

# Academic Regulations

## Section 15

### Academic Misconduct Regulations and Procedure

2021-22

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## Part 1 - General Provisions

### Introduction

1. The purpose of the Academic Misconduct Regulations (“Regulations”) is to protect the academic integrity of the University and its awards, and maintain high standards of academic conduct, intellectual honesty, and professionalism. This benefits both the University and its students, whether past, present or future.
2. Students should familiarise themselves with the academic conventions and practices applicable to their course and chosen area of study. It is the responsibility of staff and students to ensure that standards set out by these Regulations are upheld.
3. For the purpose of these Regulations, the term ‘Academic Misconduct’ includes all forms of cheating (i.e. examinations, formal assessments, commissioning another person to complete an assessment or buying work online), plagiarism and collusion. Schedule 1, sets out the definitions of Academic Misconduct and the categories of what constitutes Poor Academic Practice, Minor, Moderate, Major and Severe.
4. An allegation of Academic Misconduct shall only be proven on the balance of probabilities, that it is more likely than not that the Academic Misconduct occurred.
5. For the purposes of these Regulations, the person, (whether the University or the student) making an allegation or stating a fact is responsible for proving it. All decisions regarding the application of penalties under these Regulations shall be made without prejudice, or bias.
6. These Regulations allow the opportunity for students to receive formative guidance on what constitutes Poor Academic Practice, when it is established that a student has submitted work that does not meet the definition of a Minor category of misconduct.
7. Any student who has received an allegation of Academic Misconduct is advised to promptly seek assistance from the Students’ Union.
8. The Pro Vice-Chancellor Student Services has overall responsibility for the Academic Misconduct Procedures.

### Applicability

9. These Regulations apply to:
  - 9.1 any person who is registered as a student of the University (including those students who have taken a break from their studies).
  - 9.2 so far as is practicable, any person to whom an offer of a place has been made and who subsequently becomes a student.

- 9.3 a student against whom an allegation was pending when their registration by withdrawal or otherwise was terminated and who subsequently re-joins the University.
- 9.4 so far as is practicable, any person who has had an award conferred by the University, whereby the University is informed of an allegation retrospectively as under paragraph 63.
- 9.5 students studying at our Partnership institutions who submit a Request for Review as defined in paragraph 62.

## Standard of Academic Conduct

### 10. Students shall:

- 10.1 not claim others' work as their own and shall respect all relevant academic conventions and practices;
- 10.2 not give or receive unpermitted aid in examinations; nor give or receive unpermitted aid in class work, in the preparation of essays, or coursework, or in any other work that is to be used as the basis of assessment;
- 10.3 A non-exhaustive list of examples of Academic Misconduct is set out in Schedule 1.

## Misconduct Offences

11. If a student is found on the balance of probabilities to have committed misconduct, they are liable to penalties set out in Schedule 1.
12. An allegation of 'Academic Misconduct', including all forms of cheating, collusion and plagiarism, shall be dealt with under these Regulations as defined in Schedule 1.
13. All panels and decisions under these regulations shall be made and conducted in accordance with these Regulations.
14. Academic Misconduct that has been proven under these Regulations may be referred to in any reference provided by the University or by a member of staff. Where a student is enrolled on a course that is regulated by a professional, statutory or regulated body (PSRB) the University may be obliged to report that fact to the PSRB

## Fitness to Practise and Professional or Regulatory Requirements

15. Where allegations are made against a student on an Accredited Course, the University may:
  - 15.1 notify the relevant body of the matter.
  - 15.2 take separate action (in addition to any action under these Regulations) under its

Fitness to Practise policy, Academic Regulations, Student Conduct Regulations or Course Regulations. The University may use any evidence compiled pursuant to these Regulations in any Fitness to Practise proceedings.

## Part 2 – Reporting Allegations of Academic Misconduct

### Examinations or tests

16. If, during an examination, an invigilator believes that a student has engaged in Academic Misconduct they shall normally inform the student and endorse the student's answer book as follows: with the time, a brief description of the incident and with their initials. Any prohibited material will be removed and retained. The student shall then be permitted to continue, in a new answer book. A written report of the incident shall be made to the Student Casework Office by the invigilator or examiner concerned, as soon as possible and normally within a week of the incident. The Senior Invigilator shall, in addition, note the circumstances in the Senior Invigilator Report. Where evidence of Academic Misconduct is reported to the Student Casework Office after this deadline, an allegation may still be progressed if, in the opinion of the Pro Vice-Chancellor Student Services (or nominee), there are compelling reasons to do so.

### Other Assessments

17. Where an internal examiner suspects Academic Misconduct, an Academic Misconduct Allegation Report Form should be completed, including relevant evidence, to the Student Casework Office as soon as practicable, but no later than 30 working days from the standard submission deadline for the work concerned. Exceptionally, a written report, including relevant evidence, may be submitted no later than a 5 working days after this period, but only with the prior agreement of the Student Casework Office. Where evidence of Academic Misconduct is reported to the Student Casework Office after this deadline, an allegation may still be progressed, in the opinion of the Pro Vice-Chancellor Student Services or (nominee), there are compelling reasons to do so. Once an allegation has been received, the Student Casework Office shall notify the student of the allegation and accompanying evidence within 10 working days.
18. Where an internal examiner has reasonable suspicion that a student has engaged in Academic Misconduct, the internal examiner may require the student to sit an informal *viva voce* examination. Such an examination shall be conducted in accordance with guidance published by the Student Casework Office. The report of the *viva voce* may be used as evidence. For guidance, refer to Safeguards and Guidance outlined in Schedule 4.
19. Where an external examiner establishes that there is suspected, Academic Misconduct, they shall notify the internal examiner, who shall act in accordance with paragraph 17.

20. Where the University is made aware of an allegation of Academic Misconduct from any person(s) outside of the University, the most appropriate of internal academic staff shall act in accordance with paragraph 17.
21. A student who believes that there are grounds for an allegation of academic misconduct against another student shall inform the relevant Module/Course Leader who shall establish if there is sufficient evidence of academic misconduct. If such evidence is found, the member of staff shall act in accordance with paragraph 17.
22. A report of Academic Misconduct shall:
  - 22.1 be in writing, signed and dated by the member of staff making it;
  - 22.2 specify the full name(s) and number(s) of the student(s) to whom it relates;
  - 22.3 state the facts and the evidence on which the allegation has been made and be accompanied by all the relevant evidence;
  - 22.4 provide details of the assessment, including the coursework or examination questions, the weighting of the item of assessment and any information provided to students concerning academic conventions and practices.
  - 22.5 be recorded on internal University records, pending the final outcome.

#### Minor Academic Misconduct in Coursework

23. Where the alleger establishes that there is evidence of Academic Misconduct relating to coursework, which if substantiated could lead to a Minor or above penalty, they shall submit an Academic Misconduct Allegation Report Form to the Student Casework Office.
24. Where the Student Casework Office determines that the alleged Academic Misconduct suggests a higher or lower category and/or penalty, or where the student has a previous proven allegation substantiated, the case will be progressed under paragraphs 27 to 53.
25. Unless the Student Casework Office has determined that the allegation should be progressed under paragraphs 27 to 53, they will write to the student confirming:
  - 25.1 that an allegation has been submitted;
  - 25.2 details of how the student can access their work and evidence within the School should a student wish to review the basis of the allegation;
  - 25.3 details of how to Request a Review of the allegation, should a student wish to dispute the allegation;

- 25.4 school arrangements and contacts details so that the student can undertake an academic conduct tutorial.

## Penalties

26. The Table of Penalties in Schedule 1 applies to substantiated first incidents of Academic Misconduct. When a Level 5 student or above has a previously substantiated case of Academic Misconduct that is Minor from a previous academic year, a penalty for a second or subsequent substantiated allegation of Academic Misconduct will normally be one penalty level higher than the most recent substantiated case of Academic Misconduct. There is a maximum period of 6 years in which any second or subsequent substantiated allegation can be applied to substantiated first offences.

## Consideration of Allegations of Academic Misconduct

27. The student shall be presumed innocent of the alleged misconduct until a decision or determination has been made;
28. An allegation of misconduct shall only be proven, if it is found that it is more likely than not that the misconduct occurred (that is, on the balance of probabilities);
29. The person (whether the University or the student) making an allegation or stating a particular fact is responsible for proving it. There is no need to prove an allegation or a fact that has been admitted.
30. The Student Casework Office shall first determine if there is evidence to progress an allegation submitted in accordance with paragraphs 16 to 21 above. A submitted allegation shall usually be considered by the Student Casework Office within 45 working days. There may be circumstances where, for good reason, the University will need to extend this timeframe. Circumstance that may delay completion of the procedures include but are not limited to:
- 30.1 incomplete form and/or evidence;
  - 30.2 delays in student responses;
  - 30.3 consideration paused to allow for matters being considered as part of another Regulations or Procedures, for instance Student Conduct Regulations or the Complaints Procedure. Any period in which the appeal is put on hold to allow for consideration of another procedure shall not be included in the 45 working day period referred to above.
31. In unsubstantiated cases, the allegor will be notified and case will be returned with a request that the work is marked as per the University's Academic Regulations.
32. In cases of Poor Academic Practice, that does not constitute a Minor category listed in Schedule 1, the School is advised for this to be reflected in the mark awarded to the student and for feedback to be given to allow for development. If established, the item of work can be failed on pedagogic grounds.

33. In cases where the Academic Misconduct falls under one of the categories listed in Schedule 1, the student will be informed that there is sufficient evidence to support the allegation. The student will be invited to make any submissions in response to the allegation within a period of 10 working days. Any submissions provided by the student will be considered before a decision about the allegation is made. If the student fails to make such submissions within the time period, or at all, the decision will be that the allegation is found to be proven and an appropriate penalty imposed.
34. In cases where the Academic Misconduct falls under two or more categories; e.g., in cases of collusion, or where there is ambiguity as to the nature of the Academic Misconduct, the Student Casework Office shall progress the case by notifying the student in writing of the allegation and by requesting that the student responds by the completion of an Academic Misconduct Appeal Form. Cases that fall under paragraph 34, will be progressed to a hearing to determine the category and the penalty that should be applied.
35. In relation to paragraphs 33 and 34 above, the Student Casework Office will notify a student of the allegation. Notification to the student shall include:
  - 35.1 a copy of the allegation and all evidence in support of it;
  - 35.2 a copy of these Regulations; and
  - 35.3 the options available to the student when responding to the allegation and signposting to relevant support such as the Students' Union and, where appropriate, Student Services.

### Part 3 - Options for a Student Response by Way of Appeal

36. Where a student has been notified of an allegation of Academic Misconduct, they may appeal within 10 working days from the date of receipt of the notification of the allegation of Academic Misconduct.
37. In cases progressed under paragraph 33 and 34, when submitting an Appeal, a student may:
  - 37.1. Dispute the allegation and also make representations against the level of the penalty imposed. Where a student does not explicitly request an oral hearing, the case will be considered by way of written representations; or,
  - 37.2. Accept the allegation and make written representations only as to level of penalty imposed; and
  - 37.3. Complete, sign and return the Academic Misconduct Appeal Form attaching any evidence in support of their statement, to the Student Casework Office.
38. A student shall indicate whether they want the allegation and their response to be considered by way of written submission or at an oral hearing. Where a student does not explicitly request an oral hearing, the case will be considered by way of written representations.



39. In cases involving two or more students, if one student requests that their case be considered by way of an oral hearing, all students who form part of the allegation will be invited to attend the hearing. A student who originally requested for the case to be heard by way of written representations shall not be eligible to request a postponement of the hearing.

### Reconsidering the Same Offence

40. An allegation of Academic Misconduct may be reconsidered for a second time if new evidence emerges (within 6 years of the first allegation) which for good reason, the University could not obtain at the time the first allegation was considered. In such instances, the University will take into consideration the outcome of the first process, the length of time that has elapsed, the severity of the alleged offence, the impact of the student going through a second Academic Misconduct process and any obligations the University has to professional or regulatory bodies.
41. If deemed necessary, the University will contact the student having considered the above and provide reasons for any decisions made.

### Valid/Invalid Responses

42. In responding, a student shall identify and explain the reasons that form the basis of the case upon which the student is relying and should be accompanied by any relevant evidence in support of their statement. Requests that do not identify and explain the reasons upon which the student is relying shall be deemed invalid by the Student Casework Office; the student shall be notified in writing of this and shall be deemed to have accepted the allegation.
43. Where students do not respond within the stated deadline, they will be deemed to have accepted the allegation, and where relevant, a Panel shall determine the appropriate category of Academic Misconduct. The Student Casework Office shall inform the student in writing of the Panel's decision or that by not responding, the student has missed the appeal deadline but may still be able to Request a Review of the decision. Appeals shall be considered in accordance with the composition of the Panel as defined under paragraphs 58 to 65.

### Consideration of a Student Response

44. Where a student disputes the allegation, a Panel shall consider the allegation and the evidence in support of it alongside the student's submission. The Panel shall then determine whether there is sufficient evidence of Academic Misconduct to substantiate the allegation under one of the categories of Academic Misconduct listed in Schedule 1. In such cases the Panel shall substantiate the allegation and further consider any representations, which have been presented by the student, as to the imposed penalty.
45. Where a student has made representation only against the penalty imposed, the Panel shall consider these representations and determine if the valid grounds have been

presented upon which the penalty may be lowered. There is no requirement to substantiate an allegation that has been admitted.

### Submitting a Request for Review and the Grounds for Review

46. A student who has received a penalty pursuant to these Regulations may Request a Review of the decision or the penalty.
47. The Review must be made in writing on the prescribed Review Form signed by the student and sent to the Student Casework Office within 10 working days of the date the student was notified of the decision.
48. A Request for Review may only be made on the grounds that:
  - 48.1. the student was unable to respond to the allegation within the timeframes provided in these Regulations for valid reasons beyond the student's control; or
  - 48.2. there has been a material procedural defect, other than one for which the student is responsible, resulting in substantial unfairness to the student; or
  - 48.3. the evidence of alleged misconduct was insufficient to substantiate the allegation; or
  - 48.4. the student has new evidence that they could not reasonably have provided during the investigation and which would probably have a material influence on the outcome. Other than this, no new evidence shall be considered; or
  - 48.5. the sanction or penalty is manifestly disproportionate to the misconduct that was found.

### Consideration of Review

49. The Student Casework Office may dismiss a Request for a Review on the basis that:
  - 49.1. the Review form is received late and there is no reasonable explanation of the lateness, or;
  - 49.2. does not clearly state the grounds on which the Review is being made; or
  - 49.3. does not disclose any reasonable grounds of Review; or
  - 49.4. is entirely without merit.
50. Unless the Request for Review is dismissed pursuant to paragraph 49, the Student Casework Office shall refer the Review to a Head of School, Dean or their nominee (who is from a different School of the student raising the Review, and with no previous involvement in the case) within 5 working days of receiving the student's duly completed Review Form.

51. The Head of School, Dean (or their nominee) shall consider the review on the basis of the written review papers, unless it would assist their consideration or otherwise in the interest of fairness, in which case a hearing shall be convened. A decision on the basis of the written review papers or a decision to convene a hearing shall usually be made within 10 working days of the Student Casework Office's receipt of the duly completed Review Form.
52. After reviewing the decision the Head of School, Dean (or their nominee) may:
- 52.1. affirm, set aside or vary any finding or decision reached;
  - 52.2. refer the matter, or any part of it or any decision to the Academic Misconduct Panel for further consideration, with any such guidance as the Head of School, Dean (or their nominee) thinks fit.
  - 52.3. Head of School, Dean (or their nominee) shall notify the Student Casework Office of their decision within the timeframe stated in paragraph 51 above.
  - 52.4. The Student Casework Office will notify the student of the outcome.
53. At this point, students who remain dissatisfied with the outcome have the right to submit a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education. Students should refer to the [OIA Website](#) to establish whether their complaint is something that the OIA would consider. A complaint must be submitted to the OIA within 12 months of the University's final decision. The OIA cannot consider complaints about:
- 53.1. Admissions, unless the person complaining is a former student of the University who is applying for re-admission, and the complaint is directly connected to their time as a student;
  - 53.2. Academic judgment;
  - 53.3. Student employment;
  - 53.4. Something that has already been the subject of legal proceedings in a court or tribunal unless those proceedings are put on hold;
  - 53.5. Something that has already been considered by another alternative dispute resolution body.

#### Academic Misconduct Appeal from a Student at a Partner Institution

54. Students from collaborative/partner institutions who have completed the Academic Misconduct procedures of their host institution shall have a right to Request a Review to the University. Any Review will be considered in accordance with paragraphs 49 to 52 above.

## Academic Misconduct after a Student has Graduated

55. Penalties may be applied where Academic Misconduct has been substantiated for a student who has completed their studies and a final award has been conferred. The most serious penalty that may be applied shall be withdrawal of the relevant award previously conferred on the student. As in paragraph 15 in such cases, the University may notify a relevant body of the matter.

## Confidentiality and Reporting

56. The University will process all information in accordance with its Student Privacy Notice and the principles of the General Data Protection Regulation (GDPR). Allegations of Academic Misconduct will be handled with an appropriate level of confidentiality and by trained staff. With information released only to those who need it for the purposes of investigating or responding to the allegations of Academic Misconduct. No third party should be told any more about the case than is necessary in order to obtain the information required from them.

57. The outcomes and recommendations from Academic Misconduct cases may be shared across the University for institutional learning and reporting purposes, for instance to Academic Board and Board of Governors. However, personal information will be removed and handled in accordance with the University's Privacy Notice.

## Part 4 - Composition and Role of the Panel

58. In respect of all hearings and decisions under these Regulations:

59. The composition of a Panel convened under these regulations and its Chair will be determined in accordance with the table below:

	<b>Size of panel</b>	<b>Membership requirements</b>	<b>Chair</b>
Academic Misconduct (undergraduate and taught postgraduate students)	Written representations: At least three, not exceeding four	At least three academic members of staff	Member of academic staff designated by the Panel itself

	Oral hearing: At least three, not exceeding four		
Academic Misconduct (postgraduate research students)	Written representations: At least three, not exceeding four	At least three members of the Research degrees subcommittee	Person designated by the Research Degrees subcommittee
	Oral hearing: At least three, not exceeding four		

60. No person shall be eligible to be a member of a Panel who has:

- 60.1. any responsibility for the teaching or assessment of the module in question; or,
- 60.2. been previously involved in a review of an allegation involving the same student.

61. The Student Casework Office shall appoint a Clerk to the Panel and shall supply all the relevant documentation to the Panel.

62. In respect of any oral hearing before a Panel:

- 62.1. the student shall be given at least 5 working days' notice of the hearing, which will include details of the panel, a list of witnesses that the person making the allegation/Student Casework Office intend to call;
- 62.2. the student shall notify the Student Casework Office any witnesses whom they intend to call no later than 3 working days before the hearing. It is the student's responsibility to arrange for these witnesses to attend the hearing.

63. At any oral hearing before the panel arranged under these Regulations, the student may:

- 63.1. attend the hearing either in person or by suitable electronic means agreed by the Chair of the Panel in which all participating in the meeting may communicate with all the other participants. The student does not need to attend the hearing and the Panel may make a decision in the student's absence, provided that the Panel is satisfied the student was informed of the date of the hearing and has not given a reasonable excuse (supported by evidence) for absence. An oral hearing will only be postponed more than once in exceptional circumstances.
- 63.2. be assisted by a Friend at the hearing who shall normally be a member of staff or student of the University. A member of the student's family can only act in the capacity of a "Friend" at the Panel's discretion. A "Friend" is defined as a friend,

- guardian or representative of the student (but not a qualified lawyer, unless deemed appropriate by the Chair under 1.9 of Schedule 4) provided such person is a Student of the University, a member of staff or officer of the Students' Union, a member of staff of the University, or a member of the student's family. The student is responsible for arranging the Friend's attendance at the hearing;
- 63.3. see any documents relevant to the matter that the Panel has seen (whether or not the University relies on them);
  - 63.4. ask questions to clarify the allegations and the facts that are being alleged;
  - 63.5. call witnesses. The student is responsible for arranging the witnesses' attendance at the hearing. The Chair of the Panel may decline to hear a witness if their evidence is not relevant;
  - 63.6. ask (via the Chair of the Panel) questions of witnesses or the person presenting the case against them;
  - 63.7. make representations to the Panel.
64. The Panel shall be conducted in accordance with the directions (whether given at the hearing or beforehand) of the Chair of the Panel, who may also determine the order of proceedings. Such directions may include:
- 64.1. hearing of related allegations against two or more students at the same hearing;
  - 64.2. requiring the provision of written witness statements or summaries of the witnesses' evidence before the hearing;
  - 64.3. the manner in which any witnesses' evidence will be taken (for example, in person or by suitable electronic means);
  - 64.4. imposing time limits on submissions;
  - 64.5. adjourning the hearing to another time or place;
  - 64.6. shall be conducted in private, except that members of staff may attend for training purposes, with the agreement of the student;
  - 64.7. may ask questions of the student, witnesses or the person presenting the allegation;
  - 64.8. may take advice from the Clerk, a legal advisor or other advisors;
  - 64.9. shall reach its decision by majority vote. In the event of a tie, the Chair of the Panel shall have a second or casting vote;
  - 64.10. shall not be made aware of any previous misconduct by the student, except where the previous misconduct is relevant to the current allegation.

65. When the Panel is considering sanctions, and only with the agreement of the Chair of the Panel;

65.1. shall state the reasons for the decision that it reaches, including any penalties imposed;

65.2. a record of the salient points of Panel proceedings, including the Panel's reasons shall be kept and shall be agreed by the Chair of the Panel.

65.3. the Clerk to the hearing shall notify the student of the decision of the hearing and shall record the decision on the student's file.

Schedule 1. Table of Penalties

<b>Category</b>	<b>Type of Academic Misconduct</b>	<b>Penalty</b>
<b>Minor</b>	<p>Plagiarism by moderate use of quotes or close paraphrasing without the use of quotation marks and incomplete or incorrectly cited bibliographies.</p> <p>Colluding by making available work to another student, either intentionally or as a result of negligence that can be presented as another student.</p> <p>Self-plagiarising an assessed piece of work submitted previously by the student either at London Met or another institution) or work submitted for assessment that has previously been published elsewhere</p> <p>Collusion by submitting work produced in collaboration with another person or persons as the work of a single student.</p> <p>Cheating by performing any action in an examination room that is prohibited by an invigilator or examiner including; removing any script or unauthorised materials, possession of or use of device unless permitted in the rubric, communicating with any person other than the invigilator during the Examination.</p> <p>Cheating during an examination or copying or attempting to copy the work of another student, whether</p>	<p>Failure in the item of assessment, with reassessment right where permissible.</p> <p>The assessment component mark will be capped at a bare pass.</p>



	<p>by overlooking his or her work, asking him or her for information, or by any other means.</p> <p>Collusion by making available work to another student, either intentionally or as a result of negligence that can be presented as another student.</p>	
<b>Moderate</b>	<p>Collusion by representing work produced in collaboration with another person or persons as the work of a single student.</p> <p>Falsification of data in laboratory work, projects etc. based on work purporting to have been carried out by the student but which has been invented, altered or falsified, including failure to secure appropriate ethical approval in advance of conducting research, an experiment or study.</p> <p>Plagiarising another student's work and submitting some or all of it as if it were the student's own.</p> <p>Plagiarism by the use of extensive use of quotes or close paraphrasing without the use of quotation marks and/or referencing, where the student has not cited the plagiarised material in the bibliography.</p>	<p>Failure in the item of assessment, with reassessment right where permissible.</p> <p>The module result will be capped at a bare pass.</p>
<b>Major</b>	<p>Commissioning another person to complete an item of University assessment, which is then submitted as a</p>	<p>Failure in the module: the student must re-register for the same module at the next opportunity where the</p>

	<p>student's own work. This could include the use of professional essay writing services, essay banks, ghost writing services etc.</p> <p>Contract cheating by being party to any arrangement whereby a person other than the candidate represents, or intends to represent, the candidate in an examination or test.</p> <p>Cheating by taking into an examination a pre-written examination script for submission and exchanging it for a blank examination script.</p> <p>Cheating by obtaining access to an unseen examination or test prior to the start of an examination/test.</p>	<p>re-registered module result will be capped at a bare pass.</p> <p>Where a re-registration of the same module, or suitable alternative, is not permissible the student will not be able to continue on the course.</p>
<p><b>Severe</b></p>	<p>Plagiarism by stealing another student's work and submitting it as the student's own work.</p> <p>Collusion by to persuade another member of the University (student, staff or invigilator) to participate in actions that would breach these Procedures.</p>	<p>Failure in the module: the student must re-register for the same module and the re-registered module will be capped at a bare pass.</p> <p>Where a re-registration of the same module, or suitable alternative, is not permissible the student will not be able to continue on the course. Additionally, the following penalty will be applied to the student's final award:</p> <p>Undergraduate Honours - student's final classification will be reduced by one level</p> <p>Unclassified Bachelors to Diploma in Higher Education</p> <p>Foundation Degree – Distinction to Merit; Merit to Pass; Pass to Certificate in</p>

		Higher Education Masters - Distinction to Merit; Merit to Pass; Pass to PG Dip
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**Please note that all imposed penalties are subservient to the undergraduate and postgraduate regulatory frameworks.** Please refer to the penalties under paragraph for Research Degree.

### Schedule 2. Penalties for Research Degree Allegations

In the case of a substantiated allegation of Academic Misconduct in a Research Degree, the Panel shall determine the appropriate penalty to be imposed from one of the following penalty options:

<b>Penalty (R) Minor:</b>	Reprimand, a formally recorded warning kept on the student's record.
<b>Penalty (R) Moderate:</b>	Failure in the thesis, with the possibility of resubmission for a lesser award, as determined by the Research Degrees Sub-Committee.
<b>Penalty (R) Major:</b>	Failure in the thesis, without resubmission right.
<b>Penalty (R) Severe:</b>	Expulsion.

N.B In the case of a Research Degree student, a penalty of expulsion may be imposed for a first offence.

### Schedule 3. Definitions of Academic Misconduct

These Regulations acknowledge that students can unintentionally commit Academic Misconduct through Poor Academic Practice. Poor Academic Practice is when a student submits any type of assessment that does not properly reference or cite the sources of their research, ideas, data and words used in their assessment. This can happen at the early stages of a student's academic journey, when proficiency in academic writing or its conventions are still being developed. Poor Academic Practice can also occur as the result of poor preparation and/or time management. In these instances, as under paragraph 32, this can be reflected in the marking of the assessment.

The table below, is a non-exhaustive list of the types of Academic Misconduct and their definitions.

<b>Type of Academic Misconduct</b>	<b>Definition</b>
Plagiarism	Plagiarism is where someone presents someone else's work, findings, data, ideas or research and as their own. Plagiarism can take various forms, including close paraphrasing without citation, negating to cite referenced materials in the bibliography and copying the work of others. Plagiarism can refer to written, oral, visual imagery, objects or designs created as part of a submission for assessment.
Cheating	Cheating is when someone acts dishonestly or unfairly before, during, or after an examination or a summative class test in order to gain advantage or assist another student to do so.
Contract Cheating	Contract cheating is when someone seeks out another party to produce work or buy an essay or assignment, either already written or specifically written for them or the assignment to submit as their own piece of work.
Falsification	Falsification is when someone fabricates, invents or distorts data, evidence, sources,

	<p>citations or (in the case of written, laboratory work) experimental results.</p>
<p>Collusion</p>	<p>Sometimes, students will be required to work together to prepare and submit assignments as part of a group assignment. Collusion occurs when two or more students collaborate in the production of work and this is submitted as the efforts of an individual. A student knowingly, or through negligence sharing their own work with another student, resulting in similar items of work being submitted for assessment is also collusion.</p>
<p>Self-plagiarism</p>	<p>Self-plagiarism is when someone submits work that has already been submitted for assessment either to the University, or another institution and is then used again in another context.</p>

## Schedule 4. Safeguards and Guidance

1.1. In respect of all allegations of Academic Misconduct, the alleged shall provide all the evidence that they intend to rely upon as part of the allegation.

1.2. Any student that has been notified of an allegation of Academic Misconduct shall be presumed innocent until a decision or determination has been made

1.3. An allegation of Academic Misconduct shall only be proven, if it is found that it is more likely that not that the misconduct occurred (that is, on the balance of probabilities)

1.4. All staff involved in Panels and Requests for Review shall be provided with appropriate training.

1.5. Where a student has disclosed a disability or a health condition requiring reasonable adjustments, the student shall be able to access this support as part of any process under these Regulations, as well as request reasonable adjustments specific to these procedures.

1.6. In the case of suspected Academic Misconduct where a marker suspects that the work is not entirely of the student's own, but the internal examiner cannot provide any evidence to substantiate their allegation to the Student Casework Office, the internal examiner may establish that a *viva voce* is required to determine the authorship of the work. The aim of the *viva voce* is:

1.6.1. to give the student the opportunity to demonstrate that the item of assessment, the research or any relevant findings, are their own;

1.6.2. to establish if the student can demonstrate knowledge and understanding of the subject area relating to the assessment in question;

1.6.3. to establish that the student has met the assessment criteria in accordance with the Academic Regulations; and

1.6.4. to confirm whether an allegation of Academic Misconduct needs to be progressed to the Student Casework Office.

1.7. Where an internal examiner suspects Poor Academic Practice that has the potential to result in Academic Misconduct, they should communicate to the student their concerns. However, it is not good practice to consider potential disciplinary matters on an entirely informal basis without keeping any records, therefore it is advised that this is captured in written feedback to the student.

1.8. In respect of cases involving more than one student, students shall be given the opportunity to speak to the panel privately so that they can raise confidential or sensitive matters.

1.9. Students will not normally need to seek legal representation at the Panel or Review stage, although it may be permitted where it is necessary for fairness. This might include a complex case, or where the consequences for the student are potentially very serious. For

example, when a conferred award is being revoked retrospectively, where it prevents a student practising the relevant profession, or it could involve matters under criminal law.

1.10. Mitigating circumstances are often submitted as a defence or as part of their Appeal or Request for Review in cases of Academic Misconduct. The University has provisions and resources available to support students experiencing difficulty through the Mitigating Circumstances Procedure. Students are expected to make use of this Procedure when appropriate rather than resort to Academic Misconduct. Therefore, mitigating circumstances will not normally be considered as reasons for Academic Misconduct unless:

- 1.10.1. the student provides medical evidence to show that, at the time of the assessment, their state of mind was such that it had significantly impaired their ability to understand and appreciate the consequences of their actions or determine whether an action is in breach of these Regulations.