



**LIVERPOOL  
HOPE  
UNIVERSITY**

Est. 1844

## **ACADEMIC REGULATIONS**

### **Universal Assessment Regulations**

#### ***Postgraduate Research Students Only***

#### ***Academic Misconduct Policy***

#### **Document Control**

Responsibility for Policy:	Registrar
Approved by and date:	Senate June 2023
Frequency of Review:	5 years
Next Review date:	2027
Related Policies:	Not Applicable
Minor Revisions:	
EIA:	The policy is monitored using an annual review of available data relating to academic misconduct cases.

## 1. Introduction

- 1.1. The University uses assessment to determine whether a student has met the essential outcomes of their academic program. Assessments are designed to be equitable for all our students, and likewise we expect our students to behave with integrity.
- 1.2. Academic misconduct is defined as:  
  
*“any action or omission which gives or has the potential to give an unfair advantage in an examination or assessment, or might assist someone to gain an unfair advantage, or any activity likely to undermine the integrity essential to scholarship and research”.*
- 1.3. Academic misconduct includes unintentional acts, where students have not familiarised themselves with good academic practice.
- 1.4. Matters of academic misconduct are decided on a balance of probabilities. The university applies a strict liability policy whereby student’s intentions are irrelevant when deciding if academic misconduct took place.

## 2. Scope

- 2.1. This policy applies to students pursuing all research degrees, including the research elements of professional doctorates. This policy applies to students enrolled on a course for assessments delivered in whole by the University, or in whole or part by a sub contractual partner institution (franchise provision). The policy applies for the duration of their studies and to graduates with a research degree awarded by the University.
- 2.2. Where relevant, other university policies and procedures (such as those relating to discipline, fitness to practise or research misconduct and the Concordat to Support Research Integrity) may be used as well as or instead of this policy. endeavours.
- 2.3. Mitigating circumstances cannot be considered in relation to academic misconduct. Any panel hearing held under this Policy is not permitted to take into consideration mitigating circumstances.
- 2.4. The University has a ‘fit to sit’ policy and as such mitigating circumstances can only be considered through the Mitigating Circumstances Policy, or, in exceptional cases, through the Academic Appeals Policy.

## 3. Forms of Academic Misconduct

- 3.1. Academic misconduct may take a number of forms. The following is not an exhaustive list

### **Plagiarism**

This happens where a student incorporates the work of others (published or unpublished) in their own work

without properly acknowledging it. Students are effectively claiming ownership for work that is not their 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, designs, images, models, figures, computer programs, photographs, pictures or diagrams. Students must follow the correct referencing guidelines provided by their Academic team.

**Self  
Plagiarism/Recycling**

A student using the same work for a new assessment that was submitted for a previous summative assessment. The following cases ARE NOT considered (or, DO NOT fall) under the rubric of self-plagiarism/recycling: students who are resubmitting or "re-presenting" failed work to reach a minimum threshold; students who are taking a block of study for a second time with attendance; students who include in examination answers material previously included in coursework answers, unless this is explicitly forbidden by the exam regulations. There are specific occasions when students may be required to integrate previously submitted material; this is not considered to be self-plagiarism.

**Use of third parties**

Essay writing services, artificial intelligence: buying or otherwise obtaining work online or elsewhere through use of available software which a student then submits for assessment. Commissioning an essay from any third party is fraud and the most severe penalty, termination of a student's studies, will apply.

**Fraudulent or  
fabricated work**

For example: reports of practical work that is untrue and/or made up; fabrication of research or dishonest interpretation of data; unethical research practice. through impersonation;

**Collusion**

Submitting work produced jointly with another student (except where the terms of the assessment require collaboration).

**Deception**

Faking mitigating circumstances in relation to an assessment.

**Breaching ethical  
standards**

All students must obtain ethical approval before beginning their study, as appropriate. Where a student was explicitly required to obtain ethical approval, they must not proceed without such clearance having been granted. Students must not violate any condition imposed in writing as part of granting ethical approval for the project nor should they amend the study design without obtaining relevant approval.

**Bribery**

Obtaining material relating to assessment, with the intention of gaining unfair advantage, through the offering of inducements.

- 3.2. If a student withdraws from the course during this procedure they will not be allowed to return to study until the University has investigated the matter and notified the student of the outcome. In any requests for a reference, it will record where a disciplinary matter is outstanding.
- 3.3. Findings of academic misconduct may be recorded on a student's transcript. Where this is the case, the University may refer to this information in character references or notify any relevant professional body.
- 3.4. Students subject to this Policy should seek independent advice from the Students' Union Advice Service because they have experience of supporting and advising students during academic misconduct proceedings. Students can be supported by one of the Student Union advisers at any stage of this Policy.
- 3.5. It is the University's responsibility to establish that academic misconduct is more likely than not to have taken place.

#### **4. Identifying Academic Misconduct**

- 4.1 Academic misconduct may be identified at any stage of the student's studies and following the confirmation of an award. The action taken will depend upon the stage at which the concerns about academic misconduct arise.
- 4.2 Misconduct may be identified by supervisors, external advisers, internal/ external examiners or any other person internal or external to the University.
- 4.3 Concerns that arise as part of informal review of work not formally part of the assessment process
  - 4.3.1 If concerns of misconduct arise during the regular review of material that forms part of the forming thesis, the supervisory team will identify and highlight the issue. A discussion will take place between the student and the team to ensure that the student is guided in the avoidance of misconduct in the future.
  - 4.3.2 A note will be made in the supervisory logs of the issue and the formative measures taken to address the concern.
  - 4.3.3 Any further concerns raised by the supervisory team during the regular review of material will be treated formally according to the process detailed in 4.4 – 4.7 below.
- 4.4 Concerns that arise as part of one of the formal progression points, but before the final thesis/examination
  - 4.4.1 If concerns arise as part of Annual Monitoring, Confirmation of Doctoral Registration or any other formal process that forms part of the requirements of a postgraduate research student a report will be prepared by the Primary Supervisor.

4.4.2 The report will include the details of the concern and associated evidence and will be submitted to the Head of School/Department or equivalent at Partner institutions.

#### **4.5 Concerns raised during the examination of the thesis, but not during the oral examination**

4.5.1 If concerns are raised whilst the thesis is being reviewed for viva, or following resubmission with corrections, the Independent Chair of the examination panel will prepare a report.

4.5.2 The report will include the details of the concern and associated evidence and will be submitted to the Head of School/Department or equivalent at Partner institutions.

4.5.3 The student will be advised by the Postgraduate Research Office that the process of examination has been suspended.

#### **4.6 Concerns raised during the viva examination**

4.6.1 If concerns are raised during the viva, the Independent Chair of the examination panel will immediately suspend the viva without conclusion and prepare a report.

4.6.2 The report will include the details of the concern and associated evidence and will be submitted to the Head of School/Department or equivalent at Partner institutions.

#### **4.7 Concerns raised after the award of the degree**

When this arises, the identifier will prepare a report which, with the associated evidence, will be sent to the Chair of the Postgraduate Research Continuation and Award Board. The Chair of the Board will refer the case to the appropriate Head of School/Department or equivalent at Partner institutions for further investigation.

### **5. Outcomes of Misconduct Investigations**

#### **Step 1: Consideration by Head of School/Department**

**5.1.** The Head of School/Department/Partner Institution will arrange for an appropriately trained member of staff, who has not previously been involved with the student's case, to investigate the report and associated evidence.

**5.2.** Once the investigation described above is complete, and normally within ten working days of the concern first arising, the student will be given a copy of all the evidence. The student will be invited to a meeting at the School/Department. At least two members of the academic staff will be present at this meeting. The members of staff will be experienced in matters relating to Doctoral students.

**5.3.** The student may be accompanied by a companion. The companion will normally be a Students' Union officer or trained nominee of the Students' Union, a member of academic staff or a student of the University. The purpose of this meeting is to allow the student the chance to comment on the evidence and respond to the allegation of academic misconduct made against them.

**5.4.** At this meeting, which will be minuted and the minutes subsequently shared with the student, the School will decide from the following outcomes:

**No further Action**

There is no case to be answered. On the balance of probabilities, the concerns are unfounded or insufficiently evidenced.

**Academic Misconduct with Remedial Action allowed**

There is a case to be answered but the recommendation is that on the balance of probabilities, the level of seriousness indicates that remedial action can reasonably address the issue. The nature of the remedial action will be determined by the Head of School/Department following a recommendation from investigating academics. A record of the case is maintained but the student is allowed to continue. Any further case will be referred immediately to Stage 2 of the process.

**Academic Misconduct**

On the balance of probability, there is a case to be answered: that cannot be dealt with by remedial action because of the level of seriousness.

All of the evidence will be sent to [appeals@hope.ac.uk](mailto:appeals@hope.ac.uk) for an Independent Consideration along with a School recommendation with regard to a penalty where appropriate.

**6. Independent Consideration**

Cases will be reviewed by two members of senior academic staff (usually one of which will be a Senior Academic Adviser with experience of doctoral supervision). This is known as the Independent Consideration Panel ("IC Panel"). These will be different from the people in section 5 above who initially considered the evidence.

**6.1.** This Panel will consider whether:

- (a)** The evidence is sufficient to justify the conclusion that the student has committed academic misconduct.
- (b)** The proposed penalty is appropriate in light of all the evidence and in accordance with the guidelines set out below.

- 6.2. The student will not be present at the IC Panel meeting, and no representative from the student's School/Department will attend. The IC Panel may dismiss the case on the basis that the evidence does not justify a finding of academic misconduct, or it may ask the School to investigate further and provide additional supporting evidence for its view that academic misconduct has taken place.
- 6.3. If the IC Panel finds the evidence does justify a finding of academic misconduct, and the case cannot be dealt with using remedial action, the IC Panel will refer the case to an Academic Misconduct Panel.
- 6.4. The student will be notified in writing of the outcome within five working days of the IC Panel hearing.

## 7. Academic Misconduct Panel

- 7.1. The Academic Misconduct Panel (AMP) will normally comprise the Registrar (Chair) or the Registrar's nominee, student administration representative (secretariat), two members of academic staff and a representative from the Student Union. The University reserves the right to include an External adviser in the Panel who has academic expertise in an area of relevance to the case. In all cases the AMP must be made up of staff who had no previous involvement with the case. The student will be notified at least five days in advance of the time and place of the meeting.
- 7.2. The AMP will not include any representatives from the student's School, in order to ensure that its decision-making is independent.
- 7.3. It will consider:
  - (a) Whether the evidence is sufficient to justify the conclusion that the student has committed academic misconduct.
  - (b) Whether the proposed penalty is appropriate in light of all the evidence and in accordance with the guidelines set out below.
- 7.4. A representative from the student's School/Department or Partner institution will be present. The student is also entitled to be present to speak on their own behalf.
- 7.5. The student may choose to bring a supporter to the hearing. The companion will normally be a Students' Union officer or trained nominee of the Students' Union, a member of academic staff or a student of the University. The student will be asked to provide the name and capacity in which the supporter is attending in advance. It is not normally expected that the student will have legal representation, but if the student believes it is justified in the circumstances, the student should make these reasons known to the Registrar at least three working days in advance of the hearing. If the Registrar believes the **student has established compelling grounds for legal representation, it will be permitted.**

- 7.6. If it is not possible to make contact with the student or if the student chooses not to attend, the AMP may go ahead in their absence. Whether or not the student attends, the student may submit explanations or evidence about the case in writing at least three days in advance of the meeting, and this will be considered by the members.
- 7.7. The student will be informed of the outcome and of any penalty in writing, with reasons, within five working days of the hearing.

## 8. Academic Misconduct after a Student has Graduated

Where a case has been substantiated through the appropriate procedures the University, may apply a penalty in relation to a student who has completed their award and graduated. This consideration is not time limited. The penalty may lead to the award being withdrawn either temporarily (pending completion of further work) or permanently. The University may notify a relevant body of the matter where necessary. There will be no opportunity for remedial action to be taken.

## 9. Right to Appeal

- 9.1. If the student remains dissatisfied with the confirmed academic misconduct outcome agreed by the University Assessment, Continuation and Award Board, the student has the right to appeal to the Vice Chancellor. The appeal should be submitted within ten working days from the date on the outcome letter by submitting the appropriate form to [caseworker@hope.ac.uk](mailto:caseworker@hope.ac.uk)
- 9.2. The only grounds on which a student can appeal are as follows:
- (a) The decision of the Academic Misconduct Panel was unreasonable in light of the evidence available.
  - (b) The procedure of the hearing was deficient in a way which materially prejudiced the student's case.
- 9.3. A student's appeal will be reviewed by the Vice Chancellor or nominee, and this decision will be final with regard to university procedures. This review will normally limit itself to the written material relating to the case at all previous stages along with the student appeal form. However, the Vice Chancellor (or nominee) reserves the discretion to interview the student and/or other relevant individuals.
- 9.4. The student will receive the outcome in writing as soon as possible. At this point, the student will receive a 'Completion of Procedures' letter explaining that the student has come to the end of university procedures. If the student is still dissatisfied, the student may apply for a review by the Office of the Independent Adjudicator for Higher Education.

### Penalties

9.1 The penalties in the below table are examples

**This table is indicative only**



<b>Concerns raised</b>	<b>Indicative Penalty</b>
Concerns that arise as part of informal review of work not formally part of the assessment process	Formatively dealt with through remedial action for a first case. All subsequent cases to be dealt with as if a case during a formal progression point
Concerns that arise as part of one of the formal progression points, but before the final thesis/examination	<p>Remedial Action:</p> <ul style="list-style-type: none"> <li>- Training</li> <li>- Resubmission of work</li> </ul> <p>Academic Misconduct Panel</p> <ul style="list-style-type: none"> <li>- Progress related to key progression point considered unsatisfactory and student not allowed to move forward</li> <li>- Process is repeated six months after the initial decision is confirmed.</li> <li>- Any further lack of progress is treated according to the University Code of Practice for Postgraduate Research Students.</li> </ul>
Concerns raised during the examination of the thesis, but not during the oral examination	<p>Remedial Action:</p> <ul style="list-style-type: none"> <li>- Training</li> <li>- Resubmission of work</li> </ul> <p>Academic Misconduct Panel</p> <ul style="list-style-type: none"> <li>- The thesis should be resubmitted one year after the initial decision is confirmed. During this period of time the student will be considered to be interrupted from your studies. This decision will override any limitations posed by the students reaching the absolute maximum duration of study.</li> <li>- Any further misconduct is subject to termination of studies</li> </ul>
Concerns raised during the viva examination	<p>Remedial Action:</p> <ul style="list-style-type: none"> <li>- Training</li> <li>- Viva to restart following corrective measures.</li> </ul> <p>Academic Misconduct Panel</p> <ul style="list-style-type: none"> <li>- The viva should be rescheduled one year after the initial decision is confirmed. During this period of time the student will be considered to be interrupted from your studies. This decision will override any limitations posed by the students reaching the absolute maximum duration of study.</li> <li>- Any further misconduct is subject to termination of studies</li> </ul>
Concerns raised after the award of the degree	<p>Academic Misconduct Panel</p> <ul style="list-style-type: none"> <li>- The award is rescinded by the University Senate and all appropriate professional bodies are notified.</li> </ul>

9.2 The penalty for Academic Misconduct may be made more or less severe depending on the evidence available.  
Relevant factors are

- (a) The amount of the student's work affected by the academic misconduct

- (b)** The stage of the student's studies
- (c)** Mitigating Circumstances (in exceptional circumstances, for example, when the student was not fit to make the decision to submit their assessment)
- (d)** Previous academic misconduct offences