

Procedures for Investigations of cases of Alleged Academic Misconduct

Yellow highlighted text identifies the most recent revisions to the regulations.

1. General Statement of Principle

- 1.1 Assessment, whatever form it takes, is the means by which the University tests whether a student has achieved the objectives of a course and the standards of an award. It is fundamentally important that students are assessed fairly, and on equal terms with each other for the same award. Academic misconduct and cheating undermines the standards of the University's awards and disadvantages those students who have attempted to complete their assessments fairly and honestly. It is an offence against the values of the academic community of which students and staff are both part. Consequently academic misconduct and cheating in all its forms will not be tolerated. Staff will be vigilant in their attempts to prevent and discover academic misconduct and cheating.
- 1.2 These procedures apply to all work submitted for the undergraduate, postgraduate taught and postgraduate research degree programmes and will include all assessment items and for research students will include the research proposal, transfer document, thesis submitted for examination, and published MPhil or PhD.
- 1.3 There are no time limits associated with the investigation of alleged academic misconduct and cheating and where a case is identified including after an award has been made or the student has left the University, the case will be fully investigated using these procedures. If an Academic Misconduct Committee concludes, retrospectively, that an offence had occurred then the appropriate penalty will be applied. This may mean that the Committee recommends to Academic Board that an award should be rescinded.
- 1.4 It is a student's responsibility to familiarise him or herself with the academic conventions and practices applicable to the course on which they are registered. It will be the responsibility of students to ensure that the work they submit for assessment is entirely their own, or in the case of group-work the group's own and that they observe all Regulations, Procedures and instructions governing examinations.
- 1.5 It is the responsibility of each individual student when submitting an assessment item to ensure that the work which they are submitting is the work which they wish to be assessed.
- 1.6 This procedure is concerned with the actions of students and not their intentions. An excuse of "not intending to" is not an acceptable defence.
- 1.7 In all cases of alleged academic misconduct and cheating, students will be treated as innocent until a case against them has been investigated and upheld.

- 1.8 These procedures are intended to ensure that there is consistency and fairness across the University in the penalties applied to students who commit offences of academic misconduct or cheating. The penalty should reflect the seriousness of the offence.
- 1.9 Where a student has declared a disability to the University, the University will endeavour to ensure that information is available to them at all stages of the procedure in appropriate formats, and that any reasonable adjustments are made to the associated proceedings to accommodate the student's needs.
- 1.10 The student has the right to be accompanied by a representative, who is not acting in a legal capacity, at any meeting arranged to discuss the allegation. The representative must be a member of the University, i.e.:
- a) a registered student;
 - b) a member of staff;
 - c) a member of staff or Sabbatical Officer of the Students Union.

The role of the representative will be to support and advise the student and to help them to present their case.

- 1.11 These procedures:
- a) define different forms of academic misconduct and cheating
 - b) describe the procedures by which allegations of academic misconduct and cheating will be investigated and determined
 - c) set out the penalties for academic misconduct and cheating
- 1.12 Where students are registered on awards which lead to professional registration and there is Fitness to Practise requirements, a major offence may be referred to an appropriate Fitness to Practice Committee for consideration.
- 1.13 It is sufficient to establish cases of academic misconduct or cheating on the 'balance of probabilities', rather than 'beyond all reasonable doubt'.

2. Definitions and Examples

- 2.1 Suspected incidents of academic misconduct or cheating will be defined as Minor or Major depending on their seriousness, the level that the student is studying at and the circumstances of the student.

2.3 Minor Offence

An incident will be deemed to be a Minor Offence if the nature of the incident makes appropriate a relatively limited penalty.

A minor offence describes instances where a student, has produced work which is either unduly derivative or which fails to recognise sources.

A minor offence is not normally expected to occur after the student has completed the equivalent of the first year of a full time undergraduate course (whether at the University of Worcester or another institution) and incidents at Level 5 or higher will normally be referred to the Academic Misconduct Committee.

The relevant Academic Integrity Tutor is empowered to consider incidents of Minor Offences against students and to levy penalties as specified below.

2.4 Major offence

An incident will normally be deemed to be a Major Offence if it relates to an assessment where the nature of the incident makes appropriate a penalty at 'Penalty 4' or higher.

2.5 Examples of academic misconduct or cheating

2.5.1 Plagiarism

The presentation of the work of another as if it was one's own independent work or any improper use of sources. For the purpose of these procedures, plagiarism includes:

a) Word for word copying from sources (copy & paste)

This is when a student copies a piece of text from the internet, an e journal, Word document, book or any other source and includes it in their assignment without acknowledging the source.

b) Word switch

If a student copies a sentence or paragraph into their assignment and changes a few words it will still be classed as plagiarism.

c) Reusing course content (Self-plagiarism)

The reuse of work is where the author reuses identical or nearly identical portions their own work without acknowledging what they are doing by citing the original content; as a result they do not let the reader know that this material has appeared elsewhere and it is therefore a form of academic misconduct.

In cases where this occurs the AIT will refer the modules to the appropriate Departmental Quality Committee for further investigation.

d) Concealing sources

If a student cites a piece of work from a source more than once they must reference it each time. No matter how many times they refer back to the source they must acknowledge the source, even if it is in the very next paragraph.

e) Sham paraphrasing

When someone copies text, word for word from a source, references the work but does not place it in quotation marks so it appears to be paraphrased.

f) Illicit paraphrasing

When someone paraphrases text from a source but does not acknowledge the source.

g) Fake Referencing

To make up quotations and/or supply fake citations. The fake citation can be either completely fabricated or reference a real source (book, journal, or Web site) which contains no such article or words that have supposedly been used or to imply that books and/or journals have been used by copying citations from the work of other authors when they have not.

2.5.2 Collusion

This is when one student produces work and allows another student to copy it, both students will be culpable. If both students submit the work, even at different times, both students will be deemed to have colluded.

Collusion differs to group work - some coursework assessments will involve students working together on a particular project. Such assessments may require students to share ideas, research and have a joint responsibility for the development of a project. Some assignments may require students to work together and produce a joint piece of work for assessment. Some assignments may require students to work together but then to produce an independent written piece of work.

Peer review of each other's work or discussing an assignment can be helpful; however students should be wary of falling into an act of collusion by actually producing/writing parts of an assignment for their peer/friend.

2.5.3 Work presented is not written by the student, but originates from another source

Where a student commissions or seeks to commission another party (either paid or unpaid) to complete an assessment item on their behalf. Offences of this nature will be referred to the Academic Misconduct Committee.

2.5.4 Fabrication or falsification of data

This is the practice of inventing, altering or misrepresenting data, results or other information. This would include: claiming to have carried out experiments, observations, surveys, interviews which a student has not, in fact, carried out; claiming to have obtained results or other evidence which have not, in fact, been obtained; changing data or results so that it supports findings, hypotheses or conclusions not supported by the actual data/results. Offences of this nature will be referred to the Academic Misconduct Committee.

2.5.5 Failure to engage with appropriate ethical approval processes

Where a student does not gain ethical approval through the University's ethical approval processes as described in the Ethics Policy or, if required, an appropriate external ethical approval body (such as an NHS Research Ethics Committee) *prior* to beginning research or where the student makes a major deviation from any approved research without gaining additional ethical approval.

2.5.6 Actions in relation to examinations

Cheating in relation to examinations can include:

- a) Attempting to get sight of the examination paper before it is published;
- b) Taking unauthorised material or electronic device into an examination room;
- c) Copying or trying to copy the work of another student;
- d) Asking another student for help during an examination;
- e) Letting another student copy;
- f) Impersonation.

2.5.7 This list is not comprehensive and academic misconduct or cheating may also take other forms.

2.6 Department

An organisational name to describe a structure of the University such as Faculty, Department, Institute or School.

2.7 Academic Integrity Tutors (AIT)

Each Department will appoint Academic Integrity Tutors who have the responsibility for dealing with all aspects of the investigation into cases of alleged academic misconduct and cheating. This will include:

- a) Taking responsibility for investigation of the incident from the tutor
- b) Ensure the student is kept fully informed about the investigation.
- c) If an offence has been committed, decide if the offence is:
 - A minor offence and decide upon the appropriate penalty as described below;

- A major offence which should be referred to the Academic Misconduct Committee.
- d) Be a member of the Academic Misconduct Committee when required
- e) Present a case against a student on behalf of the Department
- f) Ensuring decisions are recorded in the Student Record System
- g) Meet with other departmental AITs to ensure consistency of approach.
- h) Contribute to staff development.

3. Penalties

3.1 The following table of penalties applies to substantiated **first offences** of Academic Misconduct or cheating. A penalty for a second or subsequent substantiated allegation of **academic misconduct or** cheating will normally be **at least one penalty level higher** than that suggested below, **or at least one level higher than the previously imposed penalty, whichever is higher.**

Responsibility	Penalty	Description
Academic Integrity Tutor	Penalty 1	<p>Reprimand, a formally recorded warning kept on the student's record.</p> <p>The Module Leader will mark the work, but the mark/grade may be reduced to reflect a student's failure to address the assessment criteria in areas of collation of sources and their citation or to gain appropriate ethical approval(s) for work that is deemed ethically low risk. The student may be required to redo the assessment if the downgrading results in the assessment and the overall module being failed.</p> <p>For cases involving inadequate or inappropriate use of source material, the student will have to meet with an Academic Liaison librarian (or equivalent) for an Information Literacy session. The Academic Liaison librarian will advise AIT of student's attendance. Student allowed two months to complete this penalty.</p>
Academic Integrity Tutor	Penalty 2:	<p>Failure of the assessment item, with reassessment right where permissible. A fail grade of RR (Reassessment Required) will be recorded. The assessment item mark/grade will be capped at the minimum pass mark/grade.</p> <p>For cases involving inadequate or inappropriate use of source material, the student will have to meet with an Academic Liaison librarian (or equivalent) for an</p>

		<p>Information Literacy session. The Academic Liaison librarian will advise AIT of student's attendance. Student allowed two months to complete this penalty.</p>
Academic Integrity Tutor	Penalty 3:	<p>Failure of the assessment item, with reassessment right where permissible. A fail grade of RR (Reassessment Required) will be recorded. The module result will be capped at the minimum pass mark/grade.</p> <p>MPhil/PhD students will be required to resubmit a revised RDB1.</p> <p>For cases involving inadequate or inappropriate use of source material, the student will have to meet with an Academic Liaison librarian (or equivalent) for an Information Literacy session. The Academic Liaison librarian will advise AIT of student's attendance. Student allowed two months to complete this penalty.</p>
Academic Integrity Tutor / Academic Misconduct Committee	Penalty 4:	<p>Failure in the module: the student must retake the same module at the next opportunity where the module result will be capped at the minimum pass mark/grade. When it is not possible to retake the same module or no substitute module is permissible the student may not be able to continue on the course.</p> <p>A fail grade of AM (Academic Misconduct) will be recorded.</p> <p>Research degree students will not be permitted to progress (including transferring to PhD) until they have clearly evidenced that they have addressed the issues that have come to light.</p> <p>For cases involving inadequate or inappropriate use of source material, the student will have to meet with an Academic Liaison librarian (or equivalent) for an Information Literacy session. The Academic Liaison librarian will advise AIT of student's attendance. Student allowed two months to complete this penalty.</p>
Academic Misconduct Committee	Penalty 5:	<p>Failure in the module: the student must retake the same module at the next opportunity where the module result will be capped at the minimum pass mark/grade. When it is not possible to retake the same module or no substitute module is permissible the student may not be able to continue on the course.</p>

		<p>A fail grade of AM (Academic Misconduct) will be recorded.</p> <p>Additionally the following penalty will be applied to the student's final award: Undergraduate Honours - student's final classification will be reduced by one level Non-Honours Degree to Diploma in Higher Education Foundation Degree to Certificate in Higher Education HND to Certificate in Higher Education Masters - Distinction to Merit; Merit to Pass; Pass to PG Dip</p> <p>Research degree students will not be permitted to progress (including transferring to PhD) until they have clearly evidenced that they have addressed the issues that have come to light and may in some cases have their programme terminated. Any data, evidence or results collected/obtained up to that point cannot be used in any subsequently submitted thesis.</p> <p>For cases involving inadequate or inappropriate use of source material, the student will have to meet with an Academic Liaison librarian (or equivalent) for an Information Literacy session. The Academic Liaison librarian will advise AIT of student's attendance. Student allowed two months to complete this penalty.</p>
Academic Misconduct Committee	Penalty 6:	<p>Expulsion.</p> <p>Failure in the module. A fail grade of AM (Academic Misconduct) will be recorded.</p> <p>A student will not be permitted to exit with their named award, but may be permitted to exit with a lower award.</p> <p>Research students will be not awarded the degree and be not permitted to be reassessed.</p>

3.2 Penalties associated with Coursework

Type of offence	Penalty	
Making available work to another student, either intentionally or as a result of negligence that can be presented as another student's.	Penalty 1	
Failure to gain appropriate ethical approval prior to undertaking research where the project is deemed ethically low risk.	Penalty 1 The student may also be investigated under the Fitness to Practice Procedures if appropriate.	
Isolated use of quotes without the use of quotation marks and citation	Level 4	Penalty 1
	All other Levels	Penalty 2
Inadequate referencing, for example missing citations in paraphrased text	Level 4	Penalty 1
	All other Levels	Penalty 2
Representation of work produced in collaboration with another person or persons as the work of a single student.	Level 4	Penalty 1
	All other Levels	Penalty 2
Close paraphrasing without the use of quotation marks, where the student has cited the plagiarised material in the reference list. Failure to use quotes where the student has cited plagiarised material in the body of the work and in the reference list.	Level 4	Penalty 2
	Level 5 Level 6	Penalty 3
	Level 7 and above	Penalty 4
Failure to gain appropriate ethical approval prior to undertaking research where the project is deemed ethically high risk.	Penalty 2 The student may also be investigated under the Fitness to Practice Procedures if appropriate.	
Failure to seek renewed ethical approval when a student makes a major deviation from the approved research.	Penalty 2 The student may also be investigated under the Fitness to Practice Procedures if appropriate.	
Using another student's work and submitting some or all of it as it were the student's own.	Penalty 4	
The presentation of data in laboratory work, projects etc. based on work purporting to have been carried out by the	Penalty 4 The student may also be	

student but which has been invented, altered or falsified.	investigated under the Fitness to Practice Procedures if appropriate.
Extensive use of quotes or close paraphrasing without the use of quotation marks and referencing, where the student has not cited the plagiarised material in the bibliography.	Penalty 4
Stealing another student's work and submitting it as the student's own work (where the originator is not denied the opportunity of submission).	Penalty 4 The student may also be investigated under the Fitness to Practice Procedures or Student Code of Conduct if appropriate.
Where a student commissions or seeks to commission another party (either paid or unpaid) to complete an assessment item on their behalf.	Penalty 5
Stealing another student's work and submitting it as the student's own work (where the originator is denied the opportunity of submission).	Penalty 5 The student may also be investigated under the Fitness to Practice Procedures or Student Code of Conduct if appropriate.
Attempting to persuade another member of the University (student or staff) to participate in actions that would breach these Procedures.	Penalty 5
Being party to any other arrangement that would constitute a breach of these Procedures.	Penalty will correspond to the nature of the offence and will be in accordance with penalties outlined for each of the above

3.3 Penalties associated with Examinations or tests

Type of offence	Penalty
Removing any script, paper, or other official stationery (whether completed or not) from the examination room, unless specifically authorised by an invigilator or examiner.	Penalty 2
Introduction or use of devices of any kind other than those specifically permitted in the rubric of the paper.	Penalty 3
Communicating with another student or with any third party other than the invigilator/examiner during an examination or test.	Penalty 3

During an examination or test, copying or attempting to copy the work of another student, whether by overlooking his or her work, asking him or her for information, or by any other means.	Penalty 4
Possession of crib sheets, revision notes (including, for example, those held on digital media devices) or accessing the internet in contravention of the examination rubric.	Penalty 4
Attempting to persuade another member of the University (student, staff or invigilator) to participate in actions that would breach these Procedures.	Penalty 5
Being party to any arrangement whereby a person other than the candidate represents, or intends to represent, the candidate in an examination or test.	Penalty 5
Taking into an examination a pre-written examination script for submission and exchanging it for a blank examination script.	Penalty 5
Obtaining access to an unseen examination or test prior to the start of an examination/test.	Penalty 6
Being party to any other arrangement that would constitute a breach of these Procedures.	Penalty will correspond to the nature of the offence and will be in accordance with penalties outlined for each of the above

3.4 Penalties associated with research degree programmes

Type of offence	Penalty
Evidence of plagiarism in the documentation for the Approval of the Research Proposal (RDB1)	Penalty 3
Evidence of plagiarism in the documentation for Transfer to PhD (RDB2)	Penalty 4
Evidence of plagiarism in any other documentation identified prior to the submission of a thesis	Penalty 4
Evidence of significant plagiarism in a thesis submitted for examination (significant would be determined by the scale, frequency and type of plagiarism; where there is evidence of plagiarism but it is not deemed significant, this could be addressed by examiners through amendments to the thesis)	Penalty 6 Where this is identified by examiners (or others) prior to <i>viva voce</i> then the viva must not go ahead until an Academic Misconduct Committee has met and reached a decision; where plagiarism is identified during the

	<i>viva voce</i> , the examiners should continue with the viva and make recommendations to be ratified in the event that the alleged misconduct is not proven.
Evidence of fabrication or falsification of data, results, evidence or other information prior to submission of the thesis (e.g. at RDB2)	Penalty 5 In addition, the student may be subject to investigation under the University's Procedures for Allegations of Research Misconduct
Evidence of fabrication or falsification of data, results, evidence or other information in a thesis submitted for examination	Penalty 6 Where this is identified by examiners (or others) prior to viva voce then the viva must not go ahead until an Academic Misconduct Committee has met and reached a decision; where fabrication or falsification is identified during the viva voce, the examiners should continue with the viva and make recommendations to be ratified in the event that the alleged misconduct is not proven. In addition, the student may be subject to investigation under the University's Procedures for Allegations of Research Misconduct
Commissioning or seeking to commission another party (either paid or unpaid) to complete some or all of a thesis on their behalf	Penalty 6
Failure to gain appropriate ethical approval prior to undertaking research where the project is deemed ethically low risk.	Penalty 5 where this comes to light prior to the submission of the thesis for examination (e.g. at the RDB2 stage) Penalty 6 where this comes to light after the thesis is submitted for examination
Failure to gain appropriate ethical approval prior to undertaking research where the project is deemed ethically high risk.	Penalty 5 where this comes to light prior to the submission of the thesis for examination (e.g. at the RDB2 stage) Penalty 6 where this comes to light after the thesis is submitted for examination

	In addition, the student may be subject to investigation under the University's Procedures for Allegations of Research Misconduct
Failure to seek renewed ethical approval when a student makes a major deviation from the approved research.	Penalty 5 where this comes to light prior to the submission of the thesis for examination (e.g. at the RDB2 stage) Penalty 6 where this comes to light after the thesis is submitted for examination In addition, the student may be subject to investigation under the University's Procedures for Allegations of Research Misconduct
Being party to any other arrangement that would constitute a breach of these Procedures.	Penalty will correspond to the nature of the offence and will be in accordance with penalties outlined for each of the above

4. Procedures for the Academic Integrity Tutor (AIT)

- 4.1 If an examiner suspects academic misconduct, they will make a written report to the Academic Integrity Tutor, providing evidence for their suspicion as soon as practicable, but no later than 20 working days from the submission deadline for the work concerned with the exception of a research degree examiner where the report should be submitted ahead a minimum of 10 working days before any scheduled *viva voce*.
- 4.2 If during an examination, an invigilator suspects that a student is cheating, they will inform the student of their suspicions, remove any unauthorised material, and clearly mark the examination script with the time they spoke to the student. The student should be allowed to continue their examination. Within three working days of the examination, the invigilator will make a written report to the Academic Integrity Tutor.
- 4.3 The written report will:
- a) Specify the full name(s) of the student(s) to whom it relates;
 - b) Signed and dated by the member of staff making it;
 - c) State the basis and the evidence on which the allegation has been made and be accompanied by all the relevant evidence;
 - d) Provide details of the assessment, including the coursework, the weighting of the assessment item and any information provided to students concerning academic conventions and practices.

- 4.4 The Academic Integrity Tutor will investigate further, and will ask the student to attend a meeting to discuss the matter. Meetings may take place in person or using audio or video conferencing or in exceptional circumstances (for instance when the student is studying at a Partner Organisation) may take place via email.
- 4.5 In advance of the meeting, the Academic Integrity Tutor will provide the student with a copy of the work in question, any report generated by plagiarism detection software and the module tutor's initial written report or where a written report is not available; a clear explanation of the issues identified.
- 4.6 The student has the right to be accompanied by a representative, who is not acting in a legal capacity, at any meeting arranged to discuss the allegation. The representative must be a member of the University, i.e.:
- a registered student;
 - a member of staff;
 - a member of staff or Sabbatical Officer of the Students Union.

The role of the representative will be to support and advise the student and to help them to present their case

- 4.7 The meeting may proceed in the absence of a student who has either:
- indicated an intention to be present and does not attend;
 - never responded to communications;
 - indicated that they do not wish to attend.

The Academic Integrity Tutor should be content that s/he has sufficient evidence available to consider the case and that the student has been given adequate notice of the meeting and an opportunity to provide a written submission.

- 4.8 In investigating a possible case of academic misconduct or cheating, it is possible that an Academic Integrity Tutor will decide that:
- the case should be dismissed, or
 - it was a minor offence and a minor penalty should be applied, or
 - the case should be referred to the Academic Misconduct Committee.
- 4.9 In the case of a minor offence, the Academic Integrity Tutor will apply the normal penalty associated as identified above depending upon the category taking into account:
- Extent of misconduct demonstrated by the student
 - Learning background of the student
 - The level at which the student is studying
 - Conventions of the discipline or subject area
- 4.10 If it is found that the student has had a previous penalty applied, a penalty of one higher than suggested in the table above should be applied up to Penalty 4 otherwise the case should be referred to the Academic Misconduct Committee.
- 4.11 In the case where the student fully accepts that academic misconduct or cheating has occurred, the student can choose to accept a Penalty 4 without the need for the case to

be heard by the Academic Misconduct Committee. In such cases the Academic Integrity Tutor will notify the Complaints and Appeals Officer who will confirm the penalty in writing to the Student.

- 4.12 Students should be warned that repetition may result in a referral to the Academic Misconduct Committee.

5. Academic Misconduct Committee

- 5.1 The Academic Misconduct Committee is a sub-committee of the Learning, Teaching and Student Experience Committee.

- 5.2 The student will be sent a letter by the Complaints and Appeals Officer informing them that an allegation of academic misconduct or cheating has been made and asking them to attend a meeting of the Committee. The letter will include details of the specific allegations against the student.

- 5.3 Membership of the Committee will be:

The Academic Registrar or nominee (Chair)
2 members of academic staff

- 5.4 No member of the Committee will have been involved in the decision to refer the matter to the Committee or have prior knowledge of the case.

- 5.5 A member of Registry Service's staff will act as Secretary to the Committee. The Secretary is not a member of the Committee.

6. Meeting of the Academic Misconduct Committee

- 6.1 The student will be notified the date and the time of the meeting at least five working days in advance of Committee meeting and all parties will receive copies of all documents which will be relied on at the hearing. The student may submit written evidence.

- 6.2 The student has the right to be present at the meeting of the Committee. Meetings may take place in person or using audio or video conferencing.

- 6.3 The student and the staff representative may ask any member of staff or other student to appear as a witness at the hearing. The Secretary of the Committee must be notified in advance of witnesses to be called; in complex cases, written statements of witnesses may be submitted in advance.

- 6.4 The student has the right to be accompanied by a representative, who is not acting in a legal capacity, at any meeting arranged to discuss the allegation. The representative must be a member of the University, i.e.:

- a) a registered student;
- b) a member of staff;
- c) a member of staff or Sabbatical Officer of the Students Union.

The role of the representative will be to support and advise the student and to help them to present their case

- 6.5 The meeting may proceed in the absence of a student who has either:
- a) indicated an intention to be present and does not attend;
 - b) never responded to communications;
 - c) indicated that they do not wish to attend.

The Committee should be content that it has sufficient evidence available to consider the case and that the student has been given adequate notice of the meeting and an opportunity to provide a written submission.

- 6.6 The format of the meeting will normally be as follows:

- a) Private meeting of the Committee.
- b) Student, and his or her representative, and the Department-representative (normally the Academic Integrity Tutor) are invited to join the meeting.
- c) The Chair will summarise the procedure to be adopted and ask if there are any procedural questions.
- d) The facts relevant to the case will be introduced by the Chair.
- e) The Department representative will state the case against the student
- f) The Committee may then question the Department representative
- g) The student will be invited to make an initial statement on the case and be given an opportunity to comment on the Department's statement.
- h) The Committee may then question the Student
- i) The Department representative will be given an opportunity to comment on the Students statement.
- j) The student and his or her companion may then make a final statement.
- k) The student, his or her companion and the Department representative will then be asked to withdraw.
- l) Private meeting of the Committee.

- 6.7 The Committee may call for any additional evidence in order to arrive at a decision and may, in exceptional cases, ask another member of staff or another student to attend the hearing.

- 6.8 Burden of proof

The Committee will work within the following principles in deciding whether or not academic misconduct or cheating has taken place:

- 6.8.1 Members of the Committee must be secure in their belief that academic misconduct or cheating has occurred based upon the evidence presented.

- 6.8.2 Members of the Committee are only concerned with the the actions of students and not their intentions
 - 6.8.3 The consequences for the student of being found guilty of academic misconduct or cheating should not be a factor for the Committee in evaluating the evidence and making its decision.
 - 6.8.4 Every reasonable attempt should be made to ensure that the Committee has no prior knowledge about the student's record on the course, whether this is to the student's advantage or disadvantage, except where such information has been provided by the student. This would include previous referrals to the Committee; their mark profile, attendance record, etc. The Committee may be made aware of any confirmed minor offence in order to assist their understanding of the referral.
 - 6.8.5 Students may make available to the Academic Misconduct Committee any information about their previous record on the course which they wish to draw to the attention of the Committee.
- 6.9 Penalty to be applied
- 6.9.1 In determining the seriousness of the offence, the Academic Misconduct Committee should take into account the following factors:
 - a) the scale and extent of the academic misconduct or cheating
 - b) disciplinary conventions of the subject area
 - c) **The academic level at which the student is studying**
 - d) any exceptional circumstances supported by relevant evidence, evidence must be provided by the student at the time the Committee meets.
 - e) previous offences of academic misconduct or cheating
 - 6.9.2 Before deciding the penalty, the Committee will be informed of any previous offences.
 - 6.9.3 In a few cases, the Committee will decide that a minor offence more accurately reflects the nature of the offence. In such cases, the Committee will not pursue the allegation of academic misconduct or cheating further but will apply the normal penalty identified above.
 - 6.9.4 Where, after full examination of all evidence, a Committee has decided academic misconduct or cheating has occurred they will apply one of the penalties detailed above. In cases where a student continues to attempt to mislead the Committee, the Committee may impose a more severe penalty.
- 6.10 Record of the meeting
- 6.10.1 The formal minute of the Committee will record those present and in what

capacity present, the nature of the allegation, the decision of the Committee, any penalty imposed and the rationale for applying that particular penalty so that fairness and consistency can be ensured.

6.10.2 The minute will be confidential except for those present at the Committee and to inform any monitoring carried out. The anonymity of those against whom the charge of academic misconduct or cheating was not proven will, so far as possible, be preserved.

6.11 Notification of the Committee's decision to the student

The student will be informed orally of the Committee's decision on the day of the meeting; and will normally be sent written confirmation of the decision within 5 working days after the meeting.

Notification to the student will:

6.11.1 State the facts found

6.11.2 Identify the main issues and the conclusions to each of them

6.11.3 Make clear the basis for the final decision

In cases where an allegation is confirmed a copy of any decision taken will be noted on the student record system

6.12 Notification of the Committee's decision to the Board of Examiners

When a student has been found guilty of academic misconduct or cheating, the Secretary of the Committee will notify the Board of of the decision and of the penalty imposed.

7. Procedures for Review of the Decision

7.1 A student may request a review of the decision of an AIT, or the Academic Misconduct Committee on the following grounds:

7.1.1 that procedures have not been correctly followed;

7.1.2 that the penalty imposed is too severe having regard to the nature of the offence and the guidance;

7.1.3 that there is significant new evidence which could not have been made available to the Committee at the time of the hearing and would demonstrate that academic misconduct or cheating had not occurred.

7.2 A request to review the decision of an AIT should be made in writing to the Complaints and Appeals Officer within 10 working days of the written decision of the AIT. On receipt of a request to review, the Complaints and Appeals Officer will constitute an Academic Misconduct Committee who will hear and determine the matter.

7.3 A request to review the decision of the Committee should be made in writing within 10

working days of receipt of the written decision to the Deputy Vice Chancellor) (or nominee). A request to review the decision under 7.1.3 are not time limited.

7.4 On receipt of a request to review, the Deputy Vice Chancellor (or nominee) will decide if there are clear grounds, and will either:

7.4.1 refuse the request to review

7.4.2 refer it back to the Committee for reconsideration, or

7.4.3 constitute a new Committee.

7.5 Where the decision of the Deputy Vice Chancellor or the Committee is to uphold the original decision the letter to the student will draw attention to the individual's right to refer the matter to the Office of the Independent Adjudicator (OIA) and the student will be issued with a Completion of Procedures letter.

8. Office of the Independent Adjudicator for Higher Education (OIA)

8.1 A student who is not satisfied with the outcome of the Procedure and has exhausted all the stages of the procedure may request that the Office of the Independent Adjudicator (OIA) reviews the case. This may be done by completing the OIA scheme application form within twelve months of the date of the University's Completion of Procedures letter.

8.2 Where a case is considered eligible, the OIA will provide independent adjudication on the resolution of complaints, once the University's internal procedures have been exhausted.

9. Annual Report

9.1 An annual report of investigations of cases of alleged academic misconduct or cheating and their outcomes will be made to the Learning, Teaching and Student Experience Committee.

9.2 An annual report of investigations of cases of alleged academic misconduct or cheating and their outcomes for research degree students only will be made to the Research Committee.

9.3 A report from the AIT should be included in the annual Institute Learning and Teaching report.

10. Advice and Support

10.1 If you have any queries in respect of this Procedure, please contact the Complaints and Appeals Officer or the Examinations and Assessment Officer, Registry Services.

- 10.2 The University recognises that a student suspected of academic misconduct or cheating can be stressful. Students are therefore advised to seek advice and guidance from the Students' Union.

Note: Where these Procedures state that certain actions will be taken within a specified timescale and this is not possible (e.g. because of the timing or because key information takes longer to obtain, parties will be kept fully informed of the progress of their case.

Version reference: 4.1

Date document was approved and comes into effect: 1 September 2017

Author of the document: Kevin Pickess

Date document is due for review: 1 September 2021

Revision History

Committee	Date	Change
Academic Board v4.1	28 June 2017	Minor revisions including changes to reflect changes to the Committee structure of Academic Board and the addition of penalties appropriate for Research Degree students. WEF: 2017/18 (AB16-64)
Academic Board v4.0	27 April 2016	Introduce the term Academic Misconduct and Cheating and drop the term Learner Incompetence. Other minor changes. WEF: 2016/17 (AB15-45)
Academic Board v3.4	27 January 2016	Minor revisions
Academic Board v3.3	29 April 2015	Minor revisions
Academic Board v3.2	21 January 2015	Minor revisions primarily to section 3 - Penalties
Academic Board v3.1	8 October 2014	Minor revisions: 6.6 Revise secretary to Cheating Committee 9.4, 9.5, 9.6 Replace Deputy Vice Chancellor with

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		Pro Vice Chancellor (Academic)
Academic Board v3.0	30 April 2014	Revised procedure approved with significant changes to the penalties. WEF: AY 2014/15
Academic Board v2.3	24 April 2013	Add revised text regarding student right to be accompanied at any meeting.
Academic Board v2.2	12 October 2011	Minor changes and revisions: Fake Referencing added; meetings can take place other than in person and an amendment to the standard penalty.
Academic Board v2.1	6 July 2011	Membership of the cheating committee changed to read '2 members of academic staff' (5.4)
Academic Board v2.0	7 July 2010	Significant amendments to the procedures including a change away from seeking to determine the intention of a student to the actions of a student and the introduction of AITs to manage penalties associated with learner incompetence.
Academic Board v1.1	26 April 2006	All cases of Learner Incompetence to be reported the Appeals and Complaints Officer added (3.4).
Academic Board		New procedure Approved