Part 8

Academic Integrity and Academic Misconduct

These Regulations should be read in conjunction with the University's Student Code of Conduct and Academic Integrity Matters! Guide for Students

All references to: the 'Chief Operating Officer; the 'Head of the Graduate School'; the 'Student Conduct Team; 'or the 'School Responsible Officer (Academic Misconduct)' in these procedures should be taken respectively to mean 'Chief Operating Officer or designate'; 'Head of the Graduate School or designate'; 'Student Conduct Team or designate' or 'School Responsible Officer (Academic Misconduct) or designate'.

1. Academic Integrity context

1.1 As a learning community, we recognise that the principles of truth, honesty and mutual respect are central to the pursuit of knowledge. Behaviour that undermines those principles diminishes us, both individually and collectively, and devalues our work. We are therefore committed to ensuring that every member of our University is made aware of the responsibilities s/he bears in maintaining the highest standards of academic integrity and of the steps we take to protect those standards.

1.2 Our determination that students should know and understand academic good practice is matched by our resolve that academic malpractice should not prosper. Accordingly, we have adopted a balanced approach, providing support to enable students to acquire knowledge and skills to maintain academic integrity. The University of East London is committed to academic integrity and will take firm action against any student who breaches these regulations. All students are responsible for ensuring that every element of their studies is their own work and for following regulations for the proper conduct of assessments. No credit will be awarded for work which is found to have breached these Academic Misconduct Regulations.

2. Academic Integrity Principles

Our approach to academic integrity is based upon the values of honesty, integrity, responsibility, trust, respect and fairness and guided by the following principles:

1. Each of us takes responsibility for our own work.

2. We treat the work of others with respect and in accordance with good academic practice.
3. We recognise that not all students will be familiar with such practice and we are committed to providing support in a variety of ways, so that they are able to learn the skills necessary for academic success.
4. Our teaching and support staff will reinforce these learning opportunities by exhibiting and promoting academic integrity in all areas of their professional practice.
5. Teaching staff will be encouraged to design assessments that minimise the opportunity to breach academic integrity.
6. No credit will be awarded to any work that breaches our regulations
7. All proven instances of academic misconduct will be penalised

3 Definition

3.1 For the purposes of these Regulations, please note the following definitions:

Academic poor practice is defined as work that the student has produced which is poorly referenced or incorrectly referenced resulting from misunderstanding or lack of confidence using academic conventions. Examples include:

- Incomplete or incorrect citations
- An attempt to show that the content/concepts were not the student's own
- 1 or 2 sentences of direct copying without acknowledging the source
- Over reliance on references and sources
- Inappropriate paraphrasing

The outcome of work that is poor practice is that it should be dealt with as part of the marking and feedback process (not through the academic misconduct process)

- Academic misconduct is defined as practice which leads to unfair advantage in an assessment for the purposes of achieving personal gain. Examples of such misconduct are given in the section below: the list is not exhaustive and the use of any form of unfair or dishonest practice in assessment can be considered potential misconduct. A student cannot initiate an academic misconduct action against another student; this can only be done by an academic member of staff.

<u>Coursework Submitted for Assessment</u>

For coursework submissions, academic misconduct means:

(a) The presentation of another person's work as one's own with or without obtaining permission to use it.

(b) The inclusion within one's own work of material (written, visual or oral), originally produced by another person, without suitable acknowledgment.

(c) The submission, as if it were one's own work, of anything which has been offered to you for your use, but which is actually not your own work.

(d) The inclusion within one's work of concepts paraphrased from elsewhere without citing your source.

(e) The inclusion in submitted work of sections of text, whether from electronic or hard copy sources, without appropriate acknowledgement of the source.

(f) The submission of work that the student, as the author, has previously submitted, without suitable acknowledgement of the source of their previous work; this should not normally be more than a short quotation as the same work cannot be submitted for different assignments.

(g) Including or quoting the work of other students in one's work, with the exception of published work, or outputs held in the library as a learning resource, which should be cited and acknowledged appropriately.

(h) Being party to any arrangement whereby the work of one candidate is represented as that of another.

(i) The submission, as your own work, of any work that has been purchased, or otherwise obtained from others, whether this is from other students, online services, "cheat sites", or other agents or sources that sell or provide assignments.

(j) Practices such as 'cutting and pasting' segments of text into your work, without citing the source of each.

(k) For work not intended to be submitted as a collaborative assignment: producing work with one or more other students, using study practices that

mean the submitted work is nearly identical, overall or in part, to that of other students.

(l) Offering an inducement to staff and/or other persons connected with assessment.

Examinations

For examinations, academic misconduct means:

(a) Importation into an examination room of materials or devices

(b) Other than those which are specifically permitted under the regulations applying to the examination in question.

(c) Reference to such materials (whether written or electronically recorded) during the period of the examination, whether or not such reference is made within the examination room.

(d) Refusing, when asked, to surrender any materials requested by an invigilator.

(e) The application of an electronic device, unless this has been expressly permitted for that examination.

(f) Copying the work of another candidate.

(g) Disruptive behaviour during examination or assessment.

(h) Obtaining or seeking to obtain access to unseen examination questions prior to the examination.

(i) Failure to observe the instructions of a person invigilating an examination or seeking to intimidate such a person.

(j) Offering an inducement to invigilators and/or staff and/or other persons connected with assessment

4 Roles and Responsibilities

4.1 Each Dean of School will appoint a Responsible Officer, to deal with cases of academic misconduct within the School on their behalf. The Responsible Officer (Academic Misconduct) is a member of the University's academic staff who works closely with Module Leaders, the Student Conduct Team and the relevant administrator to manage incidents of reported academic misconduct within their School. This includes meeting with individual students to discuss cases and to outline the support available to prevent future incidents of academic misconduct. The role of Responsible Officer (Academic Misconduct) may be shared but a minimum of one of the appointees must be a member of academic staff.

5 Procedures to be followed in the event of a suspected case of academic misconduct in undergraduate programmes, taught postgraduate programmes, taught elements, annual review and transfer of postgraduate research programmes, and undergraduate and postgraduate credit bearing short courses.

5.1 If an assessor suspects that academic misconduct has occurred, they should inform the relevant Module Leader, Responsible Officer, and the relevant administrator, by email, within 5 working days after detection.

5.2 The Module Leader, in consultation with the Responsible Officer, will determine whether or not it appears that academic misconduct has occurred, by reviewing the reported circumstances and any relevant materials, including suspected source materials within a period of ten working days.

5.3 Academic Misconduct Regulations do not apply where the suspected breach has occurred in student's work which has been:

- submitted more than 24 hours after, but within 1 week of, the stipulated submission deadline

and

- where no extenuation claim is made, or if made, not granted.

5.4 If, within the stipulated time period noted in 5.2 above, the Module Leader and Responsible Officer (Academic Misconduct) have not found evidence that misconduct may have occurred, the assessor will be informed, and no further action will be taken.

5.5 If, within the stipulated period noted in in 5.2 above, the Module Leader and Responsible Officer (Academic Misconduct) have evidence that misconduct may have occurred and:

(a) there is a record that the student has previously been issued with a Level A penalty

or

(b) the suspected academic misconduct is such that it might (according to the tariff at section 11 below) incur a Level B, C or D penalty (regardless of whether it is a first instance of academic misconduct)

the matter will be referred to the Student Conduct Team within three working days of decision (see section 7 below).

5.6 If the Module Leader and Responsible Officer agree that there is a case to answer and there is no record of the student having previously breached our Academic Misconduct Regulations, the Module Leader, together with the School's Responsible Officer, will hold a School Meeting with the student. The student will be entitled to be accompanied to the meeting by a relative, friend, colleague or a Student Union Advisor. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence, but cannot answer questions on the student's behalf. At that meeting, the student will be reminded of our Academic Misconduct Regulations (including the tariff of penalties), shown how they have breached the regulations and advised on how to adhere to them in future. The Module Leader will present the evidence which must include appropriate source material. The student will be invited to make any further comments.

5.6.1 Where acceptance occurs in relation to an undergraduate or taught postgraduate programme, a Level A penalty will be issued by the Module Leader and the piece of work concerned will be issued a mark of 0.

5.6.2 Where acceptance occurs in relation to material submitted for annual review or transfer of postgraduate research programmes, the student will be required to:

i. amend the documentation submitted for annual review, addressing the affected material before the annual review may be re-considered and/or

ii. amend the progress report documentation addressing the affected material, before the request for transfer between MPhil and PhD status, in either direction, may be re-considered.

Required amendments must be resubmitted within 40 working days from the date of the School Meeting.

5.7 Students are required to confirm their acceptance that they have breached these regulations by signing the School Meeting pro forma, that they understand how they have breached these regulations, undertake all necessary steps to ensure that they do not do so again and understands that any further instance of academic misconduct is likely to lead to a serious penalty. The Module Leader or Responsible Officer (Academic Misconduct) will inform the relevant administrator, who will notify the Student Conduct Team. The relevant administrator will be responsible for notifying the student formally of the outcome and retaining the record of the School Meeting.

5.8 Where the student denies academic misconduct the Module Leader and Responsible Officer (Academic Misconduct) will refer the matter to the Student Conduct Team and inform the relevant administrator.

5.9 If academic misconduct has been alleged because an assessor suspects that the work submitted is not entirely the student's own work, and it is deemed appropriate (e.g. in cases where it has not been possible to identify the sources from which the work (or parts of it) has (or have) been taken), then a viva voce interview may be incorporated within the School Meeting. The viva voce must be held in accordance with UEL's Guidance for Conducting viva voce in relation to academic misconduct.

4.9.1 A report of the meeting at which the viva voce is held will be produced and made available to the Responsible Officer (Academic Misconduct)and the Student Conduct Team.

5.10 At the discretion of the Responsible Officer (Academic Misconduct) and usually only to accommodate distance learning students, the School meeting may take place via a video or telephone conference.

5.11 If the student does not appear at the date and time scheduled for the School Meeting or refuses to take part in a viva voce interview, the Responsible Officer (Academic Misconduct) will consider whether any reasons offered are valid, and if so judges, adjourn proceedings to a later date.

5.12 If no reasons are advanced, the reasons are judged invalid or the student refuses to take part in the viva voce interview, the meeting will conclude that the student has admitted academic misconduct and a referral is made to the Student Conduct Team. In these circumstances, there is no right to appeal the decision of the School Meeting.

5.13 Where the outcome of the viva voce interview is such that the suspected academic misconduct might (according to the tariff at section 11 below) incur a penalty (regardless of whether it is a first instance of academic misconduct) the matter will be referred to the Student Conduct Team (see section 7 below) within 5 working days.

6 Procedure to be followed in the event of a suspected research misconduct at all levels of study

6.1 If a member of staff suspects research misconduct, the 'Policy and Procedures for dealing with allegations of research misconduct' against students will apply. Please see link below for more information: https://uelac.sharepoint.com/sites/GraduateSchool/SitePages/Researc.aspx

7 Referrals to the Student Conduct Team (alleged subsequent instances of academic misconduct and alleged first instances of serious academic misconduct)

7.1 The Student Conduct Team will write to the student setting out the allegation and the proposed penalty and invite to a meeting. The student can be accompanied by a relative, friend, colleague or preferably a Students Union Advisor for support. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence, but cannot answer questions on the student's behalf.

7.2 The student is required to attend the meeting, If the student does not attend the meeting, they will be deemed to have accepted the proposed penalty (and notified of this in writing).

7. 3 Where the student attends the meeting and admits to an instance (or instances) of academic misconduct, they will be reminded of the proposed penalty and required to confirm, in writing, that they understand how they have breached these regulations, undertakes all necessary steps to ensure that they do not do so again and understands that any further instance of academic misconduct will result in a significantly more severe penalty.

7.4 Where a student attends the meeting and either:

(a) does not admit academic misconduct because they have suitable grounds to challenge the decision; and /or

(b) feels that there are unique and particular circumstances

within 10 working days of the date of the meeting with the Student Conduct Team, the student must submit to the Student Conduct Team an evidenced based proposal for proceeding to an Academic Misconduct Panel. The Student Conduct Team will forward the proposal to two identified Responsible Officers (who must be from a different School to the student). Should the submission from the student not be received within the stipulated time period by the Student Conduct Team, they will write to the student informing them that the time allowed to submit a proposal to take the case to an Academic

Misconduct Panel has lapsed; will therefore not be considered and the proposed penalty will be applied.

or

(c) admits academic misconduct but does not accept the proposed penalty

The student must submit a written statement within 10 working day, outlining their reasons for not accepting the penalty. The Student Conduct Team will forward the statement on to the School's Responsible Officer for consideration. If the School Responsible Officer rejects the student's statement, The Student Conduct Team will notify the student that they can submit their statement for proceeding to an Academic Misconduct Panel.

7.5 Where a proposal or statement to proceed to an Academic Misconduct Panel is received within the stipulated time period, the Responsible Officers will review the proposal and decide whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel. This decision must be made within 10 working days of receipt of the proposal by the Responsible Officer. In the event of an irreconcilable difference of opinion between the Responsible Officers the proposal shall proceed to an Academic Misconduct Panel.

7.6 In reaching their decision as to whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel, the Responsible Officer (Academic Misconduct) will consider the full range of issues relating to the student's proposal along with the details of the alleged breach.

7.7 Where the proposal or statement does not provide sufficient grounds to allow the student's case to proceed to an Academic Misconduct Panel, the reviewing Responsible Officer (Academic Misconduct) will, within ten working days of receiving the proposal, complete a written report providing their decision and explanation for their decision. This will be forwarded to the Student Conduct Team who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer (Academic Misconduct) will be final and there shall be no right of appeal.

7.8 If the proposal or statement is deemed valid by the reviewing Responsible Officer, the matter will be considered by an Academic Misconduct Panel. The student will be informed of this, in writing, by the Student Conduct Team within three working days.

7.9 This written notification will also warn the student that any case heard by an Academic Misconduct Panel may result in the awarding of a more severe penalty than that originally proposed.

8 Referrals to the Student Conduct Team (where a student has denied academic misconduct at a School Meeting)

8.1 The Student conduct team will write to the student setting out the allegation and inviting them to a meeting. The student can be accompanied by a relative, friend, colleague or preferably a Students Union Advisor for support. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence, but cannot answer questions on the student's behalf.

8.2 The student is required to attend the meeting. If they do not attend, it will be assumed that they have accepted the proposed penalty (and notified of this in writing).

8.3 Where the student attends the meeting and admits to an instance (or instances) of academic misconduct, they will receive the proposed penalty and will be required to confirm, in writing, that they understand how they have breached these regulations, undertake all necessary steps to ensure that this does not happen again, and that any further instance of academic misconduct will result in a significantly more severe penalty.

8.4 Where a student attends the meeting and either:

(a) does not admit academic misconduct because s/he has suitable grounds to challenge the decision; and/or

(b) feels that there are unique and particular circumstances,

within 10 working days of the date of the meeting with the Student Conduct Team, The Student must submit to the Student Conduct Team an evidenced based proposal for proceeding to an Academic Misconduct Panel. The Student Conduct Team will forward the proposal to an identified Responsible Officer (Academic Misconduct) (who must be from a different School to the student). Should the submission from the student not be received within the stipulated time period by the Student Conduct Team, s/he will write to the student informing him/her that the time allowed to submit a proposal to take the case to an Academic Misconduct Panel has lapsed; will therefore not be considered and the proposed penalty will be applied.

8.5 Where a proposal to proceed to an Academic Misconduct Panel is received within the stipulated time period, the Responsible Officer (Academic Misconduct) will review the proposal and decide whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel. This decision must be made within 10 working days of receipt of the proposal by the Responsible Officer.

8.6 Where the proposal does not provide sufficient grounds to allow the student's case to proceed to an Academic Misconduct Panel, the reviewing Responsible Officer (Academic Misconduct) will, within ten working days of receiving the proposal, complete a written report, providing their decision and explanation for their decision. This will be forwarded to the Student Conduct

Team who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer (Academic Misconduct) will be final and there shall be no right of appeal.

8.7 If the proposal is deemed valid by the reviewing Responsible Officer, the matter will be considered by an Academic Misconduct Panel. The student will be informed of this, in writing, by the Student Conduct Team within five working days.

8.8 This written notification will also warn the student that any case heard by an Academic Misconduct Panel may result in the awarding of a more severe penalty than that originally proposed.

9 Academic Misconduct Panels

9.1 Academic Misconduct Panels shall be convened on a regular basis by the Student Conduct Team on behalf of the Academic Board, to investigate the facts of a case and/or to determine the appropriate penalty.

9.2 The constitution of the Academic Misconduct Panel shall be:

- three members of our University's academic staff, at least one of whom should be a Senior Lecturer or above, with appropriate expertise of academic misconduct procedures, who will act as the Chair
- a student representative nominated by the Students' Union.

9.3 Where possible we will seek to ensure that the composition of the panel reflects the character of our institution.

9.4 Proceedings of an Academic Misconduct Panel shall be as follows:

(a) The Academic Misconduct Panel shall, as far as is practicable, be constituted of persons who have no knowledge of the student concerned.

(b) All relevant documentation and written submissions, including statements from witnesses unable to attend the Panel, such as examination invigilators, to be considered by Academic Misconduct Panels must be sent to the Student Conduct Team 7 working days prior to the Panel date.

(c) All relevant records of a School Meeting shall be made available to the Academic Misconduct Panel, together with all relevant correspondence from the Student Conduct Team.

(d) Normally, at least five working days prior to the Panel date the Servicing Officer will circulate the case papers to: members of the

Academic Misconduct Panel; the student; the relevant Responsible Officer (Academic Misconduct) and any other colleague(s) from the relevant School who will present the case at the Academic Misconduct Panel.

(e) The student will be entitled to be accompanied to the meeting by a relative, friend, colleague or a Student Union Advisor. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence, but cannot answer questions on the student's behalf.

(f) At least five working days prior to the Panel, the student must inform the Student Conduct Team of any person accompanying them. If details of the accompanying person are not provided at least five working days prior to the Panel date, the Panel can reserve the right to refuse admission to the accompanying person. If the accompanying person's behaviour within the Panel is deemed inappropriate, the Chair has the right to demand that they be removed from the Panel.

(g) The student shall have the right to call and to question witnesses.

(h) The Academic Misconduct Panel shall have the right to call and to question witnesses in the presence of the student (and relative, friend, colleague or a Student Union Advisor if present).

(i) If the student does not appear at the date and time scheduled for the hearing, the Academic Misconduct Panel shall consider whether any reasons provided for non-attendance are valid, and:

- if no reasons are provided, or if they are judged invalid, proceed in the respondent's absence, regarding him or her (subject to any written account) as having admitted none of the allegations.
- if members so judge, adjourn proceedings to a later meeting;

(j) If the Responsible Officer (Academic Misconduct) delegated to present the case on behalf of the School does not appear at the date and time scheduled for the Academic Misconduct Panel, the case will be permanently withdrawn, with no grounds for appeal by the School.

(k) At the discretion of the Chair, and usually only to accommodate distance learning students, an Academic Misconduct Panel may take place via a video or telephone conference.

(l) The Academic Misconduct Panel shall consider its findings in private and shall submit a written report to the Responsible Officer (Academic Misconduct) and the student. The outcome is presented to the relevant Progression Board, as soon as is practicable following its deliberations.

(m) In determining whether the allegation(s) has/have been proven, the Panel must be satisfied that the allegation(s) is/are proven on the balance of probability.

(n) In reaching its conclusions on whether the allegation(s) has/have been proven, the Academic Misconduct Panel shall consider fully any relevant input from staff familiar with the student's circumstances and/or previous performance.

(o) Should an Academic Misconduct Panel be unable to reach an agreed decision, the Chair will determine a final decision.

(p) If the student is found to have breached these regulations, the Panel will impose a penalty in accordance with the tariff at section 11 below and a record of the outcome shall be kept on the student's file.

(q) An annual report will be made to the Academic Board or other University body authorised by it to monitor consistency across the institution.

10 Criteria for determining the penalty for academic misconduct

10.1 In determining the sanction to be imposed, an Academic Misconduct Panel will assess the seriousness of the academic misconduct using the following criteria

10.2 Pre-meditation

Deliberate or intended misconduct will normally be considered more serious than that which has arisen inadvertently.

10.3 Previous history

A previous history of academic misconduct will normally be considered as being more serious than a first instance of academic misconduct.

10.4 Theft, falsification and work purchased from third parties

Academic misconduct involving theft (e.g. stealing a piece of coursework from another student), the falsification of another person's work or ideas, the purchase of work from a third party, or the use of a “cheat site”, will normally be considered more serious than that involving the authorised, but unattributed, use of another person's work.

10.5 Effect on other students

Academic misconduct that has an adverse effect on the standing or wellbeing of a fellow student will normally be considered to be more serious than an act that only affects the offender.

10.6 Miscellaneous

Any other relevant factors pertinent to individual cases may be taken into account in penalty.

11 Tariff of penalties for academic misconduct

11.1 The following tariff shows the range of penalties.

11.2 In determining the penalty, the Academic Misconduct Panel shall have due regard of the need to:

(a) maintain the academic standards of the University

(b) deal equitably with the students of the University and

(c) apply proportional penalties in all circumstance

<table>
<tr><th colspan="2">Academic Misconduct Penalties – Undergraduate Programmes</th></tr>
<tr><td colspan="2">Level A: First instance of non-serious offence</td></tr>
<tr><td colspan="2">A student who plagiarises or colludes for the first time will be issued with a Level A Penalty, provided that there is no evidence that they have behaved in a pre-meditated dishonest way. The work concerned will be issued a mark of 0.

Where a Level A Penalty is issued at the first assessment opportunity, the relevant component at reassessment will be capped at the minimum pass mark.

Where a Level A Penalty is issued at a reassessment opportunity, the Progression Board will determine the appropriate progression outcome.

A Level A Penalty is a penalty but is neither recorded on a transcript, nor reported to a professional body.</td></tr>
<tr><td colspan="2">Level B: First instance of serious academic misconduct and/or any academic misconduct following a Level A Penalty</td></tr>
<tr><td>Penalty Outcome

• The student will be issued with a mark of 0 for the relevant assessment component.
• The student will be permitted to retake this component at the next assessment point
• The module will be capped at the minimum pass mark</td><td>Indicative Misconduct

Attempting to copy from another student in an examination.

Importing prohibited materials of any type into an examination room

Any instance of academic misconduct that has been preceded by a Level A penalty</td></tr>
</table>

Where a level B penalty is issued at the first assessment point, the student will be required to retake the relevant component at the next assessment point. Where a level B penalty is issued at the reassessment point, the Progression Board will determine the appropriate progression decision.	
Level C: First instance of serious academic misconduct involving pre-meditated dishonesty and/or any academic misconduct following a Level B Penalty)	
Penalty Outcome • The student will be issued with a mark of 0 for the relevant assessment component • The student will be permitted to retake the component at the next assessment point • The overall module mark will be capped • The student will be suspended from their studies for the next academic year. Where a level C penalty is issued at the first assessment point, the student will be required to retake the relevant component at the next assessment point and the relevant module will be capped at the minimum pass mark, the suspension will then be applied from Term 1 of the following academic year. Where a level C penalty is issued at the reassessment point, the Progression Board will determine the appropriate progression decision.	Indicative Misconduct Any instance of academic misconduct that has been preceded by a Level B penalty. A serious first instance where the student has acted in a grossly dishonest way (this might apply to academic misconduct involving theft, falsification or contract cheating (work produced by third parties, i.e. ghost writing, essay mills or other sources)). Any other types of misconduct involving impersonation, bribery, reference to prohibited materials in an examination and/or the attempted intimidation of an invigilator
Level D: Any academic misconduct following a Level C Penalty	
Expulsion	Any instance of academic misconduct that has been preceded by a Level C penalty, or any instance of academic misconduct deemed to merit this penalty.

Additional Key Academic Misconduct Penalty Issues - Undergraduate Programmes
A student whose mobile telephone or electronic device sounds during an examination may be issued with a Level A Penalty, provided that there is no evidence that they have behaved in a pre-meditated dishonest way. The work concerned may be issued a mark of 0. The same level of penalty will be issued regardless of the number of occasions this same offence is repeated.
Where a Progression Board permits a student to resit a year of study, previous academic misconduct penalties will be carried forward. The following will apply: • Where a Level A Penalty has been applied – the equivalent repeated component will be capped. • Where a Level B Penalty has been applied – the equivalent repeated module will be capped. • Where a Level C Penalty has been applied – all modules will be capped.
Where a student takes any module in place of a module failed as a result of academic misconduct, the mark for that module will be capped at the minimum pass mark.
Where a student has previously received a Level A Penalty for an instance of academic misconduct of a type significantly different from that currently alleged, the decision as to whether it remains appropriate to impose the next most severe penalty in the tariff, should be considered.
Where a student is found to have breached Academic Misconduct Regulations more than once over a short period of time, the level of penalty to be imposed should be fully considered in light of the circumstances, types of misconduct and timings of misconduct.
Academic Misconduct Penalties will not be carried forward where there is a change in qualification level from undergraduate to postgraduate study. For the purposes of these regulations, Integrated Masters Programmes will be treated as a single qualification level.
Any module with a level C or level D recorded breach, on any previous assessment attempt, cannot be pass compensated. Any module with a level A or level B recorded breach cannot be pass compensated where that breach occurred on the latest assessment attempt. If the breach occurred on a previous assessment attempt to the one being considered by the assessment board, the module can still be pass compensated.

<table>
<tr><th colspan="2">Academic Misconduct Penalties – Postgraduate Programmes</th></tr>
<tr><td colspan="2">Level A: First instance of non-serious offence</td></tr>
<tr><td colspan="2">A student who plagiarises or colludes for the first time will be issued with a Level A Penalty, provided that there is no evidence that they have behaved in a pre-meditated dishonest way. The work concerned will be issued a mark of 0.

Where a Level A Penalty is issued at the first assessment opportunity, the relevant component at reassessment will be capped at the minimum pass mark.

NB: A Level A Penalty is a penalty but is neither recorded on a transcript, nor reported to a professional body.</td></tr>
<tr><td colspan="2">Level B: First instance of serious academic misconduct and/or any academic misconduct following a Level A Penalty</td></tr>
<tr><td>Penalty Outcome

• The student will be issued with a mark of 0 for the relevant assessment component.
• The student will be permitted to retake this component at the next assessment point
• The module will be capped at the minimum pass mark

Where a level B penalty is issued at the first, second or third assessment point, the student will be required to retake the relevant component at the next assessment point and the relevant module will be capped at the minimum pass mark.

If the misconduct occurs at fourth opportunity in the module - do not allow further registration, assessment or reassessment on the module.</td><td>Indicative Misconduct

Attempting to copy from another student in an examination.

Importing prohibited materials of any type into an examination room

Any instance of academic misconduct that has been preceded by a level A penalty</td></tr>
<tr><td colspan="2">Level C: First instance of serious academic misconduct involving pre-meditated dishonesty and/or any academic misconduct following a Level B Penalty)</td></tr>
<tr><td>Penalty Outcome

• The student will be issued with a mark of 0 for the relevant assessment component</td><td>Indicative Misconduct

Any instance of academic misconduct that has been preceded by a Level B penalty.

A serious first instance where the student has acted in a grossly dishonest way (this</td></tr>
</table>

• The student will be permitted to retake the component at the next assessment point • The overall module mark will be capped at the minimum pass mark • The student will be suspended from their studies for the next semester. Where a level C penalty is issued at the first or third assessment point, the student will be required to retake the relevant component at the next reassessment point and the relevant module will be capped at the minimum pass mark, the suspension will then be applied at the start of the next semester. • **if the misconduct occurs at the second opportunity in the module** - retrieve *all* components of assessment at the next assessment (following the student's return from suspension) with attendance. Cap the repeat assessment of the module at the minimum pass mark; or • **If the misconduct occurs at Fourth opportunity in the module** - do not allow further registration, assessment or reassessment on the module.	might apply to academic misconduct involving theft falsification or contract cheating (work produced by third parties, i.e. ghost writing, essay mills or other sources) Any other types of misconduct involving impersonation, bribery, reference to prohibited materials in an examination and/or the attempted intimidation of an invigilator
Level D: Any academic misconduct following a Level C Penalty	
Expulsion	Any instance of academic misconduct that has been preceded by a Level C penalty, or any instance of academic misconduct deemed to merit this penalty.
Additional Key Academic Misconduct Penalty Issues - Postgraduate Programmes	
A student whose mobile telephone or electronic device sounds during an examination may be issued with a Level A Penalty, provided that there is no evidence that s/he has behaved in a pre-meditated dishonest way. The work concerned may be given a mark of 0. The same level of penalty will be issued regardless of the number of occasions this same offence is repeated.	

Where a student takes any module in place of a module failed as a result of academic misconduct, the mark for that module will be capped at the minimum pass mark.
Where a student has previously received a Level A Penalty for an instance of academic misconduct of a type significantly different from that currently alleged, the decision as to whether it remains appropriate to impose the next most severe penalty in the tariff, should be considered.
Where a student is found to have breached Academic Misconduct Regulations more than once over a short period of time, the level of penalty to be imposed should be fully considered in light of the circumstances, types of misconduct and timings of misconduct.
Academic Misconduct Penalties will not be carried forward where there is a change in qualification level from undergraduate to postgraduate study. For the purposes of these regulations, Integrated Masters Programmes will be treated as a single qualification level.
Any module with a level C or level D recorded breach, on any previous assessment attempt, cannot be pass compensated. Any module with a level A or level B recorded breach cannot be pass compensated where that breach occurred on the latest assessment attempt. If the breach occurred on a previous assessment attempt to the one being considered by the assessment board, the module can still be pass compensated.

11.3 Where a Panel decides that a student should be expelled, a full report on the matter should be submitted to the Vice-Chancellor by the Student Conduct Team, with the recommendation that any student concerned be expelled under the general disciplinary powers of the Vice-Chancellor.

12 Appeal against the decision of an Academic Misconduct Panel

12.1 An appeal is not a re-hearing of the case previously presented under the relevant procedure. It is solely a review of that process, or procedure, which is intended to establish whether the conduct of that process under the relevant procedure, prior to the appeal, was fair and had been conducted properly, and that the decisions made were not the result of perversity of judgement in the face of the evidence presented.

12.2 There shall be no appeal against the decision of the Academic Misconduct Panel except on the grounds that:

- There is new and material evidence which the student was for exceptional reasons unable to present to the Academic Misconduct Panel. This may include evidence for extenuation.

- The procedures were not complied with to the extent that it was questionable whether the outcome would have been different had the procedures been complied with.

- There is documented evidence of bias on the part of the members of the Academic Misconduct Panel or its Clerk.

- The penalty imposed exceeded that available to the Academic Misconduct Panel.

12.3 No new evidence may be given at an appeal hearing, except where it can be shown that there were justifiable reasons why it had not been presented previously and, if it had been presented previously, would have been likely to have been material to the decision(s) made. Such justification is to be provided as part of the application to appeal.

12.4 Any student wishing to appeal must submit to the Chief Operating Officer, a written notice stating the ground(s) of appeal within 20 working days of the date upon which they were informed of the Academic Misconduct Panel's decision.

12.5 There shall be an Appeal Panel which shall be convened by the Chief Operating Officer and shall be constituted of:

(a) two academic staff members one of whom will be a PVC, or Dean of School;

(b) the President of the Students' Union or his/her nominee.

12.6 The Chair of the Appeal Panel shall normally be the PVC, or Dean of School.

12.7 Where possible our University shall seek to ensure that the composition of the panel reflects the character of the institution.

12.8 The panel shall, where practicable, be composed of members who are unlikely to know personally any student whose case it may consider.

12.9 The Panel shall appoint a Secretary, who will be responsible for keeping a written record of the decisions made.

13 Powers of the Appeal Panel

13.1 The Appeal Panel shall have power to:

(a) adjourn the hearing to a future date.;

(b) confirm the penalty imposed;

(c) moderate the penalty imposed to a lesser penalty as stipulated in section 10 above. The Committee may not impose a greater penalty;

(d) uphold the appeal and overturn a decision to impose a penalty.

14 Procedure to be followed by the Appeal Panel

14.1 The Secretary will invite both parties to attend the appeal hearing, informing them of the date, time and venue. The two parties will be the student and the Chair of the Academic Misconduct Panel that is the subject of the appeal. There shall be no other persons invited to attend the hearing, unless the student is being accompanied (as per 14.2 below).

14.2 The student is entitled to be accompanied to the meeting by a relative, friend, colleague or a Student Union advisor. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence, but cannot answer questions on the student's behalf.

14.3 Normally at least ten working days prior to the hearing, the Secretary will circulate the case papers to the members of the Appeal Panel, the appellant and the Chair of the relevant Academic Panel.

14.4 The Chair of the relevant Academic Misconduct Panel shall be invited to submit a response to the appeal, which should be received at least five working days prior to the hearing. The Secretary shall circulate the response to the members of the Appeal Panel and the appellant (and friend, relative or representative) at least three working days prior to the hearing.

14.5 In the event of late papers being received by the Secretary, or previously uncirculated papers being presented by either side at the hearing, the Chair of the Appeal Panel shall decide whether they should be admitted, taking into

account that, should such admission be permitted, it should not be to the disadvantage of either party.

14.6 The student can elect not to appear in person before the Appeal Panel. In such cases the Appeal Panel will decide the appeal on the basis of written submissions. If, however, a written submission is not clear, the Panel will arrive at a decision on the basis of the evidence available to it.

14.7 Should the student fail to appear at the hearing without reasonable cause or explanation, the Appeal Panel will hear the appeal *in absentia* and arrive at a decision on the basis of the evidence available to it.

14.8 The Appeal Panel, having regard to all of the written and oral evidence provided, will decide whether the decision being appealed was fair, reasonable and proportionate.

14.9 In the event of the Appeal Panel not being able to reach a unanimous decision, there will be a majority conclusion.

14.10 The decision of the Panel will be final and there shall be no further right of appeal. Within ten working days of the appeal hearing the Panel shall issue to the student and the Chair of the relevant Academic Misconduct Panel, a Completion of Procedures letter which will set out its reasons for either dismissing or upholding the appeal. No further correspondence shall be entered into.

15 Independent Review

15.1 If a student has exhausted the appeal procedure set out in sections 12 to 14 above and is not satisfied with the outcome, they may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our University.

15.2 The grounds and eligibility for review shall be determined by the Office of the Independent Adjudicator (OIA). The OIA provides an independent scheme for the review of student grievances under the Higher Education Act 2004.

Appendix I

Procedures to be followed in the event of suspected academic misconduct at or prior to an oral examination for a postgraduate research award

All references to: the 'Chief Operating Officer' ; the 'Head of the Graduate School'; the 'School Research Degrees Leader' the 'Student Conduct Team'; 'or the 'School Responsible Officer (Academic Misconduct) ' in these procedures should be taken respectively to mean 'Chief Operating Officer or designate'; 'Head of the Graduate School or designate'; School Research Degrees Leader or designate' 'Student Conduct Team or designate' or 'School Responsible Officer (Academic Misconduct) or designate'.

1 Suspected academic misconduct prior to an oral examination

1.1 Where, prior to an oral examination for a postgraduate research award, an examiner suspects a student of making a submittal containing academic misconduct, they will inform the Chair of Examiners and the Head of the Graduate School within 5 working days of reaching this conclusion. Within a further 5 working days, the Chair of Examiners will supply the Head of the Graduate School, with a report on the suspected academic misconduct.

1.2 The Head of the Graduate School will, within 5 working days of receipt, determine whether it appears that academic misconduct has occurred.

1.3 Where the Head of the Graduate School determines that academic misconduct has not occurred, the Chair of Examiners will be informed.

1.4 Where the Head of the Graduate School determines that it appears that academic misconduct has occurred, the oral examination will be postponed, they will inform the relevant School administrator and the procedures detailed in Section 3 below will apply.

1.5 In the case of professional doctorates, the Head of the Graduate School will establish if the programme has professional body recognition and where this is the case, will inform the Programme Leader that action is being initiated under the Academic Misconduct Regulations.

2 Suspected academic misconduct at oral examination

2.1 Where an examiner suspects at the oral examination that the submittal is not the work of the student under examination, s/he will bring this to

the attention of the Chair of Examiners at the conclusion of the examination and after the student and any supervisors have left the room.

2.2 The Chair of Examiners will ensure that the examining team prepare the normal report on the submittal and viva which will be provided to the student in accordance with usual procedure.

2.3 The Chair of Examiners will prepare a report on the suspected academic misconduct on behalf of the examining team for the Head of the Graduate School within 10 working days of the oral examination.

2.4 The Head of the Graduate School will, within 5 working days of receipt, determine whether or not it appears that academic misconduct has occurred

2.5 Where the Head of the Graduate School determines that academic misconduct has not occurred, the Chair of Examiners will be informed.

2.6 Where the Head of the Graduate School determines that it appears that academic misconduct has occurred, they will inform the relevant School administrator and procedures detailed in Section 3 below will apply.

2.7 In the case of professional doctorates, the Head of the Graduate School will establish if the programme has professional body recognition and where this is the case, will inform the Programme Leader that action is being initiated under the Academic Misconduct Regulations.

3 Procedure to be followed where suspected academic misconduct has been referred to the School panel.

3.1 Within 10 working days of receipt from the Head of the Graduate School, the relevant School administrator will arrange a meeting between the student and the panel. The panel will consist of: The Head of the Graduate School, the School's Research Degrees Leader and School Responsible Officer. Ahead of the meeting, the student will receive a written invitation, which will have a copy of the report enclosed. The invitation will explain that the purpose of the meeting is to address the allegation of academic misconduct and the student will have an opportunity to respond. The student will be entitled to be accompanied to the panel by a relative, friend, colleague or a Student Union advisor. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence at the appeal, but cannot answer questions on the student's behalf.

3.2 Should the student fail to appear at the hearing without reasonable cause or explanation, the meeting will take place in the student's absence and the panel will arrive at a decision based on the evidence available to them.

3.3 At the meeting, the student will be reminded of our Academic Misconduct Regulations (including the tariff of penalties) and shown how they have breached them. The panel will present the evidence and ask the student to respond.

3.4 Following the student's response, they will be asked to leave the room, while the panel determines whether it appears that academic misconduct has occurred. If it is concluded that this is probable, the panel will:

Propose one of the following penalties:

(i) That the submittal be re-submitted within six months of the date of the meeting with the inappropriate material removed and appropriate editing undertaken. The student will not be allowed to add additional material to the submittal but will be supplied with the normal feedback from the examiners on identified deficiencies with the submittal. Examiners will be instructed to consider the submittal for the original award.

(ii) That the submittal be re-submitted within six months of the date of the meeting with the inappropriate material removed and appropriate editing undertaken. The student will not be allowed to add additional material to the submittal but will be supplied with the normal feedback from the examiners on identified deficiencies with the submittal. This penalty may also include the consequence that the re-submittal is no longer sufficiently substantial for the original degree and can only be submitted for a lesser degree.

(iii) Fail the submittal. In this case the student will have come to the end of their studies and will be withdrawn. If eligible, they will be given the highest award possible from any modular credit that they have been accumulated on his/her programme.

3.4 The student will then be invited to return to the meeting and will be informed of the conclusions referred to above.

3.5 Where the student accepts a penalty proposed in accordance with the above, they will do so in writing (by signing the School Meeting pro forma). The penalty will be imposed, and the student will be advised that any further instance of academic misconduct may lead to an expulsion.

4 Referrals to the Student Conduct Team (where a student has denied academic misconduct at a School)

4.1 The Student Conduct Team will write to the student setting out the allegation and inviting them to a meeting, within 10 working days. The student will be entitled to be accompanied to the meeting by a relative, friend, colleague or a Student Union advisor. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf, nor can they act in the capacity of a legal advisor. The accompanying person can comment, assist and help to present evidence, but cannot answer questions on the student's behalf.

4.2 If the student does not attend the meeting with the Student Conduct Team. It will be deemed that the student has accepted the proposed penalty (and they will be notified of this in writing).

4.3 Where the student attends the meeting and admits to an instance (or instances) of academic misconduct, they will receive the proposed penalty and will be required to confirm, in writing, that they understand how they have breached these regulations. The student will agree to undertake all necessary steps to ensure that they do not commit further breaches and understands that any further instance of academic misconduct will result in a significantly more severe penalty.

4.4 Where a student attends the meeting and either:

(a) does not admit academic misconduct because s/he has suitable grounds to challenge the decision; and/or

(b) feels that there are unique and particular circumstances,

Within 10 working days of the date of the meeting with the Student Conduct Team, the student must submit to the Student Conduct Team an evidenced based proposal for proceeding to an Academic Misconduct Panel. The Student Conduct Team will forward the proposal to an identified Responsible Officer (who must be from a different School to the student). Should the submission from the student not be received within the stipulated time period by the Student Conduct Team, they will write to the student informing them that the time allowed to submit a proposal to take the case to an Academic Misconduct Panel has lapsed; will therefore not be considered and the proposed penalty will be applied.

4.5 Where the proposal to proceed to an Academic Misconduct Panel is received within the stipulated time period, the Responsible Officer (Academic Misconduct) will review the proposal and decide whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel. This decision must be made within 10 working days of receipt of the proposal by the Responsible Officer.

4.6 Where the proposal does not provide sufficient grounds to allow the student's case to proceed to an Academic Misconduct Panel, the reviewing Responsible Officer (Academic Misconduct) will, within ten working days of receiving the proposal, complete a written report, providing their decision and explanation for their decision. This will be forwarded to the Student Conduct Team who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer (Academic Misconduct) will be final and there shall be no right of appeal.

4.7 If the proposal is deemed valid by the reviewing Responsible Officer, the matter will be considered by an Academic Misconduct Panel. The student will be informed of this, in writing, by the Student Conduct Team within five working days. (Section 8 of the Academic misconduct panel process will apply)

4.8 This written notification will also warn the student that any case heard by an Academic Misconduct Panel may result in the awarding of a more severe penalty than that originally proposed.