University Code of Practice

Academic Misconduct

Document reference:	QH:C7
Date first approved:	May 2019
Date coming into force:	September 2019
Date last reviewed:	September 2023
Date amended to current version	August 2025
Current version no:	4.01
Approved by:	Academic Board
Responsibilities:	Academic staff - Programme Coordinators Head of Academic Quality and Learning – Registrar Vice-Chancellor
Application to collaborative provision:	Mandatory
Contacts:	Head of Academic Quality and Learning
Applications for exemptions to:	Academic Quality and Standards Committee
Report exemptions to:	Academic Board

Summary/ Description:

This Code sets out the University's commitment to the effective but fair investigation of allegations of academic misconduct. It reflects the University's firm belief that the interests of the vast majority of students who do not cheat in any way must be protected, and in turn, the integrity of the University's awards and reputation must be protected.

The Code provides definitions of academic misconduct and distinguishes it from 'poor academic practice'. It defines the roles and responsibilities of staff involved in detecting, reporting, investigating and determining allegations, the procedures involved (designed to ensure fairness and natural justice) and the penalties which can be imposed (ranging from a University Warning through to termination of programme without award).

Other than where the Head of Academic Quality and Learning is authorised to issue a Caution (relating to plagiarism or possession of unauthorised materials in an examination), determination of allegations and penalties is a matter for Academic Misconduct Panels. These Panels must apply the scale and tariff for penalties set out in the Code, which are designed to ensure clarity, and that the penalty is appropriately severe, reflecting the nature of the misconduct but taking into account the individual circumstances of the case.

Possible cases of misconduct can be investigated retrospectively; the University has the power to revoke a qualification in extreme cases, subject to the decision of the Academic Board.

The Code references where appropriate related Codes including:

- Academic Regulations: Taught Programmes (QH:C1) - regarding the progression rules and responsibilities of the Board of Examiners (at Module and Programme levels)
- the Code on Assessment Procedures (QH:C6) – regarding the Examination Offences set out in that Code
- the Code on Academic Appeals (QH:C11).

The University has a number of programmes which lead to an entitlement to practise professionally following successful completion (e.g. Nursing and Teaching). A separate code applies to such programmes: Code on Fitness to Practise (QH:C8).

Further Guidance

See the Introduction to the Quality Handbook (QH:A1) for further guidance and explanations of:

- how the Handbook is designed to work and what it covers and does not cover
- how it is structured
- the 'external reference points' and established practice which have informed each of the Codes
- key concepts and themes
- some suggestions for further reading
- a quick guide to each Code, including definitions and things to watch out for.

This university Code has been written in accordance with the approach approved by the University to enhance clarity involving the following terminology: must = mandatory should = advisable may = desirable. Where these terms are used, they are emphasised in bold.

TABLE OF CONTENTS

Table of contents 3
Introduction 4
Authority 4
Scope of the Code and Definitions 4
Application to collaborative provision 4
Delegation 4
Principles 4
Definition of academic misconduct 5
Poor academic practice 5
Academic misconduct 6
Investigation and determination of allegations 8
Identification of academic misconduct 8
Investigation 10
Viva voce examination 11
Cautions for Plagiarism and Unauthorised Materials in Examinations 12
Preliminary Hearing 14
Academic Misconduct Panel 15
Penalties 18
General principles 18
Scale and tariff 19
Fresh evidence and retrospective investigation 22
Fresh evidence 22
Retrospective investigation 23
Monitoring and review 23

INTRODUCTION

Authority

1 The Academic Quality and Standards Committee is the final arbiter of the application and interpretation of this code of practice.

Scope of the Code and Definitions

2 This Code applies to programmes classified by Academic Board as taught and which lead to the award of the University's higher education qualifications (as set out in the Academic Regulations: Taught Programmes (QH:C1)).

3 This Code does not apply to conduct judged not to meet the requirements of fitness to practise which will be addressed by the University through the separate Code on Fitness to Practise (QH:C8).

4 Any reference to notification in writing refers to informing a student using their University email address.

Application to collaborative provision

5 Unless specified by the Academic Board, this Code applies to all provision referred to in paragraph 2 whether that provision is delivered by the University or another approved provider in accordance with a formal legal agreement.

Delegation

6 Responsibilities under this Code designated for the Head of Academic Quality and Learning may be delegated as determined by the Head of Academic Quality and Learning.

PRINCIPLES

7 The University expects all students and staff to commit to, uphold and maintain high standards of academic integrity to ensure that the:

(a) work and originality of others is respected
(b) academic reputation of the University is upheld
(c) integrity of the University's awards is protected
(d) international academic community and the general public can have confidence in the work and authority of the University.

8 The University will ensure that all students are educated as to what constitutes good academic practice and that students and staff are aware of what constitutes academic misconduct and the consequences and penalties that follow on the detection of such misconduct.

9 All staff involved with teaching, tutoring or supervision are responsible for upholding the principles and practice of academic integrity in that they will:

(a) guide students on the meaning of good academic practice, and provide them with opportunities to practice the skills of good academic practice, appropriate to their discipline
(b) refer students to resources and further guidance
(c) use their best endeavours to detect and report any form of academic misconduct.

10 All students have a responsibility for maintaining their academic integrity by:

(a) understanding what constitutes good academic practice and what constitutes an academic offence, its seriousness and consequences
(b) reviewing their work for errors in citation, attribution and/or accuracy
(c) making an originality declaration on submitted work.

11 The procedures set out in this Code are under-pinned by principles of objectivity and respect and are intended to safeguard, as far as possible, the interests and well-being of all parties, including ensuring fairness to students who do not commit academic misconduct and fairness to those accused of academic misconduct.

12 All allegations of academic misconduct will be investigated and determined in accordance with the principles of natural justice and in accordance with the specific procedures set out in this Code.

DEFINITION OF ACADEMIC MISCONDUCT

Poor academic practice

13 The University makes a distinction between academic misconduct and 'poor academic practice'. The latter involves (but is not limited to) any of the following, and is where the student has not sought to gain an unfair advantage or mislead the examiners about the nature or originality of their work:

(a) failure to reference sources adequately (for example by omitting parts of the citation such as the title or year/number of a journal)
(b) incorrect citation (for example giving a citation for a different source rather than the one actually being used)
(c) producing work that is properly referenced but which comprises extensive quotations or paraphrasing to the extent that there is little or no originality, thought or analysis provided by the student to demonstrate understanding of the question or of the material being cited.

14 In cases of poor academic practice, the examiner **must** ensure that the feedback to the student (in whatever form) makes very clear to the student that the work contained poor academic practice.

Academic misconduct

15 The University defines 'academic misconduct' as any conduct by a student which may give that student an illegitimate or unfair advantage or benefit for themselves or another or which may create a disadvantage or loss for another.

16 This definition applies whether the student acted alone or in conjunction with another or others, whether members of the University or not, and includes conduct which is attempted, and the successful or attempted inducing or coercing of another or others, whether they are members of the University or not.

17 Academic misconduct applies to any form of summative assessment – that is where the assessment contributes to the final mark for a module or programme - and includes (but is not limited to), examination, class-based test, coursework, practical activity or placement activity.

18 The above definition does not apply to any form of examination or assessment which is formative: that is any mark or grade awarded which does not contribute to the final mark for the module. Where a lecturer identifies plagiarism in a student's work which is submitted for formative purposes, the lecturer should make very clear to the student in whatever form of feedback is being provided, that it is plagiarised, and provide such further guidance as appropriate to promote a better understanding of good academic practice, and the consequences of plagiarism. Plagiarism by a number of students in the same task would suggest the need for more extensive guidance and skills development on a collective basis.

19 The following table (table 1) provides examples of the kind of conduct which constitutes academic misconduct as defined above, and is for illustrative purposes; it is not an exhaustive definition.

Table 1 – Types of academic misconduct

Misconduct Offence	Explanation and Example(s)
Examination offences (see further the Code on Assessment Procedures (QH:C6))	▪ cheating, attempting to cheat or assisting someone else to cheat ▪ possession of unauthorised materials on or under the desk or about one's person ▪ writing before the start or end of the examination ▪ writing notes on hands, arms or other parts of the body ▪ leaving the venue without permission ▪ tampering with answer books, question papers or other examination stationery ▪ causing a disturbance or disrupting the examination process ▪ making/sending or receiving a call or message using a mobile phone or other communication device during an examination.
Plagiarism	Presenting the work of others (e.g., thoughts, ideas, writing, images, artefacts) as one's own without proper acknowledgement. It includes:

	▪ copying from a published author, a student or other source without acknowledgement ▪ paraphrasing the work of a published author, student or other without acknowledgement ▪ copying large amounts of text from sources without acknowledgement and linking them together with text of one's own ▪ unacknowledged presentation of material from learning resources or teaching materials provided by lecturers (e.g., transcription of recorded lectures). ▪ presenting work generated by Generative AI software (e.g. ChatGPT) as one's own without proper acknowledgement Plagiarism applies whether the source being copied is published or unpublished and whether it is from articles, books, computer programs, data, essays or reports and whether from written, printed or electronic sources such as the Internet. It applies whether the work submitted for assessment is literary, graphical (e.g. designs, diagrams, graphics), electronic or mathematical.
Self-plagiarism	▪ submission of work that is the same as, or broadly similar to, work submitted by the student for assessment without proper acknowledgement, and whether that work was submitted to this or any other University or provider of higher education.
Collusion	▪ collaborating with another person to produce work that is presented as one's own.
Fabrication	▪ reporting on experiments or fieldwork never undertaken and/or data never collected. ▪ making up or adapting experimental or social data where it was not collected, where there was a shortfall in the data set(s), or where the data supported a different conclusion.
Falsification	▪ misrepresentation of the results of an experiment or social science study. ▪ the purposeful selective use of data to make a scientific or academic claim. ▪ falsifying attendance sheets for placements that are an assessed part of the programme. ▪ falsifying testimonials and/or reports that constitute evidence for an assessment. ▪ falsifying a transcript, certificate or other official document.

	▪ making a false statement or presenting false evidence in support of an application for absence/extension with good cause, mitigating circumstances or other special case.
Purchasing/Commissioning	▪ purchasing work for an assessment from the internet; commissioning another to write an assessment (including through 'contract cheating' websites).
Personation	▪ passing off one's self as another person during an examination or other form of assessment.
Theft of the work of others	▪ the dishonest taking of another's work in whatever form or medium and for whatever purpose.

INVESTIGATION AND DETERMINATION OF ALLEGATIONS

Identification of academic misconduct

20 Internal examiners are responsible for identifying student assessed work which is or may be plagiarised, involves fabrication or falsification, or which may be the result of collusion (including work written by another, or purchased from an internet essay site).

21 Where work has been submitted through Turnitin, reports produced by the software are not definitive indicators that work has been plagiarised, but facilitate the identification of text that might be plagiarised.

Plagiarism

22 Plagiarism is a particular form of academic misconduct, where a student passes off the work of a third party as one's own, and without acknowledging from where the information and ideas contained in the work have been obtained. Unlike other forms of cheating plagiarism is a strict liability offence; it does not matter whether the student intended to plagiarise; it is the fact of not acknowledging the work of others that constitutes plagiarism.

23 The University defines plagiarism as work which purports to be a student's own but which is taken without acknowledgement from the published or unpublished work of others. Such unattributed taking is plagiarism whether from articles, books, computer programs, data, essays, papers, reports, generative Artificial Intelligence tools, or any other material originated by another person, whether obtained from written, printed or electronic sources, including via the Internet or any other computer-based or networked system. It is plagiarism whether the medium is literary (essays and reports), graphical (designs, diagrams, graphics), electronic (computer programs) or mathematical (proofs). The submission of work that is generated and/or improved by software that is not permitted for that assessment, for the purpose of gaining marks, will be regarded as plagiarism and seen as an attempt to gain an unpermitted academic advantage. For clarity this includes the over-reliance on translation and paraphrasing

software (for example Grammarly), including when it is used to conceal the original author or source material. Students should familiarise themselves with the University's guidance on use of Generative AI and what is and is not permitted. If a student is unsure about what is/is not permitted for an assessment, they are responsible for confirming this with their School.

24 The primary test of plagiarism is the presence or absence of quotation marks, and adequate acknowledgement of sources and authorities in text and/or reference notes in bibliographies or lists of sources. Intention to commit the offence is not relevant to the finding of guilt, but may be relevant to the penalty imposed.

Proof reading

25 Where permitted, a proof-reader may identify spelling and basic grammar errors. Inaccuracies in academic content must not be corrected nor should the structure of the piece of work be changed; doing so may result in a charge of plagiarism. Proof-reading is not permitted where specifically prohibited by the policy of the School. Students should familiarise themselves with this policy and what is/is not allowed under proof-reading as defined below. Paraphrasing or re-ordering the words of plagiarised text to avoid Turnitin matches is plagiarism if the ideas are represented as the student's own.

26 The University considers it acceptable for proofreaders to:
- Identify spelling and typographical errors;
- Identify poor grammar e.g. tense use, verb form, sentence structure, word order;
- Highlight formatting errors or inconsistencies;
- Identify spelling/grammar/typographical errors in labelling of diagrams, charts or figures;
- Identify typographical errors in equations;
- Highlight a sentence or paragraph that is overly complex or where the intended meaning is not clear;
- Draw attention to repeated phrases or omitted words;
- Identify errors in the referencing system applied.

27 The University does not consider it acceptable practice for proofreaders to amend existing content whether through addition or reduction and, in particular, they must not:
- Rewrite passages of text to clarify the meaning;
- Change any words, figures, charts or diagrams, except to correct spelling;
- Check or rewrite calculations, formulae, equations or computer code;
- Rearrange or reformat passages of text;
- Contribute any additional material to the or original;
- Redraw, alter or relabel diagrams, charts or figures;
- Alter argument or logic, where faulty;
- Implement or alter a referencing system or add to references;
- Check or correct facts, data calculations, formulae or equations;
- Correcting errors identified in the reference system applied;
- Translate text drafted by students, noting that this does not prohibit translation of source material as long as it is properly referenced.

'Minimal' plagiarism

28 In cases of plagiarism (only), where the examiner considers that the plagiarism is 'minimal' – for example one or two sentences (or equivalent content) of unattributed material – they should:

(a) check with the Head of Academic Quality and Learning via the relevant Programme Coordinator as to whether the student has previously received a Plagiarism Caution or other penalty for plagiarism
(b) if the student has not received a Caution or penalty, the examiner must mark the work as normal, disregarding the plagiarised text in judging the quality of the work, and ensuring that the feedback to the student (in whatever form) makes very clear to the student that the work contained minimal plagiarism
(c) if the student has received a Caution or penalty, refer the piece of work to the Head of Academic Quality and Learning, with the plagiarised text identified as set out in para 30.

29 Where the examiner suspects that the work contains plagiarism but believes it would be difficult to prove, the work should be marked as normal (including the suspected text), and the student advised through feedback of the examiner's concerns. No other action **must** be taken in these circumstances.

Identification of other academic misconduct

30 Where an internal examiner suspects that a piece of work involves plagiarism which is more than minimal (as defined above) or is the result of any other form of academic misconduct (as defined in para. 15 onwards), or suspects that the piece of work is more than poor academic practice (as defined in para. 13 above), they **must** forward details to the Programme Coordinator as soon as possible (typically within 3 working days), including referring the work, any supporting evidence and the reasons for their suspicion or concern. The Programme Coordinator must review the case and, within 15 working days, forward a summary of their review and recommendation for next steps to the Head of Academic Quality and Learning.

Examination offences

31 Invigilators are responsible for identifying offences committed during an examination, for gathering as much information as possible which will support an allegation, and for forwarding the allegation and evidence to the Programme Coordinator.

Investigation

Case to answer

32 Where the Programme Coordinator receives an allegation from an internal examiner, or invigilator, or otherwise has reason to suspect academic misconduct, they **may** make, or cause to be made, such further enquiries as they consider appropriate, and **must** thereafter determine, within 15 working days of receiving the allegation, whether there is clear evidence and therefore a case to answer.

33 Where the Programme Coordinator concurs that a case of alleged academic misconduct relates to an assignment and that there is a doubt regarding the authorship of the assignment, and a viva voce or similar type of oral examination has not yet taken place, the Programme

Coordinator **should** schedule a viva voce examination as a way to gather additional evidence on whether the student has committed an academic misconduct offence as detailed in Table 1.

34 If the Programme Coordinator determines, with or without a viva voce examination, that there is **no** case to answer, the case **must** be closed and the student and the examiner/invigilator informed in writing within 15 working days of receiving the allegation. No information about the matter will be retained on the student's file.

35 If the Programme Coordinator determines, with or without a viva voce examination, that there is a case to answer, they **must** recommend one of the following courses of action to the Head of Academic Quality and Learning in writing within 15 working days of receiving the allegation:

(a) the issue of Caution (as set out in para 45 onwards)
(b) a preliminary hearing (as set out in para 58 onwards)
(c) an Academic Misconduct Panel procedure (as set out in para. 65 onwards)

36 If the Programme Coordinator and/or the Head of Academic Quality and Learning has reason to believe that the academic misconduct may relate to more than one piece of assessed work, or to more than one module, they **should** direct that other work by the student be investigated. Where such investigation would constitute a retrospective investigation as defined in paragraph 112, the requirements of that paragraph must be followed.

Viva voce examination

37 Where the Programme Coordinator decides to examine the student through a viva voce, they **must** inform the student in writing, giving notice of five working days, of the date, time and place of the viva voce examination; and that the studenty may be accompanied by a person of their choosing but not legal representation.

38 If the student declines to attend the viva voce examination, or fails to attend without reason, the Programme Coordinator **must** refer the case to the Head of Academic Quality and Learning with a recommendation for a Preliminary Hearing or an Academic Misconduct Panel.

39 The Programme Coordinator should organise the viva voce examination and ensure it is conducted by the module leader or lecturer responsible for marking the assignment (or second marker where module leader or lecturer is not available) who **must** have subject matter expertise. The viva voce examiner is supported by a member of the Quality Office.

40 The purpose of the viva voce examination is to give the student the opportunity to demonstrate that the assignment is entirely their own work and to satisfy the viva voce examiners that they:

- undertook the reading and research themselves;
- undertook all the preparatory work themselves;
- understand what they have written;
- wrote the work themselves.

41 The viva voce examination should be recorded or minuted, with the recording being deleted not later than six months following the end of the investigation.

42 The viva voce examiner determines when the viva voce has yielded sufficient information to allow them to determine that the student:

(a) authored the assignment;
(b) did not necessarily author the assignment, the authorship is doubtful, **and** there is a case to answer;
(c) has acknowledged (specifically or implicitly) that they did not, in whole or part, author assignment.

43 In case of 42(a) the Programme Coordinator informs the student that no further action will be taken: if the assignment has already been marked, the mark will stand; if not, it will be marked on its merit.

44 In case of 42(b) or 42(c), the Programme Coordinator, in consultation with the Head of Academic Quality and Learning, determines whether the next step is a Preliminary Hearing or an Academic Misconduct Panel Hearing; and then advises the student accordingly.

Cautions for Plagiarism and Unauthorised Materials in Examinations

Definition of a Caution

45 The Caution is a penalty which is issued as a means to:

(a) formally signal to a student that they have committed a specified form of academic misconduct
(b) provide an opportunity for the student to learn from the case to minimise the likelihood that they will repeat the misconduct.

46 There are two forms of Caution:

(a) plagiarism
(b) possession of unauthorised materials in an examination.

Criteria for a Caution

47 Where the misconduct in question constitutes plagiarism or possession of unauthorised materials in an examination and both of the following criteria are satisfied, the Head of Academic Quality and Learning **must** issue the student with the relevant Caution:

(a) the student is on the Certificate stage of a Bachelor's degree (including where this is a repeat period permitted as a result of mitigating circumstances)
(b) the student had not, at the date of submitting the assessed work or sitting the examination (as applicable), previously received a Plagiarism or Unauthorised Materials Caution.

Consequences of a Caution

48 Both Cautions make explicit to the student that any further case of plagiarism or unauthorised materials (as applicable) will result in a hearing before an Academic Misconduct Panel with the expectation of a severe penalty.

49 A copy of the Caution will be placed on the student's file and be retained for the duration of their programme of study. Reference to it will **not** be made on the Transcript of Academic Record or in any reference provided on behalf of the University.

Plagiarism Cautions

50 Where a Plagiarism Caution is issued the student is required to resubmit the piece of assessed work by the deadline set out in the Caution (which **must** be no fewer than seven working days of the date of the Caution) correctly acknowledging the sources used, without otherwise amending the work.

51 Where the work is re-submitted, the internal examiner **must** re-mark the work. Provided that the sources have been correctly acknowledged, the examiner **must** award the mark merited by the work up to a maximum of the pass mark for the module.

52 Where the work is not re-submitted, not re-submitted within the deadline set out in the Caution, or the sources in question have not been properly acknowledged, the examiner **must** award a mark of 0 for the piece of work.

53 The mark awarded under paras. 51 or 52 **must** be applied in calculating the final mark for the module and **must** be reported to the Module Board of Examiners.

Unauthorised materials

54 Where a Caution is issued for possession of unauthorised materials in an examination, the examiner **must** award the mark merited by the work up to a maximum of the pass mark for the module.

Issuing a Caution

55 The Head of Academic Quality and Learning **must** issue the relevant Caution in accordance with this Code. A Caution sent to the student's University email address is deemed properly delivered provided the University's email system is working correctly at the time. The email must be copied to the relevant Programme Coordinator, internal examiner/invigilator and Registrar.

56 If the Programme Coordinator and/or the Head of Academic Quality and Learning has directed that other work by the student be investigated (under para. 36) the Caution **must** include a statement indicating that this is the case and that further allegations may result from such an investigation.

Refusal to accept the caution

57 A student may refuse to accept the caution – by notifying the Head of Academic Quality and Learning in writing within 10 working days of receiving the Caution - and elect a hearing before

an Academic Misconduct Panel. This may be, for example, because the student disputes the finding of plagiarism or possession of unauthorised materials. The Panel will be conducted as set out in para. 65 onwards). The Caution will make explicit to the student that in the event of choosing an Academic Misconduct Panel, the Panel will be empowered to impose a more severe penalty if it judges that plagiarism or possession of unauthorised materials (as applicable) is proven.

Preliminary Hearing

58 Where the Programme Coordinator, in consultation with the Head of Academic Quality and Learning, determines that a case of alleged academic misconduct is subject to a preliminary hearing, the Head of Head of Academic Quality and Learning will consider if:

(a) there is straightforward evidence of an alleged offence of serious academic misconduct of a type unlikely, if proven, to incur a penalty in excess of Point 3 on the scale in Table 3
(b) the student has not previously been found to have committed academic misconduct.

If either (a) or (b) is not met, the Head of Academic Quality and Learning will direct that the case of alleged academic misconduct is subject to an Academic Misconduct Panel procedure (as set out in para. 65 onwards).

59 If both (a) and (b) are met, the Head of Academic Quality and Learning forwards documentation relevant to the alleged academic misconduct to the Programme Coordinator and, in consultation with the Programme Coordinator, schedules the preliminary hearing. The Academic Quality and Learning Manger informs the student and **must** give the student, in writing, notice of 5 working days of the date, time and place of the preliminary hearing.

60 The preliminary hearing is led by the Programme Coordinator and attended by the student and the Head of Academic Quality and Learning (who also acts as secretary and minutes the hearing); the student **may** be accompanied by a person of their choosing but does not have recourse to legal representation.

61 The student **may** attend the preliminary hearing or **may** make a written statement to the Programme Coordinator or both. If the student fails to attend, the absence of the student is noted and the Programme Coordinator proceeds on the basis of documentation only.

62 The Programme Coordinator hears the case and, in conjunction with the Head of Academic Quality and Learning, determines whether:

(a) no offence has been committed and dismisses the case
(b) the student has committed serious academic misconduct (as defined Table 3) for which a penalty within the scope of those available at a preliminary hearing is applicable (i.e., not exceeding Point 3 of the scale in Table 3)
(c) the student appears to have committed serious or severe academic misconduct (as defined in Tables 3 and 4) for which a penalty beyond the scope of those available at a preliminary hearing may be applicable and therefore the Head of Academic Quality and Learning is required to convene an Academic Misconduct Panel.

63 The Head of Academic Quality and Learning should inform the student orally of the decision and, if applicable, penalty.

64 The Head of Academic Quality and Learning **must**, within 2 working days, inform the following in writing of the decision and, if applicable, penalty:

(a) the student
(b) the Programme Coordinator
(c) the Registrar (for filing on the student record)

and when the decision relates to para. 62(b)

(d) the chair of any relevant Module Board
(e) the chair of the relevant Programme Board

Academic Misconduct Panel

65 Where the Programme Coordinator and Head of Academic Quality and Learning (including through a viva voce examination or preliminary hearing) determine that the alleged offence should be investigated by an Academic Misconduct Panel, the Head of Academic Quality and Learning is required to establish an Academic Misconduct Panel (as set out in para. 71) and **must** notify the student in writing within 3 working days. Notification **must** include:

(a) a summary of the allegation
(b) all evidence relating to the case including any witness statements
(c) if a viva voce examination or preliminary hearing has not taken place, an explanation of the right of the student to respond in writing within 5 working days of the date of the notification giving the student the opportunity:
(d) to admit or deny the allegation in any such response, and
(e) where the allegation is admitted, to make any statement by way of explanation or mitigation.

66 Where a preliminary hearing has determined that the case should appear in front of an Academic Misconduct Panel or the student submits a response, or after 5 working days have elapsed in the case of no preliminary hearing, the Head of Academic Quality and Learning **must** proceed with establishing an Academic Misconduct Panel hearing. Once the details of the Panel hearing have been confirmed, the Head of Academic Quality and Learning must inform the student in writing:

(a) of the date, time and location of the hearing, giving no fewer than 5 working days' notice
(b) informing the student of their right to be accompanied by a person of their choosing
(c) requesting that the student confirm their attendance at the hearing.

67 If, on receipt of a response from the student in which the student does not admit the allegation, the Head of Academic Quality and Learning determines that the allegation has been satisfactorily explained, the Head of Academic Quality and Learning should direct that the allegation not be proceeded with, and the matter be considered closed. The student **must** be

informed in writing within 3 working days of this decision, copied to the examiner or invigilator and Programme Coordinator.

68 Where the student has admitted the allegation, the Academic Misconduct Panel is responsible for determining the penalty to be imposed taking into account any explanation submitted by the student. Mitigating circumstances will be considered only where they are deemed very exceptional.

69 If the student indicates, or the Head of Academic Quality and Learning has reason to believe, that the student's behaviour may be the result of mental health difficulties, the Head of Academic Quality and Learning **must** consult Student Services before proceeding further.

70 The student **may** waive the right to attend the hearing, by notifying the Head of Academic Quality and Learning in writing, in which case the Panel **should** proceed in the student's absence. If no response is received from the student, the Panel **should** proceed in the student's absence. If the student provides a legitimate reason for being unable to attend on the specified date, the hearing **must** be rearranged. If the Head of Academic Quality and Learning judges that the reason given is not legitimate the student **must** be informed in writing of that judgement and that the hearing will take place on the date notified.

Membership of Academic Misconduct Panels

71 Subject to paragraph 72, an Academic Misconduct Panel **must** comprise:

(a) a Head of School or Programme Coordinator
(b) a further member of academic staff.

72 Provided that in both cases, no member of the Panel has previously been involved in the allegation or is involved in the teaching or assessment of the student's programme, and all members of the panel have attended a staff development session on academic misconduct.

73 The Panel will be supported by a secretary who **should** provide advice to the Panel on the University's procedures as required, and keep a written record of the proceedings, but **must** not otherwise participate in the making of decisions by the Panel.

Conducting the Panel hearing

74 The Panel hearing will be chaired by the Head of Academic Quality and Learning, who will guide and ensure the proper conduct of the hearing but **must** not influence or participate in the making of decisions by the Panel.

75 The student **must** be permitted to be present throughout the proceedings of the Panel, other than when the Panel (attended by the Secretary) sit in private to determine the outcome and (if applicable) any penalty, unless the Panel determines that there is a compelling and exceptional reason for excluding the student for example while a witness is providing evidence. Where the student is excluded, they must be apprised of the details of the evidence provided, and be permitted to put questions to the witness via the Panel.

76 The student **may** be accompanied by a person of their choosing (who may not speak at on behalf of the student unless invited to do so by the Chair of the Panel).

77 Neither party - the University or the student - may have recourse to legal representation at the hearing.

78 Proceedings of the Panel **should** be conducted as follows:

(a) introductions (ensuring that the student is clear about the role of each person present at the hearing)
(b) presentation of the case to answer by the Head of Academic Quality and Learning
(c) presentation of any other supporting evidence, for example through the calling of witnesses
(d) the opportunity for the student to ask fair and relevant questions of any witness
(e) statement by the student
(f) questioning of the student by the Panel
(g) summing-up by the Head of Academic Quality and Learning, to which the student may add comments.

Panel deliberation

79 Once the Panel is satisfied that sufficient evidence has been presented and that the student has been given fair and reasonable opportunity to respond, the Panel **must** consider its decision in private both as to whether the allegation has been proved on a balance of probabilities and, if proven, the penalty or penalties to be imposed (as set out in para. 85 onwards).

80 All proceedings of the Panel **must** be minuted by the secretary, and be verified by the Panel members as an accurate record. No party may digitally record proceedings.

Panel decision

81 If requested by the student, they **should** be informed orally of the outcome of the hearing. In all cases the student **must** be informed (by the secretary) in writing within 2 working days of the outcome, including any penalty, and the reasons for the decision.

82 The Panel's decision **must** be copied to:

(a) the chair of any relevant Module Board
(b) the chair of the relevant Programme Board
(c) the relevant Programme Coordinator
(d) the Head of Academic Quality and Learning
(e) the Registrar (for filing on the student record)

83 A student has a right to appeal against a decision of an Academic Misconduct Panel under the grounds and procedures set out in the Code of Practice for Academic Appeals (C11). The student **must** be provided with a copy of the minutes of the hearing once approved by the Panel and in sufficient time to enable the student to make use of the minutes in considering or preparing an appeal.

Other Evidence

84 In determining which evidence is relevant to the investigation and determination of the allegation any indication that the student succeeded in destroying or attempted to destroy evidence or otherwise made or attempted to make evidence unavailable to those investigating the matter, **should** be considered along with the allegation, and the decision-maker may draw such inferences as appear proper.

PENALTIES

85 Where an Academic Misconduct Panel determines that the allegation has been proven it **must** determine the penalty as set out in the following paragraphs.

General principles

86 The University regards all forms of academic misconduct as serious; however, it also considers some forms as 'severe', including any offence involving another person (colluding, conspiring or coercing). For offences that might also constitute a criminal offence, the University, through the Vice-Chancellor in consultation with the Head of Academic Quality and Learning, will determine whether the police or other authorities should be informed.

87 A Programme Coordinator, after conducting a preliminary hearing, has the discretion to impose appropriate penalties (within a limited range) using the scale and tariff set out below. The exercise of that discretion should be informed by the principles outlined in para 88. The range available to Programme Coordinators is points 1-3 in Table 2. Where a Programme Coordinator, after conducting a preliminary hearing, determines that an offence that may command a penalty beyond this range has been committed, the case must be referred to an Academic Misconduct Panel.

88 Academic Misconduct Panels have discretion to impose appropriate penalties within a minimum and maximum range using the scale and tariff set out below. The exercise of that discretion **should** be informed by the following principles (where relevant):

(a) the stage of the programme at which the student was studying at the time of the offence
(b) in the case of plagiarism, the extent of the plagiarism relative to the total assessment requirement for the module
(c) the nature and severity of the academic misconduct (taking into account para. 97)
(d) the number of offences found proven by the current and by any previous Academic Misconduct Panel
(e) any statement by way of explanation or mitigation offered by the student, and the extent to which this statement is corroborated by documentary or other evidence.

89 Whether the student admitted the offence at any stage is irrelevant in determining the penalty.

90 Where an allegation of plagiarism has been proven, any claim of mitigating circumstances must be disregarded unless in the view of the Panel the circumstances are very exceptional.

91 Where the student is proven to have committed more than one offence, but notification of one had not been received by the student at the time of committing the second, both **must** be considered to be 'simultaneous' offences. For the purpose of determining penalty each offence **must** be treated as a first offence only.

92 In determining penalties, the decision of the Academic Misconduct Panel is at all times subject to the provisions in the Academic Regulations: Taught Programmes (QH:C1). Therefore, a decision of a Panel, for example, not to deny reassessment means that the student only gets such a reassessment if they are eligible under the relevant provision of the Academic Regulations.

93 In all cases, other than where a penalty of termination of programme is imposed, the student must be issued by the Head of Academic Quality and Learning with an Official University Warning.

94 In any case where a penalty is imposed in respect of an assessment which constitutes a second attempt (reassessment), the penalty supersedes and overrides any mark awarded for the first attempt.

95 The penalty to be imposed by an Academic Misconduct Panel **must** be determined by reference to:

(a) the scale of penalties set out in table 2 below, and
(b) the tariff set out in tables 3 (serious misconduct) and 4 (severe misconduct) below.

Scale and tariff

Scale of penalties

Table 2 – Scale of penalties

Point on Scale	Penalty
1	Official University Warning
2	Zero for the **piece of work** affected by the offence with an opportunity for reassessment
3	Zero for the **piece of work** affected by the offence with no opportunity for reassessment
4	Zero for the **module** affected by the offence; opportunity for reassessment provided the offence does not apply to a reassessment or reassessment is not otherwise precluded.
5	Zero for the **module** affected by the offence with no opportunity for reassessment
6	Zero for the **module** affected by the offence with no opportunity for reassessment **and** termination of the programme – student entitled to award indicated by achievements to date
7	Termination of the programme with no award

96 The imposition of termination with no award (point 7) is subject to the approval of the Academic Board.

Tariff

97 The Tables below set out the University's tariff for academic misconduct penalties, showing how the scale of penalties above **must** be applied in relation to individual offences and according to whether the offence is rated as 'serious' (those set out in table 3) or 'severe' (those set out in table 4).

98 In any case where the Panel considers there are compelling reasons for imposing a penalty other than one permitted by the tariff, the Panel must defer the proceedings and make a special case in writing to the chair of AQSC setting out the proposed penalty and the reasons for wishing to impose that penalty. The Panel must inform the student of the action being taken and the reasons for it.

99 The number in each of the tables below refers to the point on the penalty scale set out in table 2. An Academic Misconduct Panel can therefore apply anyone of the penalties prescribed in table 2 between the minimum and maximum (inclusive) as defined in the relevant table for the offence.

100 '2nd+' offence means any form of academic misconduct which is a second (or subsequent offence) and is treated as such even if the first offence involved a different type of academic misconduct.

Table 3 - Serious misconduct

Type of misconduct	**1st offence**		**2nd+ offence**	
	Minimum	Maximum	Minimum	Maximum
Plagiarism & self-plagiarism	1	5	5	7
Examination offences: ▪ possession of unauthorised materials on or under the desk or about one's person ▪ writing before the start or end of the examination ▪ leaving the venue without permission ▪ causing a disturbance or disrupting the examination process.	1	5	5	7

Table 4 - Severe misconduct

Type of misconduct	1st offence		2nd+ offence	
	Minimum	Maximum	Minimum	Maximum
Examination offences: ▪ cheating, attempting to cheat or assisting someone else to cheat ▪ writing notes on hands, arms or other parts of the body ▪ tampering with answer books, question papers or other examination stationery ▪ making/sending or receiving a call or message using a mobile phone or other communication device during an examination.	5	7	6	7
Fabrication Falsification Purchasing/Commissioning Personation Theft of the work of others	5	7	6	7
Any form of academic misconduct involving conspiring or colluding with another or others, or involving coercing or attempting to coerce another or others	5	7	6	7

Penalties: Decisions of Module Boards

101 Where work for a summative assessment for the module is currently under investigation for an alleged offence under this Code at the time of the meeting of the relevant Module Board of Examiners, the Board **must** defer decision in respect of the student and record a result of INV and no mark.

102 Where a Module Board has been informed of the outcome of an Academic Misconduct Panel it **must** apply the penalty as imposed by the Panel and **must not** impose any other penalty based on the use of academic misconduct arising in this or any other instance.

103 Paragraph 90 does not prohibit the Module Board from exercising its powers in respect of matters unrelated to academic misconduct, and specifically, it **may** deny reassessment where the Academic Misconduct Panel has not denied reassessment, provided that the Board's denial relates solely to non-compliance with the published attendance and submission requirements of the module (as set out in the Academic Regulations: Taught Programmes (QH:C1)).

Penalties: Programme Boards of Examiners

104 Where work for a summative assessment for the module is currently under investigation for an alleged breach of these regulations at the time of the meeting of the relevant Programme Board, the Board **must** defer its decision in respect of the student.

105 Where a Programme Board has been informed of the outcome of an Academic Misconduct Panel it must apply the penalty as imposed by the Academic Misconduct Panel and **must not** impose any other penalty based on the use of academic misconduct arising in this or any other instance.

Termination of programme

106 Where the Academic Misconduct Panel has imposed termination of programme with an award (point 6 on the scale) the Programme Board **must** determine the precise award to be made according to the credits achieved as defined in the Academic Regulations: Taught Programmes (QH:C1).

107 Where a student's programme of study is terminated as a result of a proven offence under this Code, the fact of that termination and the reason for it **must** be recorded on the student's Transcript of Academic Record.

108 The University will not, other than in very exceptional circumstances, consider an application for admission to any course, certificate or programme of the University from a student who has previously had their programme terminated under this Code. The decision to admit, and the determination of whether 'very exceptional circumstances' exist, is a matter for the Vice-Chancellor on the advice of the Head of Academic Quality and Learning and Registrar.

FRESH EVIDENCE AND RETROSPECTIVE INVESTIGATION

Fresh evidence

109 Where a student, or another person, has relevant evidence which was not considered by an Academic Misconduct Panel in determining an allegation, that evidence **must** be presented to the Chair of the relevant Academic Misconduct Panel. The Chair **must** determine whether, in the light of the fresh evidence, the decision of the Academic Misconduct Panel should be reconsidered. In making this decision the Chair **must** have regard to whether there were legitimate reasons for the evidence not having been made available to the Panel at the time.

110 If the Chair determines that the matter should not be reconsidered, the matter will be deemed closed and the decision of the Academic Misconduct Panel confirmed. The student and any other any relevant person **must** be in formed in writing within 3 working days.

111 If the Chair determines that the matter should be reconsidered they **must** either re-establish the Academic Misconduct Panel, or a new Panel, to consider the matter in accordance with this Code.

Retrospective investigation

112 The completion of the assessment for a module, progression to the next stage of the programme, or the award or conferment of the qualification do not prevent an investigation in accordance with this Code. In investigating any allegation, due regard **must** be had to the difficulties for the student of defending such an allegation, especially where a significant amount of time has elapsed since the events alleged to involve an offence.

113 In the event of an investigation resulting in the Academic Misconduct Panel determining that an offence has been proven, in determining the penalty the Panel **may**:

(a) where the student has progressed to the next stage of the programme, disregard the minimum penalty if it judges that this would be appropriate in the circumstances of the case, other than the issuing of a University Warning,
(b) where the relevant qualification has been awarded or conferred, recommend revoking the qualification only where
  (i) a severe offence has been proven which constitutes the student's (or graduate's) second offence
  (ii) a severe offence has been proven.

114 Where the relevant qualification has been awarded or conferred, and a serious offence has been proven which is a first offence, the award or qualification shall stand, but the details of the offence **must** be recorded on the candidate's Transcript of Academic Record (as set out in para. 107).

115 The revoking of a qualification is subject to the approval of the Academic Board.

MONITORING AND REVIEW

116 Academic Quality and Standards Committee will receive an annual report on cases of academic misconduct under this Code including:

(a) the number of cases proven and not proven by type of offence
(b) the penalties imposed (including the number of Cautions issued)
(c) the profile of students involved, by programme and programme stage and their individual characteristics (such as gender, ethnicity, disability).

117 The Committee will make recommendations for appropriate action in the light of the report, and comparison with previous years' reports (where available) regarding the effectiveness of this Code and/or the effectiveness of the University's approach to developing good academic practice and addressing academic misconduct.

<End of document>