

Part L – Academic Offences

1 Introduction

- 1.1 Students are expected to behave with honesty and integrity in relation to assessments. It is a student's responsibility to familiarise and act in accordance with conventions of academic writing and examination conduct, including appropriate referencing of sources, acknowledgement of assistance, acting ethically and complying with relevant instructions, policies or procedures. A student who does not comply with these requirements may be found to have committed an academic offence.
- 1.2 The University applies the principle of strict liability to academic offences: this means a student's intentions will not be considered relevant when judging whether they have committed an offence. For example, if a student submits an essay which contains, without necessary acknowledgement, substantial material produced by another person, they may be judged to be guilty of plagiarism even if they claim the lack of proper acknowledgement was mistaken or inadvertent. Whilst a student's intentions are not relevant to whether they have committed the offence, they could be relevant when an adjudicator considers application of penalties for proven offences.

2 Academic Offence Definitions

- 2.1 The following are examples of academic offences in respect of assessment (list not exhaustive):
- 2.1.i Collusion, which is submitting work for assessment which has been done in collaboration with another person but presenting it as entirely one's own, or collaborating with another student on work which is then submitted for assessment as that other student's work. Collusion does not apply in the case of the submission of group projects, or assessments that are intended to be produced collaboratively.
 - 2.1.ii Plagiarism, which is passing off another person's thoughts, ideas, writings, or images as one's own in assessed work without appropriate acknowledgement.
 - 2.1.iii Self-plagiarism, which is a student using their own work that has previously been submitted for assessment (for which credit has already been awarded) at the University or elsewhere, without proper acknowledgement, in any subsequently assessed work.
 - 2.1.iv Misleading material: Inclusion of data or evidence which has been invented, falsified, improperly altered or obtained by unfair means. This includes passing off data from previous studies as if conducted by the student or by offering incentives to another person to provide material or otherwise to assist in producing evidence for assessment.
 - 2.1.v Cheating: which is, any irregular behaviour during live assessment such as unauthorised possession of notes; copying another candidate's work; using programmable calculators or other equipment (such as phones and smartwatches) unless expressly authorised; unauthorised obtaining of examination papers. This also covers the use of any form of communication (whether verbal or digital) between students during live assessments in order to gain an unfair advantage.
 - 2.1.vi Contract Cheating: The outsourcing of assessment work, in whole or in part, to any third party, (i.e. commercial provider, current or former student, acquaintance or family member).
 - 2.1.vii Misconduct in Research: The fabrication or falsification of data; misrepresentation of data and/or interests and or involvement, or the failure to follow accepted procedures or to exercise due care in carrying out responsibilities for avoiding unreasonable risk or harm to research subjects or participants or the environment. This also includes improper handling of privileged or private information on individuals collected during the research. Allegations of misconduct in research made against postgraduate research students shall be dealt with under the UK Research Integrity Office's (UKRIO) Procedure for the Investigation of Misconduct in Research, and not under the Academic Offences Regulations. PGR Progression Boards shall decide, for each individual case referred to it, whether it is competent to examine the evidence and determine whether or not the allegation is proven, or whether the case should be referred to for consideration under the UKRIO procedure.
 - 2.1.viii Unauthorised of artificial intelligence (AI): The *unauthorised* use of AI, in whole or in part.

3 Reporting an alleged Academic Offence

- 3.1 A member of staff may initiate these procedures at any point it is suspected that an academic offence has been committed, by notifying their Head of School (or nominee, such as the Subject Area Leads in the Lincoln International Business School) and providing evidence for the grounds of suspicion. Such suspicion may arise during the marking of a student's work, review of work by an external examiner, exam invigilation, use of a plagiarism checking tool, or following a report made by another student or third-party.
- 3.2 Should another student, or third-party wish to raise a concern about a suspected academic offence, they should submit their concern to Legal and Compliance Services who will assess the report and make a decision whether to refer the report to the relevant Head of School (or nominee). A named record will be required as evidence and reasonable enquiries may be made to ascertain the validity of a reporting individual's assertions. Anonymous allegations will not normally be acted upon.
- 3.3 The Head of School (or nominee) will appoint an investigator from within the School.
- 3.4 Where the student is studying a programme in more than one School, the School that owns the module in which the allegation has arisen will be responsible for investigating the allegation.

4 Investigation

- 4.1 The Investigator will invite the student to an investigatory interview, giving five working days' notice. The invite shall include written notification that an alleged academic offence is to be investigated, confirmation of the unit of assessment/module subject of the investigation and will set out the basis for suspicion. The Investigator will summarise the nature of the interview, including whether the summary procedure is applicable in the student's case and what this entails. The student will be informed of their right to be accompanied to the meeting by a companion and signposted to Student Support and the Students' Union Advice Centre for advice and support.
- 4.2 A companion must either be a fellow student, a member of staff or a staff member from the Students' Union Advice Centre and must not be related to the matter in anyway. A companion will not be allowed to contribute materially to the investigative procedure. If the companion acts outside of these parameters the meeting will be suspended, and the companion will be asked to leave. If the student is unable to continue the meeting without the companion, it will be at the adjudicator's discretion (based on the context of what has occurred and based on what evidence has been obtained at that point) as to whether one further attempt to hold the meeting shall be made.
- 4.3 The Investigator will be accompanied to any investigatory meetings by a staff member whose role is to take minutes of the interview.
- 4.4 An investigator may make enquires as they deem reasonable as part of their investigation.
- 4.5 If the student provides a satisfactory defence at any stage of the process, an investigator will dismiss the allegation and ensure this outcome is communicated to both the student and relevant School colleagues, in writing.
- 4.6 If, after being given reasonable notice and opportunity to attend an investigatory interview, the student does not attend, the Head of School (or nominee) will determine whether a sufficient case of an academic offence exists based on the evidence available. The Head of School (or nominee) will then proceed as appropriate.

Summary Procedure

- 4.7 The summary procedure is an educational and supportive conversation. A summary conversation may be arranged either separately or as the start of an investigatory interview. The conversation is about the correct application of academic conventions, albeit one which ensure the University upholds the integrity of its awards.

- 4.8 The summary procedure is not available in any case where the allegation relates to misconduct in an examination, or to the use of contract cheating, or where a previous allegation against the student has been upheld.
- 4.9 Where students openly admit to the alleged offence(s) during this conversation, a more lenient penalty (one of either penalties A or B as under and per paragraph 6.1) will be applied by the investigator. The investigator will ensure the penalty is communicated to both the student and School colleagues, in writing. Reassessment entitlements, as appropriate, will be granted at the next available opportunity by the Board of Examiners.
- 4.10 If the student denies the offence, the Full Procedure will commence.

Full Procedure

- 4.11 The full procedure will comprise the following:
- 4.11.i The student will be invited to give their defence, and to provide appropriate evidence, including presenting any mitigating factors;
 - 4.11.ii The investigator will ask the student questions relating to the allegation, any defence or evidence presented by the student, the assessed work or techniques used to complete it.
- 4.12 If necessary, the investigator may adjourn the interview to allow further enquiries to be made, such as where the student introduces new material evidence during the interview, or where an investigator determines specialist input into the investigatory interview is required. The outcomes of the further enquiries shall be communicated to the student and the interview shall then be rearranged as soon as possible. Should a specialist be called to ask the student questions about the work or the techniques used, this will be confirmed with the student in advance of the rearranged interview.
- 4.13 The minutes of the interview(s) shall be prepared promptly. The student will be provided with a copy of the minutes and invited to request amendments for accuracy as appropriate.
- 4.14 The investigator shall provide the Head of School (or nominee) with the agreed investigatory interview minutes and copies of any further evidence obtained. The Head of School (or nominee) shall decide if a sufficient case of an academic offence has been established:
- 4.14.i Where a sufficient case has been established, the Head of School (or nominee) shall arrange for all documentation as directed by the evidence checklist to be submitted to the College Academic Offences Committee via the Legal and Compliance Services team.
 - 4.14.ii If not, no further action shall be taken, and the student shall be notified accordingly.

5 College Academic Offences Committees

- 5.1 Any person with involvement in the allegation or the investigation is precluded from the consideration of the offence or its penalty at College Academic Offences Committee meetings.
- 5.2 College Academic Offences Committees comprise a Chair (as nominated by the Head of College), at least three senior members of academic staff, and a representative from the Students' Union. Colleges may name a Deputy Chair to support case handling and oversight of academic offences, themes and trends within Colleges.
- 5.3 College Academic Offences Committees delegate authority to their respective Chairs (or named Deputies in their absence) to make preliminary decisions on allegations of academic offences on the Committee's behalf. This enables allegations to be dealt with in a timely manner when a higher volume of cases is submitted for decision. A log of all preliminary decisions made by the Chair will be provided to the College Academic Offences Committee at its next meeting for approval.

Committee members may open any case handled in such a way to full Committee scrutiny upon request.

- 5.4 The standard of proof required under these regulations is the balance of probabilities. To find an allegation proven, the Committee must be satisfied that it is more likely than not that the alleged offence in question occurred, based on available evidence.
- 5.5 Where allegations are proven, penalties will be applied with the Committee having taken into consideration all the evidence presented including any mitigating and aggravating factors which might mean either a more lenient or severe penalty should be applied. Such factors include:
- 5.5.i Continuity: Repeat academic offences should generally be dealt with more severely than a first offence. The Committee will not normally apply an 'enhanced' penalty for a first-time offence which removes the possibility of progression or graduation unless the circumstances are severe.
 - 5.5.ii Premeditation: A planned act will normally be considered more serious than an impulsive or inadvertent action.
 - 5.5.iii Scale and Extent: The quantum and severity or extensive use of academic misconduct will be dealt with more severely than a lesser amount.
 - 5.5.iv Theft of Materials: An academic offence that involves the theft of another person's assessed work will be dealt with more severely.
 - 5.5.v Other Students: A more severe penalty may apply where the academic offence adversely affects other students.
 - 5.5.vi Engagement: Expression of remorse, level of understanding and transparency in an investigatory procedure may mean a proven offence is dealt with more leniently.
 - 5.5.vii Personal Circumstances: Compelling, relevant and evidenced, personal circumstances which affected a student's judgment, may mean a proven offence is dealt with more leniently.
 - 5.5.viii Impact: The potential impact on the progression and/or award classification of the student will be considered.
- 5.6 Outcomes will be communicated to students in writing within 5 working days of Committee meetings, giving a clear explanation of, and setting out the reasons for, each decision and any penalty. This will include an explanation as to why any lesser penalties were deemed not applicable in the student's case. The student will be informed of their right to appeal.

6 Penalties

- 6.1 The below penalties may be applied in cases of proven offences. The Investigator (summary procedure) or College Academic Offences Committee (full procedure) will, where applicable and in respect of the penalty applied, make a recommendation to the Board of Examiners whether or not to restore the right to reassessment.
- A. Warn the student against any future academic offence but impose no other penalty.
 - B. Record a mark of zero for the piece of assessed work or examination only.
 - C. Record a mark of zero for every assessment item within the module.
 - D. For undergraduate and postgraduate taught students, to reduce by a single classification the final award to be conferred at the conclusion of the programme, or, where the final award is the lowest classification available, that the award be reduced to the prior intermediate award.
 - E. Record a mark of zero for every assessment item within all modules during the academic level.

- 6.2 The Committees will recommend applicable penalties consistently, with due consideration of the potential impact on the progression and/or award classification of the student.
- 6.3 Where the outcome of a proven academic offence removes the right to re-assessment, even after initial failure, this may result in failure of an award and could remove a student's ability to progress to the next level of study or complete programme.
- 6.4 In addition, a student against whom an academic offence is proven may also be subject to action under the Student Misconduct Regulations and/or the Fitness to Practise Regulations.

7 Appeals

- 7.1 A student may submit an appeal within 10 working days of being notified of any finding or penalty applied by the College Academic Offences Committee. Appeals must be logged with the Legal and Compliance Services team.
- 7.2 The only grounds on which a student may appeal are:
 - 7.2.i Irregularity in application of the procedures under these regulations;
 - 7.2.ii The student has new material evidence that they were incapable, for valid reasons, of providing earlier in the process.
- 7.3 Appeals will be heard by a nominee of the Head of College, who has had no prior involvement in the case, with a decision made within 10 working days of them receiving the appeal.
- 7.4 A successful appeal will result in reconsideration of the decision of the College Academic Offences Committee.

8 Office of the Independent Adjudicator for Higher Education

- 8.1 A student dissatisfied with the final decision of the University regarding the handling of an academic offences allegation has the right to submit a complaint to the Office of the Independent Adjudicator (OIA), an independent review body, for the outcome to be reviewed independently of the University.
- 8.2 The right to complaint to the OIA can normally only be exercised when the University's internal processes have been completed, and a completion of procedures letter has been issued.
- 8.3 An OIA Complaint Form must be completed, and this must be submitted to the OIA within 12 months of the date of the Completion of Procedures letter.
- 8.4 Guidance on making a complaint to the OIA can be found on the OIA's website.
- 8.5 Students may seek advice about OIA complaints from the Student Support Centre and the Students' Union Advice Centre.