

# Code of Practice for Plagiarism and Examination Offences

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## 1. Introduction

**1.1.** This Code of Practice applies to all students registered with on any of the ICR's taught courses and research degrees.

**1.2.** This Code of Practice specifies the procedures which must be followed where an allegation of plagiarism or an examination offence (defined in section 2) is made against a student. It defines the range of penalties which may be imposed in the event that an allegation is proven, and the right of appeal.

**1.3.** This procedure includes information on three possible stages of dealing with allegations:

**1.3.1.** Preliminary consideration, where the relevant investigator decides whether there is a case to be answered, whether the case can be dealt with informally or whether to invoke a full investigation.

**1.3.2.** Full investigation, where the Academic Dean or deputy either determines the penalty or establishes a Hearing Committee to consider the investigation and decides whether or not to uphold the allegation.

**1.3.3.** To appeal the decision of the Academic Dean/ Hearing Committee, the student can request a review to consider whether the procedure was correctly followed and whether the outcome was reasonable in all the circumstances. The Review Procedure should be used in these cases.

**1.4.** Alternative and appropriate trained and experienced members of staff may be nominated by the Registrar to take on any of the roles detailed in this procedure, in the event that those named have had any previous involvement in the matter, or could be reasonably perceived by the student to be biased, or are unavailable at the time of the investigation. Consideration of the individuals who will undertake roles at each stage should be considered at the start of the process, so as to ensure appropriate members of staff will be available to cover later stages.

**1.5.** The ICR aims to process any case of plagiarism or an examination offence covered by this Code of Practice within 90 calendar days from the date of the initial letter confirming the allegation to the student. There will occasionally be circumstances when, for good reasons, the ICR will need to extend the

timeframe for this process, or for part of the process, and in these circumstances the parties involved will be notified and kept updated as to the progress of the case.

**1.6.** Appropriate and proportionate written records will be kept by the relevant supporting member of the Registry team (the 'Case Handler') throughout the process and stored confidentially in accordance with the ICR's policies on record retention and data protection legislation.

**1.7.** No person will be told any more about the investigation than is strictly necessary in order to obtain the information required and to enable the administration, investigation, decision-making process to take place, with the exception of 6.4 for MSc Oncology students.

**1.8.** At the earliest opportunity, students should be made aware of the sources of support available. These can be found in the relevant Student Handbooks, available on the intranet (for research degree students) or the virtual learning environment (for taught courses students).

**1.9.** Reasonable adjustments will be made to this procedure to enable students with disabilities to engage with equal opportunity.

## **2. Definition**

**2.1.** Plagiarism is defined in Annex 1 including why it is wrong and how it can be detected.

**2.2.** The following shall be regarded as examination offences, although other types of offence or irregularity, which are not prescribed here, may also constitute an offence. The guidance given does not purport to be exhaustive, but is provided for the information of staff and students.

**2.2.1.** Conspiring with another or others to have work completed by another including offering work, whether for sale or not, for use by another without acknowledgement.

**2.2.2.** Collusion (where the work submitted is the result of the work of more than just the student making the submission but which the student making the submission claims to be his/her own work without acknowledging the contribution of others).

**2.2.3.** Research misconduct in relation to original research-based assessment (taught course dissertation, research degree thesis); including plagiarism, fabrication of data, falsifying the results of laboratory, field work or other forms of data collection and analysis.

**2.2.4.** Impersonation of another during an examination or other assessment related event.

**2.2.5.** Possessing and/or using materials prohibited in the examination room.

Candidates at any written examination taken under supervision, and at an examination without a defined time limit, or at any practical, oral or similar examination, are permitted to use only such books, notes, instruments or other materials or aids as specifically permitted by the Institute for the examination in question.

**2.2.6.** Failure to observe the regulations or instructions for an examination including:

**2.2.6.1.** Conduct affecting the security of an examination, including breach of confidentiality e.g. prior disclosure of questions for an unseen examination;

**2.2.6.2.** Collusion or conferring with others during an examination;

**2.2.6.3.** Leaving an examination without permission or supervision and returning to the examination; and

**2.2.6.4. Removing a script or other examination stationery from an examination room.**

**2.2.7. Making false statements or presenting false evidence, in support of an application for extenuating circumstances, obtaining an assessment extension or in explanation of any form of absence or default.**

NB. For student misconduct not relating to academic or research misconduct, the Student Disciplinary procedure should be followed.

**3. Principles of the procedure**

**3.1.** This procedure seeks to ensure that the ICR acts fairly and reasonably in relation to all parties involved in disciplinary proceedings.

**3.2.** This procedure complies with the rules of natural justice which give students:

**3.2.1.** the right to know the case against them;

**3.2.2.** the right to be given an opportunity to defend themselves; and

**3.2.3.** the right for the case to be considered by impartial decision-makers.

**3.3.** The standard of proof used to consider whether or not alleged misconduct is found to have been proven will be the civil standard, i.e. on the balance of probabilities.

**3.4.** The burden of proof, the responsibility of proving a breach of this procedure, rests with the ICR. It is the ICR's responsibility to prove that the behaviour occurred, it is not the student's responsibility to prove that it did not occur.

**3.5.** The procedure does not prevent the same allegation of misconduct being investigated again if new evidence emerges, which for good reason, could not have been obtained by the provider at the time. However, consideration will be given to: the outcome that was initially obtained; the length of time that has elapsed and the impact of this on the investigation; the severity of the offence; the impact on the student; and whether the allegation, if found, would impact the student's fitness to practice.

**3.6.** There are circumstances where this procedure may be used to take action against a former student, these circumstances may include where an investigation has already begun and to close the case without conclusion would be inappropriate, for example because of the seriousness of the allegation; alternatively, the ICR may only become aware of an alleged offence once a student has left and to take no action would be disproportionate and/or harm the ICR's reputation.

**3.7.** For the MSc in Oncology course, details of confirmed examination malpractice offences will be copied to the Course Director and reported to the student's NHS Trust, at the Course Director's discretion, for all but minor offences.

**4. Expectations of Behaviour during the procedure**

**4.1.** All parties are expected to act reasonably and fairly towards each other, and to treat the processes themselves with respect. This applies in relation to all correspondence and when attending formal hearings. Not adhering to this requirement may make the current allegation of misconduct more serious or it could be the subject of an additional allegation of misconduct.

**4.2.** This procedure is part of a wider framework that gives clear information to students about their expected standards of behaviour. Please read the Student Charter and the relevant student handbooks for more information which can be found in the Studying and Training section of the ICR website.

## **5. Preliminary investigations**

**5.1.** Cases of suspected academic misconduct should be reported in the first instance to the relevant Deputy Dean for research degrees or Course Directors for taught courses.

**5.2.** In cases where research misconduct is suspected (offence 2.4. above), the allegation should immediately be referred by the Deputy Dean or Course Director to the Named Person under the ICR's procedure for the investigation of research misconduct, including the involvement if appropriate of the student's employer. These allegations are handled under that procedure, and for clinical research students that of the student's employing hospital if appropriate, from this point until the Investigation Panel produces its final report, whereupon section 6.11 of this procedure should be followed.

### **5.3. Informal plagiarism investigation**

**5.3.1.** Where plagiarism is detected or suspected, this will be referred to a Deputy Dean or Course Director, who may meet with the student to determine whether they consider that plagiarism may have taken place, rather than, for example, poor academic practice.

**5.3.2.** Where the Deputy Dean or Course Director does consider that plagiarism may have taken place, the process will move forward to the initial investigation stage.

**5.3.3.** Even if no further action is taken, the student will be informed that concerns have been raised about their work.

### **5.4. Initial Investigation**

**5.4.1.** In cases other than those where research misconduct is suspected, the Deputy Dean or Course Director will request that the Deputy Registrar (or their nominee) conduct an investigation as they deem necessary in order to establish if there is a case to be answered.

**5.4.2.** The student will be told in writing at the beginning of the process which offence(s) they are suspected of committing and why. The student will also be given any available supporting evidence and a copy of this procedure.

**5.4.3.** The student will be given an initial opportunity to respond to the allegation(s) made against them. This may involve a meeting with the Deputy Registrar or their nominee to discuss the allegation.

**5.4.4.** The Deputy Registrar or their nominee will decide whether the case should be accepted or dismissed and whether it can be resolved at that stage or requires formal investigation.

**5.4.5.** If the case can be resolved at this stage, the Deputy Registrar or nominee with a member of academic staff will decide on appropriate action. If the student admits a minor offence, they will agree a proportionate penalty as per the guidance in Annex 2.

**5.4.6.** If the Deputy Registrar or their nominee deems that a full investigation is necessary, they will inform the Academic Dean, presenting the case with all the evidence received and will nominate a senior member of Academic Services staff to act as Case Handler.

**5.4.7.** The student will be provided with a written outcome setting out the decision reached and/or explaining what will happen next. If the student is unsatisfied with the decision reached or penalty set at this stage, they may request a full investigation. The copy will be kept on the student's file.

## **6. Full investigation**

**6.1.** The Academic Dean will contact the student in writing confirming the particulars of the allegation as well as the purpose and scope of the investigation and the possible outcomes. They may request a meeting with the student and may talk to staff or other students and consider documents and other

evidence. The student will be provided with the contact details of the Case Handler who they can contact with any queries about the progress of the case.

**6.2.** If the student does not respond within one month the case will be dealt with in their absence by the Academic Dean.

**6.3.** The Academic Dean will produce a report based on their investigations which outlines the process followed, the information gathered, and their conclusions.

**6.4.** The Academic Dean may make a decision including if necessary the appropriate penalty (as per the guidance in Annex 2) or may refer their report to a Hearing Committee for a decision to be agreed.

**6.5.** The student will receive written confirmation of the outcome setting out the decision reached, penalty set and/or explaining what will happen next. This will include copies of the information obtained during the investigation, a copy of the investigation report and information about the next steps in the process. The copy will be kept on the student's file.

**6.6.** If the Academic Dean has reached a decision at this stage and the student is unsatisfied with the decision reached or penalty set, they may request a Review of the decision as per section 7.

**Establishment of a Hearing Committee in respect of all Academic Misconduct offences other than those where research misconduct is suspected.**

**6.7.** The Hearing Committee will be established by the Academic Dean. The Committee will consist of three members of Senior Faculty and a student representative as nominated by the student president where possible. The Committee members should not have any direct links with the student. One Committee member will be nominated as the Chair, who will have a second, casting vote, in the event of an equal split. The Case Handler will act as the Committee Secretary. The secretary shall be responsible for providing advice to the committee and keeping the minutes of the proceedings but shall not otherwise participate in the making of decisions by the committee.

**6.8.** All meetings must be minuted and a report produced at the end which should provide sufficient detail in case of an appeal. This should be an impartial record and should be jointly approved by the Hearing Committee and the student.

**6.9.** Notice of the date, time and venue of the Hearing Committee should be provided at least **10 days** before the meeting, along with details of the allegation being investigated, any evidence obtained in relation to the allegation and any written statement provided by the student.

**6.10.** The student may be accompanied to the hearing by a friend, relative or student representative. If this is the case the student must inform the Committee Secretary no fewer than 7 days before the Hearing Committee date [name, address and description of the representative friend, relative or student].

**6.11.** If the student fails to attend the Hearing Committee meeting and the steps above have been followed the meeting will go ahead in their absence.

**6.12.** The allegation being investigated will be presented at the start of the meeting by the Registrar. The student will then have an opportunity to respond. Either side may call witnesses but this must be agreed in advance of the meeting. A witness who is a student may be accompanied by a friend or relative while giving evidence.

**6.13.** Once the Committee is satisfied that sufficient evidence has been presented and the student has been given fair and reasonable opportunity to respond, the Committee shall consider its decision in private both as to whether the allegation has been proven and, if proven, the penalty or penalties to be imposed. The student will not be permitted to attend this part of the meeting.

**6.14.** If at any point during the Hearing Committee meeting the student admits to the offence the hearing will be stopped. The student will have 3 working days to submit a statement in mitigation or explanation. The Hearing Committee will then make a decision on the action to be taken.

**6.15.** If the Hearing Committee agrees that the allegation has been proven, the penalties available to are outlined in Annex 2.

**6.16.** In exceptional circumstances where it is considered that the offence was a genuine mistake, such that any reasonable person might have made in the circumstances, no action will be taken; the student will receive a written warning and will be reminded of the importance of the examination regulations. The letter will be kept on the student file.

**6.17.** If the Hearing Committee rejects the allegation in its entirety, no record will be stored on the student's file. A formal letter to this effect will be sent to the student and held separately by the Deputy Registrar.

**6.18.** The findings of the Hearing Committee should be sent to the student in writing within 5 working days of the Hearing Committee date. The Academic Dean will also be informed of the outcome.

### **Establishment of a Hearing Committee in respect of an Examination Offence where research misconduct in relation to an original research-based dissertation is confirmed**

**6.19.** When an Investigation Panel has been convened under the ICR's Procedure for the Investigation of Misconduct in Research, in relation to an allegation in respect of an original research-based dissertation, its final report under shall be referred to a Hearing Committee if it concludes that an allegation of research misconduct has been upheld in whole or in part. The Investigation Panel may also refer the relevant aspects of the case to the Student Disciplinary Procedure.

**6.20.** Where the Named Person, Screening Panel or Investigation Panel upholds no part of an allegation, this will be recorded by the Registrar and no further action will be taken. No records will be stored on the student's file. A formal letter to this effect will be sent to the student and held separate to the student file by the Registrar.

**6.21.** Where the Investigation Panel has concluded that an allegation has been upheld in whole or in part, then the Examination Offences process should be initiated from section 5 of this Code noting that:

**6.21.1.** The Hearing Committee does not have the power to question or overturn the Investigation Panel's final report. Its sole function is to determine the penalty.

**6.21.2.** The Investigation Panel's final report will be presented to the Hearing Committee by the Registrar or named alternative.

**6.21.3.** The penalties available to the Committee are those relevant to research degrees and research based dissertations.

**6.21.4.** The right of appeal remains the same as outlined under section 9 of this Code.

## **7. Further review and final redress**

**7.1.** Where the student wishes to appeal the findings of the decision of the Academic Dean or Hearing Committee, they may submit a Review Form within 21 working days of receipt of written notification of the outcome of the formal complaint procedure to request that the decision is referred to the Review Procedure for Non-Academic Appeals. The student should explain why they feel dissatisfied with the outcome and what remedy they seek.

**7.2.** If the student does not wish to appeal the findings, they may request a Completion of Procedure letter. The letter must explain that the student has not completed the ICR's internal processes. (See [OIA guidance on issuing Completion of Procedures letters](#).)

**7.3.** If the conclusion of the Review Procedure is to refer the case back to the Hearing Committee for reconsideration, this should be concluded as soon as possible and, where practicable, within the 90 calendar days timeframe, as per 1.5.

**7.4.** The decision of the Hearing Committee upon reconsideration of the case will be final and a Completion of Procedures Letter will be issued, which will include:

- i) the date of the end of the ICR's internal complaints procedure; a summary of the issues considered under the complaints procedure;
- ii) advice on the right of the Complainant to submit a complaint to the Office of the Independent Adjudicator (OIA), within 12 months of the date on the letter.

**7.5.** The OIA provides an independent scheme for the review of student complaints about a final decision of a higher education institution's disciplinary or appeal bodies. Full details of the OIA scheme are available from the Registry or on the OIA website: <https://www.oiahe.org.uk/students/how-to-complain-to-us/>.

# Plagiarism: What it is and how to avoid it - guidance for students

Plagiarism is the use of another person's work (ideas, results, words, be they published or unpublished) as if it were one's own. Plagiarism may be unintentional if, for example, another person's work is not explicitly acknowledged; however it is still an unacceptable practice and will be investigated. It is your responsibility to become familiar with the guidelines – ignorance will not be accepted as an excuse. There are three main types of plagiarism, which could occur within all modes of assessment (including examination):

- (i) Direct copying of text from a book, article, fellow student's essay, handout, thesis, web page or other source without proper acknowledgement. Any quotation from published or unpublished work must be identified by being placed inside quotation marks, and the source must be referenced as fully and accurately as possible.
- (ii) Claiming individual ideas derived from a book, article etc. as one's own, and incorporating them into your work without acknowledging the source of these ideas.
- (iii) Overly depending on the work of one or more others without proper acknowledgement of the source, by constructing an essay, project etc. by extracting large sections of text from another source, and merely linking these together with a few of your own sentences.

To help you avoid plagiarism and to fully understand what it is we have provided the following examples. Please note that this is not an exhaustive list.

## What counts as plagiarism?

- If you present or pass off another person's work as your own
- If you use more than a single phrase from another person's work without the use of quotation marks and identification of the source
- If you make extensive use of another person's work, either by summarising or paraphrasing it merely by changing a few words or altering the order of the presentation, without acknowledgement
- If you use 'the ideas of another person without acknowledgement of the source' or submit or present work as your own 'which is substantially the ideas or intellectual data of another'
- If you submit the same piece of work for two different assignments
- If you make 'a deliberate attempt at passing off the ideas or writings of another person as your own'

[\[From: Beat the Witch-hunt! Peter Levin's Guide to Avoiding and Rebutting Accusations of Plagiarism for Conscientious Students \(PDF file\). Please see this document for full references.\]](#)



## Why is plagiarism wrong?

- It's cheating
- It's theft of another person's intellectual property
- It penalises honest students
- It degrades academic standards, degrees and institutions
- There may be a negative impact on professional standards if students are not learning the required topics properly

## Detecting plagiarism: How will a marker know if you have plagiarised?

- Markers will have read widely on the topic you are writing on and so will know if you have simply copied sections from texts on the recommended course reading list, published articles or if you have copied directly from lecture notes or handouts.
- Everybody has their own style of writing. It will be very easy for a marker to spot changes in style, which inevitably occur when you copy somebody else's work. Even if you try to disguise this by changing the odd word or phrase, it will still be obvious to the marker.
- Markers will be marking the coursework for groups of students. They will be able to notice similarities between submitted assessments and will be able to tell if you have copied another student's work.
- All markers are aware of the many cheat sites which now offer to sell you essays and may search these sites.
- Markers may use software such as Turnitin® to detect plagiarism. Turnitin® compares work against a range of electronic sources.
- Research Degree student supervisors and assessors may ask Registry to run your transfer viva report through plagiarism detection software if they think this would be appropriate. You may also ask for this to happen for training purposes before you formally hand in your transfer viva report.

[From: Plagiarism at the University of Essex: How will it be detected?]

The following link provides a short test that will help you identify and understand plagiarism in pieces of work: <https://online.essex.ac.uk/blog/is-it-plagiarism/>

## Further Information

Advance HE, formerly The Higher Education Academy provides information and advice about plagiarism, what it is, and policies / resources used to combat it, at <https://www.heacademy.ac.uk/knowledge-hub/dealing-plagiarism> and elsewhere on its website.

## ANNEX 2 - Guidance on the Application of Penalties

For very minor offences outside of examinations, it may be appropriate to issue a written or verbal warning rather than the penalties outlined below. The Academic Dean (or Deputy Registrar at initial investigation) will decide whether the warning is recorded on the student file or not.

**Table 1. Research Degree Penalties**

<b>Penalty</b>	<b>Application</b>
The candidate will be required to re-write the section(s) tainted by plagiarism, including properly acknowledging all sources within an agreed and specified time period. No re-write of other sections of the thesis will be allowed other than minor (or other examiner required) corrections.	Where there is evidence of minimal or moderate plagiarism or collusion
A candidate will be excluded from the ICR and from any future examinations/assessments and awards at the ICR.	Where there is evidence of substantial plagiarism or collusion

**Table 2. Taught Degree Penalties**

<b>Penalty</b>	<b>Application</b>
	Typically applied to minor cases where plagiarism is:
The student receives a zero mark for the work submitted but retains the right to resubmit the work with a mark limited to a bare pass.	<ol style="list-style-type: none"> <li>1. Minimal (i.e. &lt;30% and there is evidence of independent argument)</li> <li>2. Minimal and simultaneous offences have occurred early in the programme</li> </ol>
The student receives a mark of zero for the module in which the offence occurs but retains the right to resubmit all elements with the overall module mark limited to a bare pass.	<p>Should be applied when plagiarism is:</p> <ol style="list-style-type: none"> <li>1. Minimal (&lt;30%) and previous offences have occurred; or</li> <li>2. Moderate (&gt;30%)</li> </ol>
The student is excluded from future examinations/assessments and awards at the Institute. However, this excludes any qualification for which the student had already accumulated sufficient credits confirmed by an Exam Board prior to the date of the offence (unless reasons have arisen to investigate these retrospectively and an offence has been admitted or found to have been committed).	<p>Should be applied when plagiarism is:</p> <ol style="list-style-type: none"> <li>1. Moderate and previous offences have occurred; or</li> <li>2. Substantial (&gt;90% or purchasing an entire piece of work/soliciting to do so).</li> </ol>

