for any student at University Centre Kingston Maurward.

This policy defines what UCKM means by academic misconduct; it gives examples of plagiarism and the categories of unacceptable academic misconduct outside examinations; gives guidance to staff and students to help prevent the occurrence of such misconduct; determines the procedures adopted in suspected cases of academic misconduct and indicates the academic penalties which may be appropriate in proven cases.

Authority:

The is approved by the Higher Education Academic Board and the Quality and Standards Committee of the Kingston Maurward Corporation in accordance with the Corporation's Standing Orders.

HE Academic Misconduct Policy

1 Introduction

- 1.1 Plagiarism, cheating, collusion and attempting to obtain an unfair academic advantage are forms of academic misconduct and are entirely unacceptable for any student at University Centre Kingston Maurward.
- 1.2 This policy defines what UCKM means by academic misconduct; it gives examples of plagiarism and the categories of unacceptable academic misconduct outside examinations; gives guidance to staff to help prevent the occurrence of such misconduct; determines the procedures to be adopted in suspected cases and indicates the academic penalties which may be appropriate in proven cases.
- 1.3 Non-academic misconduct is managed through the [Student Disciplinary Procedure](#).
- 1.4 In establishing this policy, UCKM is seeking to maintain the integrity of its academic awards and procedures (and those of its validating partners) and to give any students affected a fair opportunity to respond to any allegation of academic misconduct.
- 1.5 It may be necessary for UCKM and its parent body, Kingston Maurward College, to seek legal advice in specific cases.
- 1.6 In all suspected cases of academic misconduct, the burden of proof is placed on UCKM. The standard of proof is based on the balance of probabilities based on the available evidence in each reported case.

2 Definition of Academic Misconduct

2.1 Academic Misconduct is any activity which challenges the integrity and honesty of academic work. It is a form of cheating.

2.2 It is defined by the University of Cambridge as follows:

'Academic misconduct' is gaining or attempting to gain or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research.

[University of Cambridge - Definition of Plagiarism](#)

2.3 There are many forms of Academic Misconduct but the most commonly encountered include:

- **Plagiarism:** presentation of someone else's work, words, images, ideas, opinions, or discoveries, whether published or not, as one's own, or alternatively appropriating the artwork, images, or computer-generated work of others, without properly acknowledging the source, with or without their permission
- **Self-plagiarism:** Also called 'recycling' is using the student's own ideas, words, data, or other material produced by them and submitted for formal assessment at another point (at UCKM or another institution), or for publication elsewhere, without acknowledgement, unless expressly permitted by the assessment (e.g. as part of a reflective review).
- **Contract cheating:** contracting a third party (an essay mill/bank or an AI "helper") to provide work, which is then used or submitted as part of a formal assessment as though it is the Student's own work.
- **Collusion:** copying or working with others and using the ideas or words of this joint work without acknowledgment, as though it is the Student's

own work, or allowing others to use the ideas or words of joint work without acknowledgment.

- **Impersonation:** Impersonating someone or being impersonated in an examination/assessment or arranging for someone to impersonate someone else by sitting their examination/ assessment.
- **Data / Evidence Fraud:** Fabrication, falsification or misrepresentation of data, results, false evidence or any other outputs or aspects of research, including documentation and participant consent, or presenting or recording such fraudulent data or false evidence, etc, as if they were real; or
- **Ethical & Legal Breach:** Failure to meet legal, ethical, and professional obligations in carrying out research. This includes failure to follow agreed protocol resulting in unreasonable risk or harm to humans, other sentient beings, or the environment, and facilitating of misconduct in research by collusion in, or concealment of, such actions by others. It includes any plan or conspiracy to attempt to do any of these things.

2.4 Any failures or breaches of academic integrity are a cause for concern as they undermine the integrity of the institution and trust in academic endeavours.

Further Information

2.5 Further information on academic misconduct and academic integrity is provided by the Quality Assurance Agency for Higher Education (QAA) at:

[Academic integrity \(qaa.ac.uk\)](https://www.qaa.ac.uk)

2.6 The QAA includes a useful You Tube video giving a student's guide to academic integrity:

[QAA - What is Academic Integrity](#)

2.7 See also the academic regulations of our validating partners,

[Bournemouth University](#) and the [Open University](#).

2.8 The Office of the Independent Adjudicator for Higher Education (OIA) has salient advice on the legal requirements for valid Academic Misconduct proceedings at:

[Part A: Academic disciplinary procedures - OIAHE](#)

2.9 This policy uses the cross Higher Education AMBeR system for penalising Misconduct. A detailed guide to the “AMBeR” System of credit reduction can be found here:

[Plagiarism Reference Tariff - Plagiarism.org](#)

3 Scope of this Policy

3.1 This policy applies all Higher Education students, activities, and assessments at UCKM except where awarding, regulatory, and/or professional body regulations override the policy. This includes all students and recent graduates studying on taught programmes that lead to an Open University, or other external partner, validated award.

3.2 Where there is any conflict between the policy stated here and the external validating partner's regulations, then the latter shall take precedence.

- 3.3 This policy is available on the “Higher Education Policy” webpage (Link needed).

4 Related Documents & Supporting Information

- 4.1 This policy should be read in conjunction with the following UCKM Higher Education policies:

[Ethical Framework](#)

[Disciplinary Code of Conduct](#)

[HE Examinations and Assessment Procedure](#)

[HE Academic Appeals Policy](#)

[HE Complaints Policy](#)

[HE Extensions and Extenuating Circumstances Policy](#)

[HE Reasonable Adjustment Policy](#)

- 4.2 See also related Kingston Maurward College policies:

[Malpractice and Maladministration Policy](#)

[Staff Disciplinary Procedure](#)

[Whistleblowing and Raising Concerns](#)

- 4.3 Students who are being taken through the academic misconduct process are encouraged to access support through the Student Welfare team (at 121@kmc.ac.uk/ 07500661340). Students may be referred by staff or self-refer to the Student Wellbeing Team who are independent of the academic misconduct process. The team will also support the student to ensure that any applications for reasonable adjustment to the process are considered to support student participation.

5 Responsibilities: Staff

5.1 The primary role of UCKM academic staff in this policy is to prevent students committing academic misconduct by instilling a culture of good academic practice and integrity.

5.2 If a student commits, or appears to commit, academic misconduct then the UCKM Academic Staff are also the means by which potential academic misconduct can be identified, good academic practice advice offered if applicable, escalated if appropriate, investigated, assessed, and appropriately penalised.

Ethical Behaviours

5.3 In seeking to encourage ethical academic behaviour staff should promote positive engagement with academic integrity and the UCKM ethical framework. The framework is a scaffolding for Academic Integrity and will help students with understanding of what constitutes misconduct and why it matters.

Communicating Expectations

5.4 It is important to provide a comprehensive introduction to what constitutes academic misconduct. This can be particularly important for international students who may come from different academic traditions. If international students arrive late and miss induction then catch-up sessions should be delivered for them.

5.5 Students receive a lot of information when they begin higher education. It is good practice for tutors to repeat academic misconduct training, and to reinforce messages about ethical behaviours and academic integrity, at appropriate points throughout their programmes.

5.6 Communication should:

- Introduce the concept of Academic Integrity at induction - Emphasising the importance of ethics and honesty in the academic behaviours expected of students at UCKM.
- Sources of support to develop good academic practice and if a student is unsure e.g. academic referencing
- Introduce the concept of Academic Misconduct - Make students aware there are many different forms of misconduct (as above) and, while very important, there is more to misconduct than plagiarism and unauthorised copying.
- Outline the Academic Misconduct procedure - the penalties and consequence of misconduct together with the means of appealing a misconduct decision.

5.7 To that end staff should:

- Reference the Academic Misconduct policy and corresponding [Academic Appeals Policy](#) in the Student Programme Handbooks and Student Portal. Give links to the full on-line policy.
- If possible, provide a concise and clear outline of the Academic Misconduct policy and process in the Student Programme Handbook.
- Make students aware of the penalties for academic misconduct at the earliest stage of the course/programme.
- Ensure the UCKM Policies website is up to date.
- Provide students with guidance on referencing and the format of formal acknowledgement of source material
- Inform students of the extent to which they can collaborate in coursework. This should be in the student module handbook and should be repeated in the briefing for the assessment.

- Provide students with the tools to avoid Misconduct – introduce them to supporting on-line material and training opportunities.
- Hold student workshops on common misconduct problems. For example, in plagiarism and the attribution of sources:
 - How to reference text correctly.
 - Whether unintentional copying can amount to plagiarism.
 - How to indicate that text is quoted, for example, whether students need to use inverted commas and/or indented text.
 - Whether (and when) extensive paraphrasing might amount to plagiarism.
 - When self-plagiarism is and is not permitted.
 - That buying essays or text for essays constitutes plagiarism.
 - That video and audio clips, pictures and tables can be plagiarised.
 - How plagiarism detection software is used and interpreted.
 - The consequences for students if they are found to have plagiarised work.

Designing Out Opportunities for Academic Misconduct

5.8 Staff also have responsibility for seeking ways of reducing the opportunities for misconduct across their teaching.

5.9 This might include devising approaches to assessment that make plagiarism, cheating and collusion more detectable:

- Creating authentic assessment that link to the practice of the subject and which are tied to localised data, conditions or requirements.
- Making less use of generic assignments in favour of tailored assignments.

- Changing assessment topics each year (if repeated then only on a four-year cycle)
- Use forms of assessment that are difficult to take from other sources – for example seminar presentations, poster displays, portfolios, reflective diaries.

Assessment Design and AI

- 5.10 The QAA has expressed concern over the rapid arrival of AI produced material in HE Assessments and the potential this may have for academic misconduct.
- 5.11 The quality of AI produced material continues to improve and it is becoming increasingly difficult to differentiate student and AI system especially where the contribution of the AI Bot has been edited into the students work. While there are good software solutions to spotting plagiarism (Turnitin for example), there are not yet any reliable mechanistic ways of assessing the bespoke contributions of an AI Bot to an essay or other piece of academic work. UCKM plans to introduce Turnitin as part of its focus on promoting a culture of academic integrity.
- 5.12 The solution suggested by QAA is much as above - avoid generic essay questions and to seek to make assessment more individualistic – with a greater emphasis on the incorporation of local or self-generated data of which AI's are unaware and where the grade comes from the way in which the data / evidence is correlated and contextualised with published material.

Investigating Potential Academic Misconduct

- 5.13 Potential Academic Misconduct will usually be identified by academic staff – commonly those engaged in the marking and assessment of students work.
- 5.14 if potential misconduct is suspected then the member of staff shall report those concern in writing (email) to the Programme Leader or the Head of Higher Education.
- 5.15 The Programme Leader / Head of Higher Education shall refer to an Academic Misconduct Panel to Investigate the potential misconduct. The HE Administrator will communicate with the student in writing with details of the concerns raised and constitute the Academic Misconduct Panel.
- 5.16 It is an important principle that there is a clear separation of roles in any given case. No member of academic staff involved in calling attention to a case of potential misconduct shall be on the Academic Misconduct Panel for that case.

6 Responsibilities: Students

- 6.1 All students of UCKM must be aware of academic integrity and academic misconduct and the ethical framework in which they operate.
- 6.2 Students are expected to: –
- Read the Student Programme Handbook
 - Attend on-line or LRC training sessions on Academic Misconduct as directed by tutors. These will include – but are not limited to – Plagiarism, Contract Cheating, Collusion and Ethics
 - View Websites and On-line materials on Academic Misconduct as directed by tutors.

6.3

7 Academic Misconduct Panel

7.1 The purpose of the Academic Misconduct Panel is to consider any HE student's infringement or alleged infringement of the Academic Regulations, Assessment Regulations or any policy which bears upon the academic conduct of the student.

7.2 The Academic Misconduct Panel is a sub-committee of the Higher Education Board of Examiners (HEBoE) and reports to both the HEBoE and the Higher Education Academic Board (HEAB). No staff member involved in a case of suspected academic misconduct may be part of the Academic Misconduct Panel. All panel members should declare any conflicts of interest in the case in advance of the meeting.

Remit

7.3 The remit of the Academic Misconduct Panel is to:

1. Review potential cases of student academic misconduct submitted to them by members of academic staff and determine if the student concerned has infringed or broken the current regulations or policies.
2. Determine if there is a case to answer, or whether the case is a first offence and minor in nature, requiring good academic conduct advice to be provided to the student.
3. Ensure that the student who is suspected of academic misconduct is fully informed of the details of the academic misconduct case against them and the academic misconduct process. Students are informed within 5 working days, via their College email, of a report and details of suspected academic misconduct. Sources of

independent support available to the student must be signposted when communicating with the student.

4. Consider fully any response or mitigation offered by the student. Students can respond with a written statement in response to the case. They will be invited to attend the panel and can make a verbal case in response as well. If a student does not attend the panel, they can submit a written response to be read out at the panel. They may bring someone else to support them at the panel such as a colleague or staff member from student support.
5. The outcome of panel decision is made available to the student. It may be presented to the student verbally immediately, if they are attending the panel in person, and is confirmed in writing within 5 working days of the panel.
6. Consider and make a fully evidenced recommendation as to the outcome and action to be taken to the Higher Education Board of Examiners.
7. Appraise the student of the appeals and complaint process.
8. Hear any immediate student appeal against the outcome.
9. In a complex case (or one involving staff on the panel) then the panel can pass the case to the Board of Examiners which can operate as an extended Misconduct Panel.
10. Evaluate the effectiveness of the Academic Misconduct Policy and make recommendations for change to, or enhancement of, the policy and procedures to HEBoE and HEAB.

Membership

- 7.4 The Academic Misconduct Panel is composed of members of the Higher Education Board of Examiners nominated by HEBoE to serve, together with

other academic or professional service staff co-opted to serve as required. It will usually include:

- Chair – Usually the Head of Higher Education or a senior academic nominated by the Head of Higher Education to act as Chair.
- Panel Member – Assistant Principal Student Experience & Progression & Designated Safeguarding Lead.
- Panel Member - Equality & Diversity Representative (nominated by Head of Human Resources).
- Officer – Higher Education Administrator or person nominated by the Head of Higher Education.

7.5 Quorum: Three members provided one of them is the regular Chair.

7.6 Minutes: Minutes are recorded by the Officer.

7.7 Additions: Additional members may be recruited by the Chair as they deem necessary to deal with complex cases. These will attend in an advisory capacity and be non-voting members of the Panel. Where there are an even number of members the Chair shall have the casting vote.

7.8 Alternates: Alternates are permitted with the approval of the Chair and panel members may nominate a replacement in their stead if they are unable to attend. The nominee must declare any conflict of interest to the Chair in advance of attendance.

7.9 Term: Members usually serve three (3) years unless attendance is required as part of their job role in which case they serve for the duration of their employment.

Frequency of Meeting

- 7.10 The Panel will meet to consider a case as it is presented by academic staff, examiners, and external examiners. It will meet to consider a case within a week of its need being identified and prioritise attendance during assessment periods.
- 7.11 It is recognised that there is a need to convene panels quickly in response to examiners concerns and the given the need to minimise the length of time the student is facing an unresolved situation. The Panel will therefore conduct a part of its work (generally the initial determinations) by email and on-line meetings. Email trails will be used to minute decisions. The final assessment meetings will generally be face to face.

8 AMBeR System

- 8.1 The purpose of Penalty Tariff systems is to simplify and support the decision-making process for academic staff and therefore improve the comparability of outcomes for students. The AMBeR system is therefore used as a guide to determine an appropriate penalty, where permitted by awarding body academic regulations, following consideration of all details of the case by the panel. This includes but is not limited to the consideration of the nature of the assessment and its weight in the award being studied, type and scale of the academic misconduct and any extenuating circumstances which may apply.
- 8.2 UCKM uses the AMBeR Penalty Tariff (Tennant & Rowell 2010) with minor modifications following the recommendations of Badge (2012) summarised below by Bailey (2012)

[Looking at The AMBeR Benchmark Plagiarism Tariff - Plagiarism Today](#)

- 8.3 These additions consider a much broader range of Academic Misconduct beyond simple plagiarism, including collusion and purchased essays. UCKM has added material produced by AI systems at a points level equivalent to essay mill material.
- 8.4 The system has two elements: In the first, simple criteria are used to judge the severity of the infraction and on the basis of the criteria penalty point are awarded; In the second the penalty points are used to allocate a range of appropriate penalties.
- 8.5 The steps are laid out below.

Step 1: Assign Points based on the following Criteria

History

- 8.6 The number of times the student has committed Misconduct:

1st Time	100 points
2nd Time	150 points
3rd/+ Time	200 points

Amount / Extent

- 8.7 The amount or extent of the offence within the body of the students work:

Below 5% AND less than two sentences	80 points
As above but with critical aspects* plagiarised	105 points
Between 5% and 20% OR more than two sentences but not more than two paragraphs	105 points
As above but with critical aspects* plagiarised	130 points

Between 20% and 50% OR more than two paragraphs but not more than five paragraphs	130 points
As above but with critical aspects* plagiarised	160 points
Above 50% OR more than five paragraphs	160 points
Submission purchased from essay mill or ghost-writing service	225 points
Submission created (or largely created) by AI System or Bot †	225 points

* Critical aspects are key ideas central to the assignment
† This is a new additional category intended to reflect the challenge of AI systems to academic integrity.

Level / Stage

8.8 The Level of study at which the offence was committed:

Year 1/ Level 4	70 points
Year 2/ Level 5	115 points
Year 3 or Top Up Year/Level 6	140 points

Value of the Assignment / Assessment

8.9 The value of the assessment within a given 30 credit module – if a module has two or more elements then the assessment is adjusted pro-rata. For example, if a module has two equal elements of assessment and one displays misconduct then the penalty will be 15 points.

Standard Weighting (per module)	30 points
Large project (e.g. final year dissertation)	60 points

Additional Characteristics

- 8.10 This applies where there is evidence of deliberate attempt to disguise plagiarism by changing words, sentences, or references to avoid detection 30 points

Deception	30 points
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Step 2: Award Penalties based on the Points:

Work Submitted for Formal Assessment

Action by:	Points	Available Penalties (select one)*
All	n/a	Where it is determined that academic misconduct has taken place a formal warning is given, and a note is made on the students record.
Panel & Programme Lead / HOD	280-329	<ul style="list-style-type: none"> No further action beyond formal warning Assignment awarded 0% - resubmission required, with no penalty on mark
Panel & Programme Lead / HOD	330-379	<ul style="list-style-type: none"> No further action beyond formal warning Assignment awarded 0% - resubmission required, with no penalty on mark Assignment awarded 0% - resubmission required but mark capped or reduced
Panel	380-479	<ul style="list-style-type: none"> Assignment awarded 0% - resubmission required mark capped or reduced Assignment awarded 0% - no opportunity to resubmit
Panel	480 -524	<ul style="list-style-type: none"> Assignment awarded 0% - no opportunity to resubmit Module awarded 0% - re-sit required, but mark capped or reduced Module awarded 0% - no opportunity to re-sit, but credit still awarded
Panel & HEAB	525-559	<ul style="list-style-type: none"> Module awarded 0% - re-sit required, but mark capped or reduced Module awarded 0% - no opportunity to re-sit, but credit still awarded Module awarded 0% - no opportunity to re-sit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn
Panel & HEAB & Principal	560+	<ul style="list-style-type: none"> Module awarded 0% - no opportunity to resit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn

Work Submitted Only for Formative Assessment

Programme Lead / HOD	280-379	<ul style="list-style-type: none"> Informal Warning.
Panel	380+	<ul style="list-style-type: none"> Formal Warning, with note being made on Student Record.

** The Academic Misconduct Panel may also decide to impose any of the penalties available to them under the Student Discipline Procedure separately or in combination as appropriate to the nature of the breach of the Student Code of Conduct.*

9 Review

- 9.1 The operation of the Academic Misconduct Policy and the Terms of Reference of the Academic Misconduct Panel will be reviewed annually the Higher Education Academic Board. Review can take earlier if demanded by circumstances.
- 9.2 Recommendations for changes to this Policy will be considered and approved by the Higher Education Academic Board.
- 9.3 The policy will be monitored specifically for the experience of students with protected characteristics (as per the [Equality Act 2010](#))

A1 Academic Misconduct Procedures:

Step-by-Step Academic Misconduct Procedure

The following is a step-by-step procedure for handling cases of suspected Academic Misconduct. It employs the AMBeR system as a guide for staff and students.

A1 Introduction

- 1.1 All cases of suspected academic misconduct will be fully investigated using the College Academic Misconduct Policy and Procedures. If the case is proved UCKM / College will impose disciplinary sanctions using the AMBeR Penalty Tariff System as described in the Academic Misconduct Policy.
- 1.2 In summary the AMBeR system allocates points for each instance of Academic Misconduct based on the student's prior history (how many infractions do they carry), their level (more points the higher the level to reflect understanding of what is required as a UCKM student), the amount / extent of the misconduct and the value of the assignment (this reflects the value of the assessment to a given module).
- 1.3 The points are used to indicate the overall severity of the infraction and the type of penalty which the Academy Misconduct Panel can place upon the student.

A2 Stages of Action

Staff Concerns

- 2.1 Academic Staff can raise issues of potential academic misconduct by contacting the Programme Lead for the students registered programme.

- 2.2 The Programme Lead (or a member of academic staff nominated by the Programme Leader) will consider and, if necessary, investigate the potential academic misconduct.
- 2.3 If there is no case to answer the Programme Lead (or nominate person) will write to the person raising the concern setting out why the case is not being pursued.
- 2.4 If the Programme Lead decides that there is case to answer they will write to the Student informing them of the charge against them. At the same time, they will communicate their concerns to the Academic Misconduct Panel by email containing a summary of the case and the available evidence.

Examiners Concerns

- 2.5 If an Examiner or External Examiner suspects a HE Student of Academic Misconduct they will communicate their concerns to the Academic Misconduct Panel (AMP) by email containing a summary of the case and the available evidence. This email should be copied to the Chair of the Board of Examiners.

The AMP Contact Point

- 2.6 The contact point will be either the Chair or a nominated Coordinator for the panel. The contact person will be circulated to staff and all members of the HE Board of Examiners at the start of the academic year.
- 2.7 The contact point / coordinator will use a multi-user email address to enable the box to be monitored at all times:

University.centre@kmc.ac.uk

- 2.8 The members of the panel will (by email exchange) determine if there is evidence which suggest the HE student has committed academic

misconduct as defined in the Academic Misconduct Policy or has otherwise infringed or broken the academic regulations or policies as currently set.

- 2.9 If the panel finds that no offence has occurred then the Panel Chair/Coordinator will write to both the person raising the concern and the student involved, explaining why no further action will be taken.
- 2.10 If the panel finds that there is an apparent case to answer then a formal panel will be convened.
- 2.11 Note that in a complex case (for example one involving more than one student or a member of staff on the panel) then the panel can pass the case to the HE Board of Examiners which can operate as an extended Misconduct Panel.

Invitation of the Student to the Formal Panel

2.12 The student who is accused of misconduct is formally contacted by letter. Students would be informed of suspected misconduct via their College e-mail within 5 working days of being made. The panel would need to meet within 1 month of the case being made, to review the issues presented.

The letter:

- a) States the nature of the alleged misconduct case against them (including evidence).
- b) Signposts them to the location of the academic misconduct policy and procedure and to sources of independent support and advice, including welfare and wellbeing support ([Safeguarding](#)).
- c) Invite the student to submit a response to the alleged academic misconduct or mitigation in writing by a fixed time (usually ten

working days from the date of the letter / email). Signpost to independent student wellbeing support with contact details.

- d) Offer the opportunity to appear at the panel in person and may choose, to be accompanied by a friend, family member, support worker or a Student Representative for emotional support.
- e) Inform the students of the date, time, and location the panel meeting. The meeting can be at Kingston Maurward or Online.
- f) Ask if the student requires reasonable adjustment to the process for health conditions or other factors. This includes arrangements for the Academic Misconduct Panel meeting. Reasonable Adjustments may include arrangements for a person to respond in writing and advocate on the student's behalf, in cases where they may not be able to represent themselves. Signed consent is required from the student for this to be put in place.

Student Response to Invitation

- 2.13 If the student responds by accepting that they committed academic misconduct then the panel will forgo the investigatory meeting and move to deciding an appropriate penalty using the AMBeR tariff (see Calculation of Penalty Tariff, below).
- 2.14 If the student responds by denying the allegation, challenging the accuracy of the evidence, evidence to the contrary or any mitigating factors then the panel will proceed with the panel meeting as planned.

Panel Meeting

- 2.15 The Panel meets with the Student (and Student Representative if requested) present.

- 2.16 The student is invited to present their case or mitigating factors. If the student declines to attend the Panel, then discussion and any subsequent decision will be made entirely on the student's written submission. If the student declines to submit a written submission that too will be taken as a factor in considerations.
- 2.17 If present, the student will then be asked to leave, and the panel will decide based upon the evidence presented.
- 2.18 The panel can decide:
- a) The student has no case to answer - they are acquitted of the charge of academic misconduct and their student record remain unblemished.
 - b) The student is guilty of academic misconduct.
 - c) The student is guilty of academic misconduct with mitigating factors.

Calculation of Penalty Tariff

- 2.19 If the student is guilty of misconduct panel will use the Amber criteria or, if required by awarding, professional or regulatory body regulations the required criteria, to calculate the penalty tariff and suggest appropriate penalties.
- 2.20 If the Tariff is less than 379 points then the panel may refer the matter back to the Programme Leader who can determine the most appropriate sanction based upon those offered in the Amber list. (This is roughly equivalent to KMC Minor offences).
- 2.21 If the Tariff is between 380 and 524 then the panel will allocate a penalty based on the Amber penalty list. (This is roughly equivalent to KMC Moderate offences).

- 2.22 If the Tariff is between 525 and 560 plus points then the panel will again allocate a penalty based on the Amber penalty list. At this level, the Academic Misconduct is very serious and can warrant exclusion from the Programme and UCKM. (This is roughly equivalent to KMC Serious offences).
- 2.23 In all serious cases between 525 and 560 plus points the case and the recommended penalty is sent to the Higher Education Academic Board for review and ratification. If the Penalty recommended by AMP and ratified by HEAB is Exclusion from the programme and UCKM then the matter will be referred to the Principal for final review and ratification.

Communication of the Outcome to the Student

- 2.24 The student will be informed in writing of the outcome of the panel and the probable penalty to be imposed subject to ratification by HEAB or HEBoE.
- 2.25 When the sanction is ratified the chair of HEAB or HEBoE will write to the Student finalising the sanctions to be applied.
- 2.26 The letter will also include details of the student's rights, the appeals process and sources of advice and guidance.
- 2.27 If the penalty involves potential exclusion the letter, informing the student, will be signed by the Principal or Deputy Principal.

Reporting

- 2.28 All decisions of the AMP will be circulated to the Higher Education Board of Examiners and the Higher Education Academic Board.
- 2.29 Minutes of meetings will be kept and will be circulated to all participants. They will not be published on the website as they contain personal information.

Records

- 2.30 At the completion the Academic Misconduct process (including any subsequent appeal) all minutes and evidence relating to the procedure and any subsequent appeal shall be lodged with the Registrar (or the person nominated to act as the registrar) for a period of no less than that determined by the Regulator's requirements for the retention of student assessed work.

A3 Appeals

- 3.1 All students have the right to appeal decisions of the Academic Misconduct Panel ratified by the Higher Education Academic Board /Higher Education Board of Examiners.
- 3.2 The full Academic Appeals process is set out the [HE Academic Appeals Policy and Procedures](#).
- 3.3 Students can appeal the decision of the Academic Misconduct Panel. If they are dissatisfied with outcome of that internal appeal, they may then appeal to the HE Institution validating their degree programme (Open University, Bournemouth University) using the relevant institution appeals process and published criteria for appeal. It may also be possible to request review of the case by the Office of the Independent Adjudicator (OIA), if the OIA published criteria are met.
- 3.4 At each stage the grounds for an appeal are based on strict criteria which an appeal must meet to be successful.