

## Academic Misconduct Policy and Procedure

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### Policy / Principles

1. This Policy and Procedure applies to all students and former students at Imperial College registered for Imperial College awards. Allegations of academic misconduct involving members of staff of Imperial College will be referred to the Director of Human Resources and dealt with by investigation and disciplinary measures through the Human Resources Disciplinary Procedures.
2. Students and former students must note that conduct of a nature which would be inappropriate in a member of some professions could require additional action. In particular, students whose programme of study leads to provisional registration as doctors, and whose conduct leads to consideration under the Academic Misconduct Procedures may also be considered under the College's [Procedure for the Assessment of Fitness to Practice Medicine](#).
3. If an allegation is made under these Procedures, the student shall be presumed to be innocent until the contrary is established. The standard of proof that will be used will be the civil standard i.e., on the balance of probabilities.
4. Throughout this Policy and Procedure, the Academic Registrar and the Head of Central Secretariat may delegate any of the duties ascribed to them to another appropriate member of College staff. Where staff changes occur, the roles ascribed to individuals in these procedures may be re-assigned.
5. Any dispute as to the interpretation of this Policy and Procedure shall be referred to the Academic Registrar, whose decision in the matter shall be final.
6. Academic misconduct includes Plagiarism (including self-plagiarism), Collusion, Examination Offences and Dishonest practice. These offences shall be dealt with according to procedures dependant on their relative severity as outlined in the relevant sections of this document.
7. An allegation of academic misconduct may be investigated at any point, whether or not a final mark has been agreed for the work in question, or if an award of the College has been made.
8. The College considers that a judgement regarding whether an allegation of academic misconduct is proven or not as a matter of academic judgement.
9. Where it is appropriate to do so, an allegation against a student that would more appropriately be considered under the Student Discipline Procedure will be referred to the relevant officer under that procedure.
10. Under the terms of this procedure, an investigation is defined as a fact-finding process to establish the relevant evidence and circumstances of the case. The investigation must focus only on the nature of the allegation and should be approached in a non-judgemental manner. The process may involve reviewing supporting records or documentation as well as interviewing the student(s) under investigation.

11. The judgement in any case shall give details of the relevant factors considered, stating the degree to which they contributed to the decision and will state the Panel's intentions in terms of the impact of the penalty on progression or degree awarded. It will also refer to any other factors considered (e.g. Mitigating Circumstances), so that precedence and best practice may be established. The written record will also be important if a student submits an appeal against the outcome.

## Definitions

12. Academic misconduct is any activity, intentional or otherwise, that is likely to undermine the academic integrity of scholarship and research and where a student gains or seeks to gain advantage by unfair or improper means. It includes plagiarism, fabrication or falsification of results, collusion, examinations offences or anything else that could result in undeserved credit for those committing it. Academic misconduct can result from a deliberate act, for example use of unauthorised material in an examination, or may be committed unintentionally.
13. Potential academic misconduct in postgraduate research programmes will be dealt with under ordinance D17, [The Investigation of Allegations of Research Misconduct](#).
14. The following list is not exhaustive; any attempt by one or more students to gain an unfair advantage may be construed as academic misconduct and dealt with under these procedures, irrespective of whether any benefit was gained by the student(s) concerned.
  - i. **Plagiarism** –the presentation of work for any type of assessment which contains, intentionally or unwittingly, the unacknowledged published or unpublished words, thoughts, judgements, ideas, structures or images of some other person or persons work, for example by failing to follow convention in acknowledging sources, use of quotation marks etc. This includes material downloaded from electronic sources, the unauthorised use of one student's work by another student and the commissioning, purchase, and submission of a piece of work, in whole or in part, as the student's own. A student may also be considered to have committed plagiarism in an exam or timed remote assessment if they utilise material without proper citation.
  - ii. **Self-plagiarism** – the presentation of work for any type of assessment that the student has previously submitted for assessment as part of the same module or programme, as part of another programme at the College, or at another institution. This relates to the principle that a student may not receive credit for the same piece of work more than once unless specifically required to resubmit work as a requirement for reassessment, or as part of a larger piece of assessment.
  - iii. **Collusion** – where a student presents for any type of assessment work undertaken in collaboration with another as entirely their work or where a student collaborates with another student on work which is submitted as that other student's work.
  - iv. **Examination Offences** include but are not restricted to:
    - i. taking unauthorised material(s) into the examination room.
    - ii. making use of unauthorised material in the examination room.

- iii. communicating, or attempting to communicate, in any way with anyone other than the invigilators during the examination or causing any disruption which might impact other students in the examination.
  - iv. failure to comply with an invigilator's instructions.
  - v. being party to any arrangement whereby a person other than the student fraudulently represents or intends to represent, the student at an examination.
  - vi. removal of any examination script, any part of an examination script, blank examination stationery or rough notes or work from the examination room except by a person with designated authority to do so.
  - vii. any attempt to tamper with examination scripts after they have been handed in by students.
  - viii. possession in the examination room of any device, such as a mobile phone, smart watch, or other method of communication or information storage that is not completely switched off and/or deposited as directed by the invigilator.
  - ix. any other conduct which is likely to give the student an unfair advantage.
  - x. utilising prohibited material in a timed remote assessment (closed or open book)
- v. Examples of **Dishonest Practice** include but are not limited to:
- a. offering a bribe or inducement to a member of staff (academic or professional support staff) so as to gain advantage in the assessment process.
  - b. seeking to obtain access to confidential information, for example, examination papers, prior to the examination.
  - c. contract cheating, including the purchase of essays or other material from other sources.
  - d. making false declarations to the Mitigating Circumstances procedure or providing fraudulent supporting evidence.
  - e. forging or falsifying signatures or official records in any way.
  - f. falsifying transcripts, certificates or other official College documentation relating assessment outcomes.
  - h. providing work for another student to enable them to commit academic misconduct
  - i. seeking to have/receiving support in an examination or timed assessment against the instructions in place

### Assessing the severity of academic misconduct

15. Each case is different, and judgement will need to be exercised in assessing the seriousness of an allegation or incident of academic misconduct. The Academic Registrar will confirm which procedure should be used where there is any doubt. Boards of Examiners and Panels convened under this procedure must attempt to ensure consistency of treatment between cases and make a judgement about what is a proportionate penalty and ensuring that the penalty applied does not have consequences for academic progression which are disproportionate in impact for the individual student.
16. Factors to consider when determining the penalty and its proportionality include the following:

- The student's level of study; the more advanced and experienced the student, the more serious the offence.
- The weighting of the piece of assessment and the credit rating of the module to which it contributes, the higher the rating the more serious the offence.
- The student's previous history: a subsequent offence, occurring after a student has already received a warning or a penalty for academic misconduct, is more serious than a first offence.
- The degree of intention to deceive in the piece of assessment in question (which might be assessed by, for example, efforts to change wording, poor referencing, or lack of referencing of plagiarised material, evidence from earlier drafts, or evidence of premeditated action such hidden notes or commissioning) and evidence from any statement, written or oral, from the student.

17. Allegations of academic misconduct must be reported as soon as possible and normally within 20 working days of detection to ensure that the student's case is heard in a timely fashion and that any penalty applied is proportionate to the student's academic standing at the time of the offence.

### **Use of *viva voce* examination/investigator meetings in the Academic Misconduct process**

18. In most instances, the consideration of allegations under this procedure will be considered under the paper-based processes described in procedures 1 and 2 below.
19. Under certain circumstances it may be necessary to hold a *viva voce* (oral examination) of a person under suspicion of misconduct. Examples of when it may be considered that a *viva voce* is appropriate would be where there is an allegation that the student had the work completed by another person on their behalf (e.g., impersonation or contract cheating), or have utilised the work of another, including other students, with or without their knowledge or consent, and without appropriate citation.
20. The purpose of a *viva voce* is to provide the student with the opportunity to demonstrate their authorship of the assessment, through their knowledge and understanding of the subject and explanation of how the assessment was completed.
21. The meeting will be held between a suitable academic examiner(s) and the student. The academic judgment of the examiner(s) will form the basis for the decision as to whether the allegation is proven. The notes of the *viva voce* and decision of the examiner(s) will form part of the case file.
22. It is most likely that a *viva voce* would be held during the investigation stage however, an academic misconduct panel on receipt of the papers and following discussion with the investigator may request this to be completed prior to deciding on the allegation.

### **PROCEDURE 1: Summary Process**

23. In a taught programme of study, where the academic misconduct is an instance of suspected minor plagiarism (including self-plagiarism) or collusion, or an exam offence that is considered technical or is a minor offence, it shall be dealt with in accordance with procedure 1 as outlined below.

24. Where plagiarism of any type is detected in group work, all members of that group may be deemed to have collective responsibility for the integrity for work submitted by that group and may be liable for any penalty imposed, proportionate to their contribution.
25. Any allegation must be accompanied by a report from the member of academic staff who is reporting the offence with a clear indication of where the work submitted by the student(s) has evidence of plagiarism, or why they suspect that collusion or an exam offence has taken place. Where the evidence is provided from a plagiarism detection or originality checking service, such as Turnitin™, a commentary must be provided as part of the report to indicate the location and the level of the alleged plagiarism. They should also clearly indicate any areas that should not be considered, for example template wording, or terms of specific meaning/definition for which a match would be expected.
26. Any allegation of academic misconduct will be referred to the student for a response prior to any decision being made.
27. Under procedure 1, the following instances will be referred directly to the Chair of the relevant Board of Examiners (or other delegated person/panel acting on their behalf) by the Department:
- a) Where the allegation concerns a first offence of collusion or plagiarism for a student and for which there is evidence that demonstrated that part of the work has been plagiarised, either intentionally or unintentionally, and is not judged by the Board of Examiners to form a significant part of that work considered both by volume and by weight of meaning. This may include allegations of self-plagiarism or suspected collusion (where the work of another student is used with that student's consent).
  - b) Examination offences that if proven would be a breach of these procedures that are technical/could not result in unfair advantage (at first offence) for example:
    - (i) Mobile phone still being on but not on the student's person
    - (ii) Unauthorised material in the exam room unrelated to the exam in question
    - (iii) Communicating with others in the exam room before or after the exam, which does not cause disruption to other students in the same venue
    - (iv) Other offences commensurate to the above.
28. The action open to the Chair (or nominee) on behalf of the Board of Examiners is as follows: -
- a. That there is no case to answer and therefore that no further action be taken
  - b. That the student concerned be informally reprimanded (*i.e., that a note should be kept on the student's departmental file*).
  - c. That the student concerned be reprimanded and required to resubmit the work with correction to referencing/citation (not permitted to change substance of the work).

- d. That the student concerned be reprimanded and that the piece(s) of assessment should be marked on merit.
- e. That the student concerned be reprimanded and that the piece(s) of assessment should be marked on merit, but the mark given for the performance of the student in the piece(s) of assessment in question be capped at the pass mark
- f. That the student concerned be reprimanded and that a mark of zero be made upon the performance of the student in the assessment in question, with any further permitted resubmission be capped at the pass mark.

Note 1: the decision of a Board of Examiners that plagiarism has occurred need not preclude the student in question from submitting subsequent assessment for the same programme, where applicable.

- 29. Any such action taken by, or on behalf of, the Board of Examiners should be reported to the next meeting of the Board at which students' results are confirmed, and a summary report of action taken by the Board during the academic year under this procedure, in which individual students are not named, should be made annually, normally via the minutes of the meeting of the Board, to the Academic Registrar as part of the annual monitoring process.
- 30. Consideration of a minor offence by the Chair (or nominee) would normally be completed within 20 working days of the allegation being raised.
- 31. In the notification to the student of the decision that they have committed academic misconduct, it must include the reason for the decision, the agreed penalty (and why this penalty has been agreed), and that they have the right to appeal (see section below).
- 32. **Recording of summary offences:** All proven offences will be recorded on the student's official record. In cases considered by, or on behalf of, the Board of Examiners, a summary of the offence and the penalty applied will be included in the minutes. In order that the College has an overview of the extent of any proven offences, a report outlining the number of offences dealt with by each Department drawn from the Board of Examiners minutes (in which individuals are not named), combined with the record of offences considered under procedure 2 shall be prepared in Registry and considered by Senate with any recommendations for action.

### **Procedure 2: College Level Process (Academic Misconduct Panel)**

- 33. All other instances not covered above will be considered by the Academic Misconduct panel. Each Department should delegate to one or more academic staff the responsibility for the investigation of suspected instances of academic misconduct on behalf of the Academic Registrar. As soon as is reasonably possible, and normally within 20 working days, the investigator will ensure that the allegation form is completed (Appendix II).
- 34. The Student Allegation form, along with a copy of, or link to, this policy, the evidence related to the offence and any relevant documentation such as the assessment brief

or examination instructions shall then be sent to the student to request a written response to the allegation. The student shall complete and return the relevant sections to the investigating officer within 10 working days from the date on the letter. This will include the option to provide any supporting documentation in addition to the written response statement in the form. If there is no response from the student, the College shall by default proceed to the establishment of an Academic Misconduct Panel (see para 40 onwards). The investigator is encouraged to send a reminder within the 10-day response period if no response has been received. It will not be considered a procedural irregularity if a reminder is not sent.

35. Where it is suspected that a student has made use of another student's work without that student's consent, this will normally be regarded as a major level offence of plagiarism.
36. Where an offence of plagiarism is suspected in more than one piece of assessment or where an offence of plagiarism is suspected in respect of an individual who has previously been received a penalty for an academic misconduct offence including an offence of plagiarism, the offence[s] shall be considered under procedure 2 even if the offence[s] taken in isolation might normally be regarded as minor in nature.
37. Where the Department's investigating officer deems on the evidence presented that the allegation is one that could be considered under the summary process (in that it could be minor or technical in nature), they, after consultation with the Chair of the Board of Examiners, may decide that the matter can be dealt with by the Board of Examiners, or that no further action will be taken. The matter shall, thereafter, be regarded as closed.
38. Where the investigating officer considers that there remains a case to be considered by an Academic Misconduct Panel, all case papers including the communications to date with the student will be provided to [Student.disciplinary@imperial.ac.uk](mailto:Student.disciplinary@imperial.ac.uk) for the Casework Team to take the case forward.
39. In a situation in which the offence does not directly link to an assessment that the student is currently studying, for example they are alleged to have provided their work to another student in a following year to facilitate academic misconduct, the Academic Registrar will decide if it should be considered under this policy or under the Student Discipline Procedure.

## **ESTABLISHMENT OF AN ACADEMIC MISCONDUCT PANEL**

40. On receipt of an allegation of misconduct to be dealt with by a panel, a member of the casework team will review the documentation to ensure that:
  - a. A fully completed allegation form is received
  - b. That the student has been granted the opportunity to respond
  - c. That the evidence referred to has been provided and meets the minimum expectations under this procedure.
41. Where any of the above are not in place, action will be taken to rectify either by referring the case back to the department or completing any outstanding actions as appropriate.

42. An Academic Misconduct Panel of three members will be convened on behalf of the Academic Registrar. They are required to consider the allegation, the relevant evidence, and any response received from the student prior to coming to a decision, and if necessary, to give a penalty in line with the tariff at Appendix I.
43. The members of the Academic Misconduct Panel will be drawn from an approved list of Academic staff members updated annually. The Panel will be supported by a member of the Casework team acting as secretary and is expected to agree a spokesperson for the proceeding between themselves but noting that if there are later queries or appeals any member of the panel may be called on.
44. The decision of the Academic Misconduct Panel may be that:
  - a. The allegation is not proven on the balance of probabilities and that it should be dismissed.
  - b. The allegation is proven on the balance of probabilities and that a penalty should be applied in line with these procedures.

(Where the Academic Misconduct Panel findings are 'a' or that an offence has been proven that they consider should have been considered under the summary process they will provide guidance through the Student Casework team why they have taken this action to the reporting department).

45. If during their deliberation, if the panel agree that they require further information, for example extra detail from the department or the student, this will be shared with all parties at the outcome of the case.
46. The secretary shall communicate the decision of the Academic Misconduct Panel, including where the decision is that no offence has been committed, in writing to the student normally within five College working days following the decision of the Panel, as well as their Head(s) of Department and any other persons involved in the case.
47. If the Panel are unable to come to a unanimous decision, normally the majority decision will hold. This will be presented as the view of the whole Panel in any correspondence. In exceptional circumstances, a new Panel will be requested to review the allegation.
48. If the student wishes to appeal against the decision of the Academic Misconduct Panel, they must submit the appeal form (Appendix III) to [student.appeals@imperial.ac.uk](mailto:student.appeals@imperial.ac.uk) within ten College working days of receiving the decision of the Academic Misconduct Panel. They must give the grounds of appeal and include all relevant evidence. An appeal against the Academic Misconduct Panel's decision shall be allowed on the grounds listed in paragraph 50 and, if the appeal is allowed, an Appeals Panel will be convened to consider the appeal (see Establishment of an Appeals Panel section below).
49. **Recording of offences:** All proven offences will be recorded on the student's official record. Registry will maintain a record of allegations and outcomes, and combined with the record of minor offences, a report shall be prepared in Registry and considered by Senate with any recommendations for action of the cases considered in the year.

**NOTICE OF INTENTION TO APPEAL**

50. Following the outcome of the consideration of an allegation of academic misconduct, a student may lodge an appeal on one or more of the following grounds:
- a. Where the student believes that there has been a material procedural irregularity in the conduct of the academic misconduct procedure.
  - b. Where there is new evidence of extenuating circumstances which was not available to the Board of Examiners or the Academic Misconduct Panel and could not have been reasonably provided at the time of its decision.
  - c. Where there is evidence that the Academic Misconduct Panel or Board of Examiners acted unfairly or where it was thought to have imposed an outcome out of line with the procedure.
51. Notice of intention to appeal must be received in writing by the Student Casework Team in Registry ([student.appeals@imperial.ac.uk](mailto:student.appeals@imperial.ac.uk)) on the form at Appendix III, no later than ten College working days after the date on which the student was formally notified of the decision. The notification of intention to appeal must state the grounds for appeal and provide any relevant evidence.
52. The appeal will be reviewed by a member of Registry with no previous involvement in the case. If an appeal is considered eligible, an Appeals Panel will be convened.
53. Where an appeal is not considered eligible, the student will be given one opportunity to amend their submission. If the appeal is still considered to be ineligible, the student will be informed that their appeal has not been accepted and a Completion of Procedures letter will be issued.

**ESTABLISHMENT OF AN APPEALS PANEL**

54. The Appeals Panel shall be constituted from the College approved student casework members list and include the President of the Imperial College Union, or a member of the Imperial College Union council, nominated by the President.
55. The Panel will consist of:
- a. College Consul or member of the College approved student casework members list as Chair
  - b. 2 members of the College approved student casework members list
  - c. President of the Imperial College Union, or a member of the Imperial College Union council, nominated by the President
56. To ensure a fair hearing, Panel members should not have been connected to the offence in any way, nor should they be from the same department, the student's personal tutor or hall warden, or have any other close involvement with the student.
57. A secretary to the Appeals Panel shall be appointed by the Head of Central Secretariat. The proceedings before the Appeals Panel and its deliberations shall be recorded by the secretary in order to provide the decision-making process to all relevant parties.

58. The student will be invited to attend the Appeal Panel meeting and advised of the support mechanisms available to them and that they can bring a 'friend' with them to the meeting for moral support but that this may not be acting in a legal capacity. For the purposes of this procedure, a 'friend' is defined as either, a registered student of Imperial College London, an officer or advisor of the Imperial College Union, or a current member of staff at the College. With agreement from the Chair, the 'friend' may speak on behalf of the student.
59. The student will normally be given 10 working days' notice of any request to attend a meeting with the Appeals Panel. If a student is unable to attend, either in person or via video conference they will be provided with one further opportunity to meet the Panel. If a date cannot be agreed with the student within a reasonable timeframe, the Appeals Panel may proceed with their consideration of the appeal and the evidence provided in order to make a judgement. This is to ensure that the appeal can still be considered and concluded in a timely fashion. In such a case the student will be invited to provide a further written statement.
60. No fewer than five working days before the date set for the hearing the secretary to the panel will arrange for a copy of the appeal submission, and the papers on which the decision of proven academic misconduct was reached to all members of the panel, the student, and the decision-maker (or nominee). Such documents would include any written statement(s) made by the student.
61. A cover letter that includes the role and remit of the Appeals Panel, the time and place at which it will be held will be sent with these documents. The pack should also include details of the Department's measures to communicate the seriousness of the offence and its definitions.
62. The Panel will consider the evidence provided with the application for appeal and the documentation from the consideration of the academic misconduct offence. The decision-maker (or their nominee) will also be invited to attend the panel, to answer any questions from the Panel with regards to the consideration of the case.

#### **APPEALS PANEL HEARING PROCEDURE**

63. All sittings of the Appeals Panel shall be held in private.
64. Chair of the Panel will facilitate introductions and explain the role and remit of the panel to those present. A summary of the procedure that will be followed in the hearing will be given.
65. The student will be invited to summarise their appeal submission. The decision-maker (or nominee) will then provide a statement with regards to the decision-making process.
66. The panel will then ask questions of the student or decision-maker to clarify any points made in the submission or arising in the hearing. The student and decision-maker may also ask questions.
67. Before the Panel considers its finding, the decision-maker (or nominee) and then the student shall have the opportunity to make any closing statements.

68. Once these statements have been received, and if no further points of clarification are required as the result, the Chair will close the open part of the hearing for the Panel to deliberate in private. If possible, the Panel will reach its finding without adjournment. The secretary shall be present to record the decision and to provide procedural guidance.
69. The Appeals Panel may, at its discretion, at any time during the proceedings, order the room to be vacated, or the members may themselves retire to another room for private discussions. Only the panel members and the secretary shall be present at these times.

### **DECISIONS OF THE APPEAL PANEL**

70. The Appeals Panel shall determine in private whether the grounds for appeal are upheld, partially upheld, or rejected. The reasoning for their collective decision on the appeal shall be recorded by the secretary on the relevant section of Appendix III.
71. Where necessary the decision of the Appeals Panel shall be reached by a majority vote but shall be announced as the decision of the Appeals Panel. In cases of a split vote, the Chair shall have the casting vote. The votes of individual Panel members shall always be treated as confidential.
72. The Panel shall normally reach its decision on the outcome without adjournment. However, if an adjournment is required, the Panel may adjourn for a period not exceeding five working days.
73. Where the Panel fully or partially uphold the appeal, they will make a recommendation for action based on their findings. This may include quashing the proven offence, amending the outcome (for example amending a major proven offence to a minor proven offence), or requiring a new investigation where they are unable to make a judgement on the offence themselves.
74. If the Appeals Panel finds that the penalty given to the student is not commensurate with standard practice, without a reasonable rationale for this, it may amend the penalty, in line with the tariff at Appendix 1. The Panel may not increase the penalty previously given.
75. The outcome of the Panel's deliberations shall be communicated to the student (and the department) in writing as soon as possible after the Panel meeting, no more than five College working days after the hearing, or seven College working days if an adjournment has been required.
76. All paperwork relating to the Appeals Panel shall be entered on the student's file in the Registry and maintained in line with the [College retention policy](#).
77. In keeping with the Human Rights Act (1998), should the student wish, the decision of the Panel will be posted on the relevant departmental notice board(s).

### **COMPLETION OF PROCEDURES**

78. The outcome of the appeal stage concludes the College's internal procedures with regards to the allegation of Academic misconduct, and therefore a Completion of Procedures letter will be issued to the student.

79. This letter will explain that if the student is still dissatisfied, the student may direct their complaint to the Office of the Independent Adjudicator for Higher Education (OIA) within one calendar year of the date on which the Completion of Procedures Letter was issued. Information on the complaints covered by the Office of the Independent Adjudicator and the review procedures is available at: <http://www.oiahe.org.uk>.

**Approval details**

First approved on:	<i>20 June 2018</i>
Approval by:	<i>Senate</i>
Sub-committee to monitor and review:	<i>QAEC</i>
Version no:	<i>October 2021, version 1.2</i>
Version effective from:	<i>1 February 2022</i>
Full review in:	<i>Academic year 23/24</i>
Contact:	<i>Quality Assurance Team, Registry</i>
Updates (type):	September 2019: Minor updates October 2021: <ul style="list-style-type: none"><li>• Updates to investigation process for allegation of misconduct</li><li>• Updates to penalty structure and guidance to panel members</li></ul>

## APPENDIX ONE – PENALTIES FOR ACADEMIC MISCONDUCT

1. In considering cases of academic misconduct, the Academic Misconduct Panel (or Appeal Panel) may impose the following penalties. Whilst the suggested tariff in the table below would be expected to be followed, each body which imposes a penalty can vary the penalty from the suggested tariff but must provide a clear written rationale for making the variation.
2. The body imposing a penalty for proven academic misconduct that is not considered to be poor academic practice should bear in mind that a student that has been deemed to have committed an offence should receive a higher penalty than would result from not submitting the piece of work in the first place.
3. The penalty given for a proven case of academic misconduct will be dependent on:
  - a. The level of study (the standards of practice are higher as academic level increases).
  - b. Weighting of the assessment as part of the module or award (larger assessments in the scheme of the award would incur a higher penalty).
  - c. The extent/ amount of the misconduct (severity of the offence in terms of overall word count for example).
  - d. Evidence of a deliberate attempt to deceive (for example changing references in an essay or hidden notes in an examination)
  - e. The number and type of any previous offences.
  - f. Any significant mitigating or aggravating factors with regards to the case.
4. Significant mitigating factors include but are not limited to:
  - a. Severe personal circumstances.
  - b. Physical or Mental Health difficulties that would have impaired function and/or reasoning.
  - c. Pro-active action by the student to make the College aware of the offence.

Whilst significant mitigating factors may be considered, the body imposing a penalty should bear in mind the provisos under paragraph 2 above.

5. Significant aggravating factors include but are not limited to:
  - a. Previous or similar offences, including through summary procedures.
  - b. Lack of engagement with the process.
  - c. Lack of understanding of the seriousness of the allegation.
  - d. Potential disruption/disturbance to other students.
  - e. Clear evidence of an attempt to deceive the marker/invigilator.
6. Where a student is proven to have committed simultaneous/ near simultaneous offences, the decision-maker(s) will need to consider how this should be considered when agreeing the penalty. For example: if the offence is plagiarism in two pieces of assessment that have been taken before a student has been informed of the concerns in the work and had an opportunity to change their understanding of referencing and citation, the decision-makers may agree to consider them as the same instance (e.g., *both a first offence, rather than a first and subsequent offence*). For other offences, such as a multiple moderate or severe examination offences, the decision-makers may decide that this is not appropriate due to the type of offence.

7. To aid decision-makers the follow are examples of each level of offence.
- **Poor academic practice:** Work in which there are small amounts of incorrectly paraphrased or quoted material, which do not appear to be dishonest or have a material impact on the assessment.
  - **Minor offence:** For plagiarism this would include plagiarised material of no more than 15% of the assessment work, that attempts have been made to appropriately reference, or for an examination offence that there appeared to be no deliberate dishonest action, for example a phone being left switched on, but is not used/attempted to be used.
  - **Moderate offence:** A moderate amount of the assessment is plagiarised (between 15 and 50%) with little attempt to appropriately reference, or an examination offence in which there is some disruption to other students and/or may lead to an unfair advantage.
  - **Severe offence:** Significant proportion (more than 50%) of the assessment is plagiarised with little or no attempt at appropriate citation, or an examination offence in which there is disruption to other students/gives an unfair advantage (e.g., notes, hidden earpiece, disruptive behaviour).
8. The available penalties for Academic Misconduct are<sup>1</sup>:

Penalty	Notes
a. Informal reprimand but no further action is required (N.B. all other penalties from b-i include a formal reprimand)	The piece of assessment will be marked and the mark achieved will be reported to the Board of Examiners as the final mark.
(N.B. all other penalties from b-i include a formal reprimand)	
b. Re-submission required with correction to referencing/citation (not permitted to change substance of the work).	The piece of assessment must be resubmitted by the deadline given by the Board of Examiners (or nominee) with corrections to referencing and citation only. The content is not permitted to be changed in another way. If it is found to have occurred, the Board of Examiners should take action such as capping at the pass mark.
c. Assessment is marked on its merits	The piece of work will be marked by removing any text to be considered plagiarised. If this results in a fail mark, this will stand and the student will be subject to the normal Board of Examiner's decisions in relation to the failure.
<i>Penalties a-c would not normally be utilised by an Academic Misconduct panel except where there are extreme significant mitigating factors or where is it considered that the offence is due to poor academic practice.</i>	

<sup>1</sup> Panels should consider when agreeing a penalty the relative size of the assessment as part of the module, and/or the size of the module. They may consider that for very large modules (greater than 15 ECTS) it is appropriate to apply a 'lower' penalty from the tariff due to increased impact on the student because of its weighting as part of their programme of study.

d. Assessment is awarded zero, with re-submission required and capped at the pass mark.	The submission is recorded as having a mark of zero. The Board of Examiners will set the resubmission requirements and the resubmission will be capped at the pass mark.
e. Module is awarded zero, with re-submission as required by the Board of Examiners, capped at the pass mark.	The module is recorded as having a mark of zero. The Board of Examiners will set the resubmission requirements for the module and if this is passed, the module mark will be capped at the pass mark.
f. Module is awarded zero, with resubmission required. The mark for resubmission of the module will be zero, though credit will be awarded should it be of a pass standard.	The module is recorded as having a mark of zero. The Board of Examiners will set the resubmission requirements for the module and if this is passed, the module mark will be recorded as zero. The zero mark will be used for calculation of the year (as appropriate) and programme overall weighted average.
g. Zero is recorded for the performance of the candidate in all assessments they sat in the academic year the offence occurred and where eligible, that the candidate will not be permitted to retake all the assessments until the next academic year. The retake marks will be capped at the pass mark.	All assessments (and therefore all modules) in the year of study are set to zero. The Board of Examiners will (depending on any other considerations such as maximum registration and maximum resits years) require the student to repeat the year for capped marks only.
h. Zero is recorded for the module, no retake opportunities will be given, and the module will have no credit awarded. The student will not be permitted re-entry to for the module and they will not be given an award of the institution (expulsion).	The module mark is set to zero. The Board of Examiners will ratify all other marks. The Board of Examiners will not permit resubmission. The student is not permitted to be given an exit award.
i. Zero is recorded for candidate in all assessments and modules. The student will not be permitted re-entry to any modules. No credits will be recorded for the student and they will not receive an award of the institution (expulsion).	All assessments and module marks are set to zero. The Board of Examiners will not permit resubmission. The student is not permitted to be given an exit award.
Where an award has already been made:	
j. Award zero for module/assessment undertaken (where appropriate withdraw credit), rescind the award of a degree/diploma/certificate of the College, but retain any other credits awarded (where appropriate).	The module mark is set to zero. The Board of Examiners will not permit resubmission. Any previous award given to the student is rescinded. The student is not permitted to be given an exit award.

k. Award zero for all assessment (and credit where appropriate) and rescind the award of a degree/ diploma/ certificate of the College.	All assessments and module marks are set to zero. The Board of Examiners will not permit resubmission. Any previous award given to the student is rescinded. The student is not permitted to be given an exit award.
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9. Where appropriate due to the type of offence, the relevant decision-maker in the case may require the student to undertake further training in Academic Integrity such as the '*plagiarism awareness*' course.

**Consideration by the Board of Examiners following penalty by the Academic Misconduct Panel**

10. The Board of Examiners will receive the decision of the Academic Misconduct Panel, to be considered alongside the rest of the student's academic profile.
11. Under certain limited circumstances the penalty applied by the panel may have unintended consequences for the student. For example, if penalty f is applied to a student with a low overall weighted average it may mean that they fail to make the minimum required over weighted average for progression or award. In cases such as this the Board of the Examiners has the discretion to amend the penalty. They should consider what additional action may need to be taken to ensure that the intention of the penalty is applied without failing the student. An unintended consequence does not normally include a delay in programme completion or requirement to repeat part of the programme.

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## Table

The following table has been produced for guidance. Where there are significant aggravating or mitigating factors, the suggested penalty should be changed to reflect this, and the decision-making process must be clearly articulated in the notification to the student and the formal record of the case. The panel should review the listed penalties available and agree what is appropriate based on the individual circumstances. Where first offence is listed, this should be the first offence by the student as part of the programme of study, rather than by year of study.

Category of proven offence	UG Years 1 <sup>2</sup> & 2 (FHEQ level 4 & 5)		UG all other years and PGT (FHEQ level 6 and 7)	
	First Offence	Subsequent Offence	First Offence	Subsequent Offence
Plagiarism/ self-plagiarism/ collusion due to poor academic practice	A-B	C-D	N/A due to level/experience of the student	
<u>Minor</u> plagiarism/ self-plagiarism/ collusion/ exam offence	C-D	D-E	C-E	E-F
<u>Moderate</u> plagiarism/ self-plagiarism/ collusion/ exam offence	D-E	E-F	E-G	F-H
<u>Severe</u> plagiarism/ self-plagiarism/ collusion	E-F	F-G	F-H	H-K
<u>Severe</u> Examination Offence	F-K		F-K	
Dishonest practice	F-K			

<sup>2</sup> Refers to year of programme of study. N.B. Direct entry level 6 programmes such as iBSc would be considered 'UG all other years and PGT'.  
Academic Misconduct Policy & Procedures