Part B3 Academic Malpractice and Misconduct

Higher Education Academic Regulations

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REVISION HISTORY

Ver	Date	Author	Description
1.0	January 2014	Peter Greenall	Initial Approval of Academic Malpractice
1.1	March 2015	Scott Smith	Update to clarify panel membership
1.2	Sept 2015	Scott Smith	Addition of panel document requirements. Further guidance for cases of cheating with an additional review stage being added prior to a panel being convened.
1.3	March 2016	Scott Smith	Addition of a reference to UoS students and the University's regulations
1.4	July 2016	Scott Smith	Amendment to titles and names
1.5	December 2016	Scott Smith	Relocation of penalties from Part A to B3
1.5.1	February 2017	Scott Smith	Statements added relating to CMI: • An individual's right to report malpractice. • A requirement to inform CMI of malpractice
1.5.2	September 2017	Scott Smith	Some small iterative updates and changes to penalties
1.6	May 2018	Scott Smith	Substantial re-write relating to operational feedback.
1.6.1	June 2020	Scott Smith	Clarification around the issuing of warning letters as a penalty
1.6.2	May 2021	Scott Smith	Removal of reference to Liverpool John Moores provision
1.6.3	August 2021	Scott Smith	Clarification of reporting criteria and inclusion of poor academic practice letter template Clarity around the supportive role's contribution to a meeting. Correction of minor typographical errors
1.6.4	July 2022	Scott Smith	Annual Update
1.7	May 2023	Scott Smith	Annual Update
1.7.1	June 2024	Scott Smith	Annual Update
1.7.2	June 2025	Scott Smith	Annual Update including a reference to the inappropriate use of GenAI and clarification around the burden of proof required by a panel.
1.7.3	July 2026	Scott Smith	Various additions for the reason of clarity. New section of Freedom of Speech

APPROVAL

Ver	Committee	Date Approved
1.0	Higher Education Academic Board	15 Jan 2014
1.1	Academic Standards and Development Committee	11 March 2015
1.2	Academic Standards and Development Committee	9 Dec 2015
1.3	Academic Standards and Development Committee	3 March 2016
1.4	Academic Standards and Development Committee	26 Oct 2016
1.5	Academic Standards and Development Committee	7 Dec 2016
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1.7.3	Academic Standards and Development Committee	July 2026

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B3.1 INTRODUCTION

These regulations relate to the provision of higher education programmes delivered at Blackpool and The Fylde College Group.

B3: Academic Malpractice and Misconduct has been produced following consideration of the UK Quality Code for Higher Education.

The College recognises that the development of academic integrity is a learning process. This procedure therefore seeks to distinguish between poor academic practice arising from inexperience and deliberate academic misconduct, ensuring that responses are proportionate, educative and fair.

To protect the academic integrity of awards made by Blackpool and The Fylde College Group, students, at the start of their studies, should be provided guidance and support on how to develop sound academic practices, this support should mitigate against the use of this procedure; in that regard the use of this procedure should be viewed as the final step in what is a supportive approach that includes a proactive approach to prevent poor academic practice, malpractice and misapprehensions.

GUIDING PRINCIPLES

- The Academic Misconduct and Malpractice Panel should apply "on the balance of probabilities" as the standard of evidence.
- Where allegations are being investigated, where possible, a check of all available summative work within the same assessment period should be undertaken.
- Personal Mitigating Circumstances will not normally be considered relevant in determining whether an offence has occurred.
- While lack of intent does not in itself constitute a defence, the Panel may consider evidence of intent, experience and academic level when determining whether behaviour constitutes poor academic practice or deliberate deception, and when determining an appropriate penalty

Any attempt to convey deceitfully the impression of acquired knowledge, skills, understanding, or credentials, is a serious offence and may constitute grounds for sanctions up to exclusion.

Blackpool and The Fylde College Group unequivocally condemns academic malpractice and misconduct that may result in a student obtaining an unfair academic advantage. This may include but is not limited to:

- Obtaining unauthorised access to assessment material

- Introducing unauthorised material into a room where an assessment is being conducted under controlled conditions.
- Collusion or attempted collusion with other persons on assessments which are designed to be undertaken by each student individually.
- Copying or closely imitating the work of another student, with or without their permission.
- Reusing one's own words from a previously submitted summative assessment to gain academic credit (Self-plagiarism)
- Exhibiting disruptive behaviour during examinations or other assessments conducted under controlled conditions.
- Impersonation
- Submitting work which has been written or modified by another individual on behalf of the student, this could include essay mills or similar services.
- Presenting work generated by artificial intelligence as one's own creation, thereby misrepresenting the origin and authorship of the material.
- Submitting another student's work whether it has been previously submitted by that student.
- The inclusion of irrelevant, offensive or obscene material in assessments submitted.
- The alteration or falsification of any results or data
- Failure of a student to protect the integrity of their work by not ensuring its security.
- Failure to reference or acknowledge sources adequately, in a way which presents the work as if it has been authored by the student. This may, for example, include:
    - Using close paraphrasing of aspects of another author's work without acknowledging the source
    - Directly quoting from a source but failing to include quotation marks.
    - The inappropriate use of Generative Artificial Intelligence constitutes academic misconduct where it results in misrepresentation of authorship, circumvention of assessment requirements, or the gaining of an unfair academic advantage. Permitted or supported uses of such tools, where explicitly allowed within an assessment brief, do not fall within the scope of this procedure.

The above list is not exhaustive, and other offenses may be considered by the Academic Malpractice and Misconduct Panel at the discretion of the College.

Students are responsible for understanding and complying with assessment-specific guidance on the use of artificial intelligence and digital tools, therefore unless otherwise indicated in an assessment brief, all students will be assessed based on their own work. Students should be aware that to ensure that all students are treated in a fair and equitable way all coursework, where possible, will be compared against existing materials and where a degree of similarity

that might arouse suspicion is identified, students may be referred to an Academic Malpractice and Misconduct Panel.

APPLICATION IN RELATION TO FREEDOM OF SPEECH

In determining whether behaviour constitutes misconduct, the College will have particular regard to the importance of protecting lawful freedom of speech and academic freedom.

Conduct which consists solely of the lawful expression of ideas, beliefs or opinions shall not constitute misconduct, even where such expression may be considered controversial, challenging or offensive.

Any restriction or sanction applied under these Regulations must be lawful, necessary and proportionate, considering the College's duty to secure freedom of speech within the law.

B3.2 DEFINITIONS

B3.2.1 CHEATING

B3.2.1.1 COURSEWORK

- Collusion, where a piece of work prepared by two or more students or apprentices is represented as if it were their own.
- The commission of and or use of a paper from a commercial service, including internet sites, whether pre-written or specially prepared for the student or apprentice concerned.
- Submission of work produced by another person,
- Duplication of the same or almost identical work for more than one module
- Submission of another student's or apprentice's work, whether with or without that student's knowledge or consent

B3.2.1.2 EXAMINATION

In addition to any of the above:

- Any breach of the rules for Blackpool and The Fylde College Group examinations procedures, including copying from or conferring with other students or apprentices or using unauthorised material or equipment in an examination room.
- Impersonating or allowing another to impersonate a student or apprentice.
- Failure to abide by the instructions of a duly authorised examination invigilator.

B3.2.1.3 PERSONAL MITIGATING CIRCUMSTANCES (PMC)

Any student or apprentice found to have submitted a PMC application that includes content that is fictitious or includes supporting evidence that has been contrived to seek advantage over their peers will be considered to have cheated and as such will be referred to an academic malpractice panel.

B3.2.2 FABRICATION OF RESULTS

Fabrication of results occurs when a student or apprentice claims to have carried out tests, experiments or observations that have not taken place or presents results not supported by the evidence with the object of obtaining an unfair advantage.

B.2.3 PLAGIARISM

Plagiarism can be defined as: the action of utilising or closely imitating the language / work of another author as if the product were one's own. Blackpool and The Fylde College Group Academic Regulations categorise any such behaviour into one of the two types below.

A clear distinction must be drawn between inexperienced academic study and writing skills (especially among first year undergraduates and international students) and deliberate deception. The former requires remedial teaching and only the latter deserves severe penalties. Intentionality is difficult to establish, so the framework allows a first offence based on “benefit of doubt,” with a relatively light penalty and a requirement that the student or apprentice seeks appropriate study skills advice. Subsequent plagiarism offences are more likely to be deliberate, so the penalty system becomes progressively more punitive.

Ignorance of proper procedures or of good practice in academic writing is no excuse, particularly if a student or apprentice has previously been accused of plagiarism or poor academic practice, advised to seek study skills help, and fails to learn the lessons.

B3.2.3.1 POOR ACADEMIC PRACTICE

Poor academic practice could include poor referencing, unattributed quotations, inappropriate paraphrasing, incorrect or incomplete citations, or up to several sentences of direct copying without acknowledgement of the source. To be classified in this way, it must be the marker’s judgement that the affected submission results from poor academic practice rather than a deliberate intent to deceive.

B3.2.3.2 DELIBERATE DECEPTION

Deliberate deception is defined as, but is not limited to:

- Copying multiple paragraphs in full without acknowledgement of the source
- Taking essays from the Internet without revealing the source
- Copying all or much of the work of a fellow student with or without their knowledge
- Submitting the same piece of work for assessment under multiple modules or two or more recorded occurrences of poor academic practice.
- The use of Generative Artificial Intelligence (genAI) software to gain an unfair advantage.

B3.3 REPORTING CRITERIA

B3.3.1 POOR ACADEMIC PRACTICE

Where a piece of assessed work in the academic judgment of a marker is subject to poor academic practice, the marker must consult with both the relevant Programme Leader and Curriculum Manager (or Assistant Principal where the maker is either of aforementioned people) to consider the appropriate action. If all parties agree and believe that the student or apprentice has submitted work that is considered to demonstrate poor academic practice, they must:

- Contact the Student Administration Management Team to confirm whether a warning letter has been issued to the student or apprentice previously.
- Meet with the student or apprentice (Module Tutor and Programme Leader) to discuss the poor academic practice and the support mechanisms that will be put in place by the academic team and HE Learning Mentors to assist the student or apprentice.

If no letter has been issued previously and the student or apprentice is content to accept a warning:

- The programme team will complete the warning letter and provide it to the Student Administration Management Team who will issue the letter to the student or apprentice and note the offence on their record.

If a warning letter has been issued previously or the student or apprentice is unwilling to accept a warning, the procedure set out below will be initiated.

B3.3.1.1 POTENTIAL ACADEMIC MALPRACTICE OR MISCONDUCT

All Blackpool and The Fylde College Group colleagues or representatives thereof are responsible for reporting any instances where there are grounds for suspicion of academic malpractice or misconduct to the Student Administration Management Team. The Student Administration Management Team will liaise with the HE Academic Registrar and will convene

a panel wherever a prima facie consideration indicates that there may be a case to be answered.

B3.4 ACADEMIC MALPRACTICE AND MISCONDUCT PANEL

The Academic Malpractice and Misconduct Panel makes decisions based on the balance of probabilities. This standard requires the panel to determine whether it is more likely than not that alleged malpractice or misconduct has occurred. The panel reviews all available evidence, including testimonies, documentation, and any relevant academic records. By weighing the evidence, the panel assesses whether the claim is substantiated with a greater likelihood than the opposing evidence. This approach ensures that decisions are made fairly and equitably, prioritising the integrity of the academic process while considering the rights and responsibilities of the students/apprentices involved.

The panel will consist of:

- From another curriculum area, an independent Assistant Principal as Chair or appropriate nominee identified by the HE Academic Registrar.
- An Assistant Academic Registrar or trained nominee.
- An academic colleague unrelated to the assessment.

In attendance will be:

- The academic colleague asserting malpractice or misconduct, presenting the case. Where the academic colleague is unavailable a nominee will present the case. This will usually be the Curriculum Manager for the relevant curriculum area.
- The Student Administration Management Team to minute the meeting and maintain records of all decisions and outcomes.
- The student or apprentice suspected of academic malpractice or misconduct.

Panels will, wherever possible, be arranged to allow the student or apprentice to attend. If they are unable or unwilling to attend, they may write a letter to outline their views regarding the allegations. Where the student or apprentice does not attend the panel at the agreed time and date, the panel will convene and make their decision based solely on the documentary evidence available.

Students and apprentices have a right to be accompanied by one person to the panel meeting. Where this is the case, the role of the person accompanying the student or apprentice is to provide pastoral support and is not to contribute to the deliberation between the panel and the student or apprentice. Students or apprentices accused of academic malpractice or misconduct are expected to provide personally an opening statement and to answer any

pertinent questions from panel members including specific questions relating to the assessment with suspected malpractice/misconduct.

The College will make reasonable adjustments to the process, format or timing of panel meetings to ensure accessibility for students with protected characteristics, including neurodivergence, mental health conditions or disabilities.

There is no right for a student or apprentice to have legal representation at an Academic Malpractice and Misconduct Panel.

The Chair may at any point in the proceedings adjourn a panel meeting; such an adjournment would normally be for the purpose of seeking clarification on a particular issue so as not to disadvantage a student or apprentice. Where a case implicates more than one student or apprentice, the College may vary the structure and timings of meetings to ensure that all aspects are fully considered before reaching a conclusion and in doing so the Panel will seek to ensure consistency of decision-making while considering individual roles, levels of contribution and responsibility

B3.4.1 DOCUMENTATION AVAILABLE TO THE PANEL

The Student Administration Management Team is responsible for providing any relevant paperwork to the panel and the implicated student(s) or apprentice(s) prior to the meeting. Below is an indicative list of documents that may form part of the documentation; this list is not exhaustive, and other documents may be included.

- The academic malpractice and misconduct report
- The assessment brief(s) in question
- The student's submission(s)
- The TurnItIn report (where appropriate)

Similarity reports and other detection tools form part of the evidence base but are not determinative in themselves; academic judgement will always be applied when interpreting such reports.

B3.5 PROFESSIONAL OR REGULATORY BODY REQUIREMENTS

Often both professional and regulatory bodies stipulate requirements in their own policies or guidance documentation relating to academic malpractice or misconduct. Where such documentation exists the professional and regulatory bodies' requirements must be adhered to and where possible the requirements should be aligned to Blackpool and The Fylde College Group's regulations.

B3.6 PANEL OUTCOMES

In determining an outcome, the Panel will apply the principle of proportionality, considering the seriousness of the offence, the student's academic experience, any previous findings, and the need to protect the integrity of the award. The Academic Malpractice and Misconduct Panel will consider all suspected cases and has the following actions available to it:

- If it is determined that there has been no offence, then:

At its discretion and where poor academic practice is identified the panel should issue an advisory/warning letter. If, however, the student has previously been issued with a warning letter the panel must examine whether a second instance of poor academic practice should be considered as a first offence rather than poor academic practice with a penalty being applied; this would normally be the case.

Where no previous warning letter has been issued, the academic marker shall be instructed to mark the work in question normally.

- If it is determined that there is satisfactory evidence that an offence has been committed one of the following may be considered.

  i. Award zero or equivalent for the assessment in question and permit its reassessment without restricting the mark awarded.
  ii. Award zero or equivalent for the assessment in question and permit its reassessment, restricted to the minimum pass mark. The module in such cases **will not** be capped.
  iii. Applicable to Scottish Qualification Authority awarded programmes only:

  Award zero or equivalent for the assessment in question, permit its reassessment restricted to the minimum pass mark and limit all **Graded Units** to a minimum pass grade (C).

  iv. Award zero or equivalent for the assessment in question and permit its reassessment. The module in such cases **will** be capped.
  v. Award zero or equivalent for the assessment in question, permit its reassessment and restrict all modules at the same level to the minimum pass mark.
  vi. Through Boards of Examiners meetings, record the student or apprentice as an academic failure and, if applicable and where timing warrants, withdraw them from their programme of study; in such cases a student or apprentice may be awarded a contained qualification, where appropriate and one exists, but will not be awarded their target award.

The panel may also, where circumstances dictate, consider an alternative penalty within the spirit of these regulations. The penalties above become progressively more punitive and will be applied by panels with consideration of:

- Any academic writing support a student or apprentice has received.
- A student's or apprentice's level of study
- Whether there have been any previous instances (including the issuing of warning letters for poor academic practice)
- The nature and scope of the offence

B3.7 SUBSEQUENT REASSESSMENT

Where a penalty has been applied, no further reassessment opportunity will be available following resubmission.

B3.8 THE PANEL OUTCOME LETTER

For each offence, the Academic Malpractice and Misconduct Panel will send the student or apprentice a formal letter which:

- Identifies the nature and scope of the offence.
- Confirms the outcome of the Academic Malpractice and Misconduct Panel.
- Recommend engagement with specified academic skills or integrity-related support as part of a developmental response. Indicates how the student or apprentice can challenge the outcome through academic appeal.

The minutes of panel meetings are not generally distributed following a meeting but are available on request. Minutes are not intended to represent a verbatim record of what was said within a meeting but instead aim to capture the nature and essence of discussion.

B3.9 ACADEMIC APPEAL

Where a student or apprentice has been found guilty of malpractice and is dissatisfied with the findings of an Academic Malpractice and Misconduct Panel, they have the right to appeal the outcome under the taught award regulations set out in section B9 Academic Appeals.

B3.10 GENERAL DATA PROTECTION REGULATION

Students or apprentices should be aware that any information submitted to an Academic Malpractice and Misconduct Panel will always be treated as confidential. There may be occasion however where documents could be used in conjunction with another College

procedure. In the event of such a case the College will endeavour to inform the student or apprentice prior to its use.

Under General Data Protection Regulations, Retaining Personal Data (Principle 5), personal data should not be kept any longer than is necessary for the purpose for which it was obtained. All information relating to the business of an Academic Malpractice and Misconduct Panel will be destroyed at the start of the academic year, two full academic years after a student's or apprentice's programme of study has completed, unless a complaint or appeal in relation to academic malpractice and misconduct is ongoing.

Students or apprentices should make every effort not to provide details that relate to a third party. Where such information is provided, under UK GDPR Article 14, the College may be required to notify third parties that it is processing their data. Where possible and appropriate any such information should have personal information redacted, if information is received that has not been redacted the Student Administration Management Team will redact personal information immediately following its presentation to a panel.

Colleagues at Blackpool and The Fylde College Group who participate in an Academic Malpractice and Misconduct Panel should be aware that information about them acting in their professional capacity may be disclosed to the Office of the Independent Adjudicator for Higher Education (OIA) if it formed part of the information which has been considered under a College process.

APPENDIX B3 - A – TERMS OF REFERENCE

Terms of Reference Academic Malpractice and Misconduct Panel	
Chair	Independent Assistant Principal
Membership	• An Assistant Academic Registrar (or nominee). • An academic colleague not associated with the assessment.
In attendance	• The academic colleague asserting malpractice / misconduct or their nominee. • The student suspected of academic malpractice or misconduct.
Minuting	Student Administration Management Team
Frequency	As required
Summary of purpose	As an impartial body to judge cases of alleged academic malpractice, based upon the evidence brought before it. Responsible for making a judgement on the validity of malpractice / misconduct independently of any external factors. Boards of Examiners will make the ultimate decision on the student's or apprentice's progression or award, failure and reassessment.
Terms of Reference	• To consider the evidence as presented. • To interview the student and appropriate employees, as necessary. • To review the process taken in the identification, investigation and awarding of the penalty. • To review the record of penalties applied to ensure the penalty applied is consistent. • To send the student or apprentice a formal letter outlining the outcome of the panel.
Date of last review	July 2026