

# B2: Regulations for academic integrity

Academic year 2022/23

Last updated on 3<sup>rd</sup> April 2023

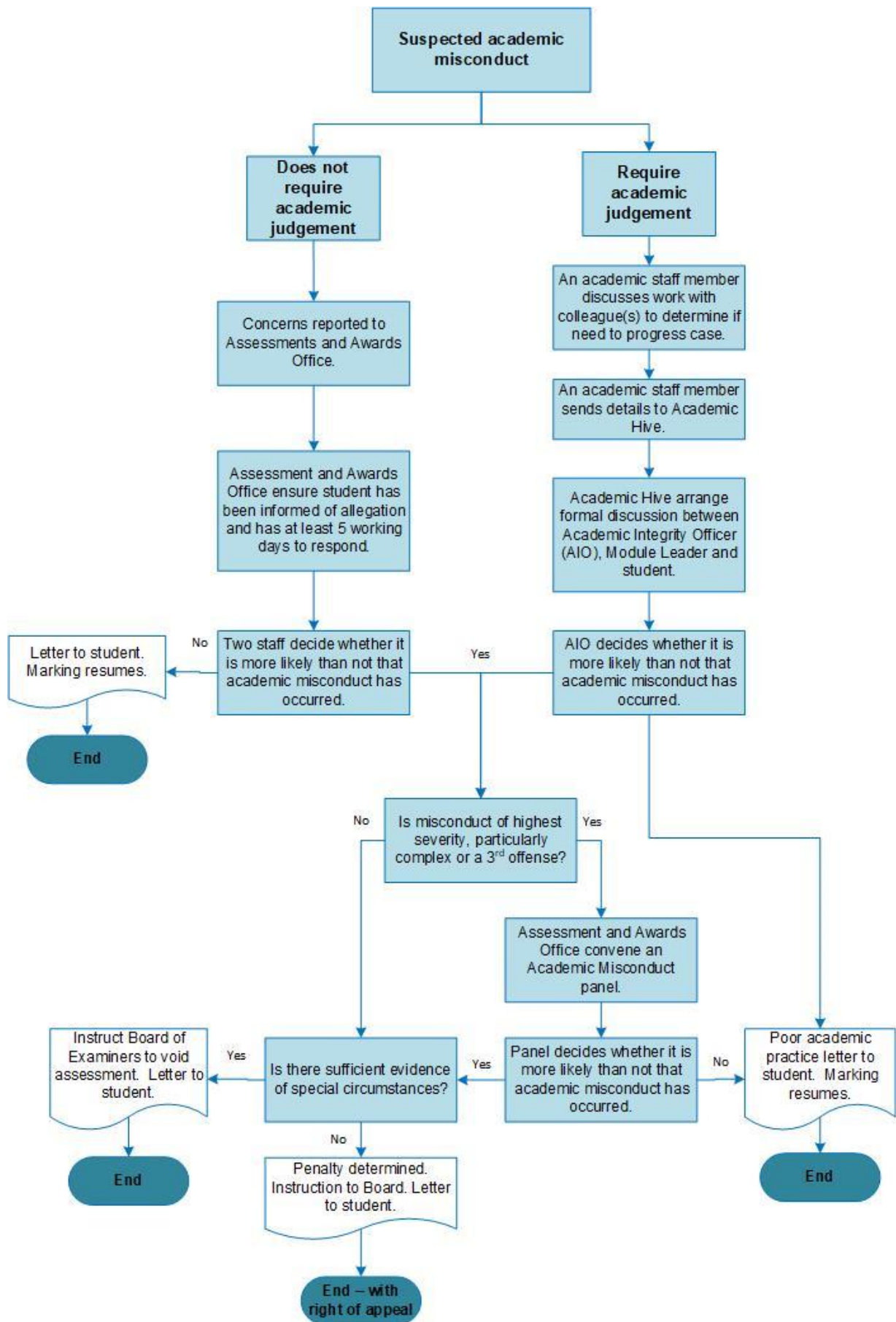
## Contents

|  |    |
|--|----|
| Introduction and scope.....  | 1  |
| Students registered with another higher education institution .....                                  | 1  |
| Former students .....  | 1  |
| Academic misconduct identified following the award of credits .....                                  | 1  |
| Reasonable adjustments .....   | 1  |
| Exceptional circumstances .....  | 1  |
| Reconsideration of allegations .....   | 2  |
| Support services .....   | 2  |
| Responsibilities .....   | 2  |
| Academic integrity.....  | 3  |
| Declaration of originality .....   | 3  |
| Poor academic practice.....  | 3  |
| Definition of Academic misconduct.....   | 4  |
| Plagiarism .....   | 4  |
| Other forms of academic misconduct .....   | 4  |
| Making false claims .....  | 5  |
| Research management .....  | 5  |
| Concurrent cases of academic misconduct.....   | 6  |
| Two concurrent cases .....   | 6  |
| Academic misconduct of the highest severity .....  | 7  |
| Burden of proof .....  | 7  |
| Standard of proof .....  | 7  |
| Confidentiality and General Data Protection Regulations .....  | 8  |
| Support to study and fitness to practise considerations.....   | 8  |
| Special circumstances .....  | 8  |
| Instances of possible academic misconduct which require academic judgement – Formal Discussion ..... | 8  |
| Instances of possible academic misconduct which do not require an academic judgement                 | 11 |
| Academic Misconduct Panels .....   | 12 |
| Membership of an Academic Misconduct Panel .....   | 12 |
| Procedure .....  | 12 |
| Attendance of the student at an Academic Misconduct Panel .....                                      | 13 |
| Representation of students in academic misconduct hearings, including legal representation .....     | 13 |
| Evidence .....   | 14 |
| Students who commit more than one form of academic misconduct .....                                  | 14 |
| Findings and outcomes of an Academic Misconduct Panel .....  | 14 |

## B2: Regulations for academic integrity

|   |    |
|---|----|
| Penalties for proven cases of academic misconduct ..... | 16 |
| Appeals against findings and outcomes .....             | 17 |
| Appendix 1 – Academic judgment .....                    | 18 |

## B2: Regulations for academic integrity



## Introduction and scope

1. These *Regulations for academic integrity* apply to the following students:
  - those registered on the Foundation Year and award-bearing undergraduate and taught postgraduate programmes delivered by the University
  - those registered on undergraduate and taught postgraduate programmes with one of the University's Associated and Accredited Institutions (AIs) to study for an award of the University<sup>1</sup>
  - those registered to study for the award of academic credit delivered by the University
  - registered postgraduate research students taking taught units of assessment as part of their research degree programme. For all other areas of their programme, postgraduate research students are subject to the provisions of the [Code of practice for handling allegations of research misconduct](#).
2. Students who are subject to academic misconduct proceedings will find it helpful to seek advice and support from the University of Surrey Students' Union, or its equivalent for the Associated and Accredited Institutions.

### ***Students registered with another higher education institution***

3. A student studying with the University may be registered for the award of another higher education institution. In any case of possible academic misconduct by the student, the University follows the procedures set out in the formal agreement between the parties.

### ***Former students***

4. In cases where a former student of the University is found to have achieved their award through academic misconduct, Senate may resolve to rescind the award by the powers conferred on it by University of Surrey Ordinance 6.3.1.1(d). In such a case, and following the relevant meeting of Senate, the University inserts a notice in The London Gazette stating that the student's award has been rescinded.

### ***Academic misconduct identified following the award of credits***

5. Where academic misconduct is discovered or suspected in work for which credits have already been awarded but before a final award has been made, the Pro-Vice-Chancellor, Academic will consult with the Academic Registrar to determine the process to be followed. The outcome of this could result in the removal of credits.

### ***Reasonable adjustments***

6. Reasonable adjustments to the processes within these *Regulations*, including the extending of deadlines for student responses, will be made upon the production by the student of relevant third party evidence which demonstrates the need for those adjustments.

### ***Exceptional circumstances***

7. In exceptional circumstances it may be appropriate to amend the procedures set out in these *Regulations*, for example, where strict application of the *Regulations* would result in substantial unfairness to the student or the student is in some way at risk because of health or disability. Such cases will be rare and each will be treated on their own merits.

---

<sup>1</sup> Staff titles at the AIs may not necessarily be the same as those used in the University but the activities described in these *Regulations* are carried out at the AIs by staff with similar responsibilities.

### **Reconsideration of allegations**

8. It may be appropriate for the University to reconsider an allegation if new evidence emerges which, for good reason, could not have been obtained at the time. In deciding whether it is appropriate to consider an allegation for a second time, the University will consider:
- (i) whether the outcome of the first process has been called into question, and if so why
  - (ii) the strength and reliability of the evidence
  - (iii) the length of time that has elapsed and the effect of this on the reliability of any evidence to be considered
  - (iv) the severity of the alleged offence<sup>2</sup>
  - (v) the impact on the student of undergoing a second misconduct process;
  - (vi) whether leaving the matter unaddressed would impact on matters of fitness to practise, or on any obligations the provider has to professional or regulatory bodies in respect of the particular student's character.

Reconsideration of an allegation will only take place in exceptional circumstances and following approval from the Academic Registrar.

### **Support services**

9. Support is available from a variety of services on campus. These include:
- [The Academic Skills and Development team](#)
  - [The Disability and Neurodiversity Service](#)
  - [The English Language Support programme](#)
  - [Maths and Statistics advice](#)
  - [Researcher Development Programme](#)
  - [University of Surrey Students' Union](#)

### **Responsibilities**

10. Senate, on behalf of the University has delegated the responsibility for managing academic integrity and academic misconduct procedures to the Pro-Vice-Chancellors, Executive Deans advised by, among others, the University's Academic Integrity Officers (AIOs)<sup>3</sup>, Associate Deans, Education and the Academic Registry staff.
11. Faculties deal with cases of possible academic misconduct through the work of the AIOs and the Assessments and Awards Office. Academic Misconduct Panels consider third offences and cases of possible academic misconduct of the highest severity or complexity (as outlined in Regulation 57).

---

<sup>2</sup> Normally only offences of the highest severity would be considered, as outlined in section 23

<sup>3</sup> Academic Integrity Officers are members of academic staff, nominated by the Faculty Pro-Vice-Chancellor, Executive Dean or their nominee, who are responsible for ensuring that these *Regulations* are followed correctly within their School/Department in relation to the implementation and monitoring of procedures for dealing with academic misconduct. The role also involves supporting University-wide initiatives and embedding good practice in relation to plagiarism and academic misconduct.

## Academic integrity

12. Academic integrity is fundamental to every aspect of learning and teaching at the University and concerns all academic staff and students. This concept is based on honesty, trust, fairness, respect, responsibility and courage as detailed within *The Fundamental Values of Academic Integrity* developed by the [International Center for Academic Integrity](#). Any form of cheating poses a threat to the academic standards of a provider's qualifications, and to the integrity of qualifications awarded to the vast majority of students who achieve their qualification entirely by legitimate means.,<sup>4</sup>

### **Declaration of originality**

13. In order to be sure that students understand the importance of academic integrity, work submitted for assessment must be accompanied by a 'Declaration of Originality'; the Declaration to be submitted in hard copy or digitally depending on the required medium of submission for the piece of work. The wording of this Declaration is as follows:

"I confirm that the submitted work is my own work. No element has been previously submitted for assessment, or where it has, it has been correctly referenced. I have clearly identified and fully acknowledged all material that should be attributed to others (whether published or unpublished, and including any content generated by a deep learning/artificial intelligence tool, and have also included their source references where relevant) using the referencing system required by my course or in this specific assignment.

I agree that the University may submit my work to means of checking this, such as the plagiarism detection service Turnitin® UK and the Turnitin® Authorship Investigate service. I confirm that I understand that assessed work that has been shown to have been plagiarised will be penalised.

If in completing this work I have been assisted with its presentation by another person, I will state their name and contact details of the assistant in the 'Comments' text box below. In addition, if requested, I agree to submit the draft material that was completed solely by me prior to its presentational improvement.

Note for students: you do not need to declare advice received from Academic Skills and Development or other University professional/study advisory service (e.g. Disability and Neurodiversity, English Language Support), the accessing of which is encouraged."

### **Poor academic practice**

14. Poor academic practice involves collaboration or poor citation practice where there is evidence that the student did not appreciate the rules of academic writing for their discipline, for example where the extent of copied material can be considered so slight that it does not justify a penalty. Examples include, but are not limited to, the following:
- Poor use of referencing that has not materially given the student an unfair advantage
  - A very low volume of unattributed quotations that has not materially given the student an unfair advantage
  - A very low volume of incorrect citations that has not materially given the student an unfair advantage

---

<sup>4</sup> QAA, Plagiarism in Higher Education: Custom essay writing services: an exploration and next steps for the UK higher education sector (August 2016)

- A very low volume copying with correct citations that has not materially given the student an unfair advantage
- Misconduct which can be shown to be entirely the result of technical issues and has not materially given the student an unfair advantage

.

- 

### **Definition of Academic misconduct**

15. Practices and actions that undermine academic integrity have the capacity to diminish the value of the University's awards to their holders and damage the University's reputation. They constitute academic misconduct.

16. The University's definition of academic misconduct is:

'Acts or omissions by a student that have the potential to give an unfair advantage in assessments.'

The student's intention is not relevant to whether they have committed an offence.

Academic misconduct can take a number of forms as detailed below.

### ***Plagiarism***

17. The University defines plagiarism as:

- inserting words, concepts, or images or other content from the work of someone else into work submitted for assessment without acknowledging the originator's contribution and
- representing the work of another as one's own, whether purchased or not, or taken with or without permission. This could include work submitted for assessment by current or former students of the University

18. Plagiarism can take a number of forms including the following:

(i) collusion is a form of academic misconduct which occurs when students work together or share work with another to develop a submission for an assessment that was to be assessed on an individual basis;

(ii) personation and impersonation - personation is defined in the context of academic misconduct as:

- assuming the identity of another in order to mislead or deceive
- allowing another to assume your identity in order to mislead or deceive

Impersonation is where the appearance of a first person is assumed by a second person. Personation may or may not involve impersonation;

(iii) acquiring work to pass off as one's own (also known as contract plagiarism) that may have been acquired or bought from services and individuals that provide essays, papers, reports, graphics, compositions, program-code, and programs;

(iv) providing work for another to pass off as their own (whether that person is a student of the University or another institution);

(v) passing off work as original that has already been assessed whether by the University or another institution and whether in a different module or programme (also known as self-plagiarism).

### ***Other forms of academic misconduct***

19. Other forms of academic misconduct include:



- (i) failure to declare third party assistance in the presentation of assessed work (other than assistance by a department of the University), including language, syntax, spelling and layout or failure to provide the draft material submitted to the third party to proof-read and/or correct;
- (ii) assistance in the completion of assessed work from third parties through proof-reading and correcting English or a target language (not including use by the student of dictionaries, thesauruses and spell-checkers) where the learning outcomes for a module include a specific requirement to demonstrate facility with written English or a target language;
- (iii) fabricating results from laboratory or other work or misrepresenting data;
- (iv) introducing unauthorised textual materials into an assessment venue or ancillary area such as cloakroom or toilets. This can include not only notes clearly relevant to the assessment but any form of written material, either on paper or on a student's body;
- (v) having an unauthorised mechanical or electronic device on one's person within an assessment venue or ancillary area, such as a cloakroom or toilets. Where such devices, including mobile phones and smart watches, are permitted to be brought into an assessment venue, they must be switched off and placed in the container provided for this purpose. The container must then be placed on the floor in full view of the invigilators before the start of the assessment and for the duration of the assessment;
- (vi) passing off the work of others as your own during an online assessment.

### ***Making false claims***

20. Academic misconduct can also take the form of misrepresentation, such as falsely claiming:
  - qualifications that are not validly held or experience, including practice-based or performance experience, that has not been acquired
  - to have undertaken work, including empirical investigations, research, and interviews
21. Where a student appears to have falsely claimed to have qualifications that they do not hold, experience they have not acquired, or to have undertaken work when they have not done so, the relevant AIO will consult with the Associate Dean (Education) and the Chief Student Officer in order to determine whether to refer the matter to the University's [Student disciplinary regulations](#), its [Regulations for fitness to practise](#), or these *Regulations*.

### ***Research management***

22. For students registered for taught postgraduate awards who engage in research and research management the University identifies the following acts, omissions and behaviours as academic misconduct related to research management:
  - (i) mismanagement or inadequate preservation of data and/or primary materials, including failure to:
    - keep clear and accurate records of the research procedures followed and the results obtained, including interim results
    - hold records securely in paper or electronic form
    - make relevant primary data and research evidence accessible to others for reasonable periods after the completion of the research: data should normally be preserved and accessible for ten years, but for projects of

- clinical or major social, environmental or heritage importance, for 20 years or longer;
  - manage data according to the research funder's data policy, and all relevant legislation
  - wherever possible, deposit data permanently within a national collection;
- (ii) breach of duty of care, which involves deliberately, recklessly, or by gross negligence:
- disclosing improperly the identity of individuals or groups involved in research without their consent, or other breach of confidentiality
  - placing any of those involved in research in danger, whether as subjects, participants or associated individuals, without their prior consent, and without appropriate safeguards even with consent; this includes reputational danger where that can be anticipated
  - not taking all reasonable care to ensure that the risks and dangers, the broad objectives, and the sponsors of the research, are known to participants or their legal representatives, to ensure appropriate informed consent is obtained properly, explicitly and transparently
  - not observing legal and reasonable ethical requirements or obligations of care for animal subjects, human organs or tissue used in research; or for the protection of the environment;
- (iii) cheating or otherwise disclosing information with the intent of gaining for oneself or for another an unfair advantage;
- (iv) intentional damage to, or removal of, the research-related property of another;
- (v) intentional non-compliance with the terms and conditions governing the award of external funding for research or with the University's policies and procedures relating to research, including accounting requirements, ethics, and health and safety regulations.

### **Concurrent cases of academic misconduct**

23. The approach outlined below will apply in cases of alleged academic misconduct occurring concurrently, within the same assessment period (i.e., in the same semester when the outcome of the separate cases has not yet been communicated to the student). The times of individual submissions/events will be used when determining which penalty to apply to each offence.

#### Two concurrent cases

- 1) No previous misconduct on record:

The AIOs or the Assessments & Awards Office may apply first and second offence penalties. Two first offence penalties would normally be applied when the misconduct is similar. The matter should be referred to an Academic Misconduct Panel if the either of the offences are particularly complex or of the highest severity.

- 2) One previous misconduct offence on record:

The AIOs or the Assessments & Awards Office may apply two second offence penalties when the misconduct is similar, and the student has not had the

opportunity to reflect on an earlier finding of misconduct. The matter should be referred to an Academic Misconduct Panel if the new offences are different or particularly complex or of the highest severity.

3) Two or more previous misconduct offences on record:

The AIOs or Assessments & Awards Office should refer the matter to an Academic Misconduct Panel after the student has had the opportunity to respond to the allegations.

Three or more concurrent cases

1) No previous misconduct on record:

The AIOs or the Assessments & Awards Office may apply first and second offence penalties. Two or more first offence penalties would normally be applied when the misconduct is similar.

The matter should be referred to an Academic Misconduct Panel if there are three or more types of misconduct or if the offences are particularly complex or of the highest severity. This referral would be after the student has had the opportunity to respond to the allegations

2) One previous misconduct offence on record:

The AIOs or the Assessments & Awards Office may apply two or more second offence penalties when the new misconduct is similar, and the student has not had the opportunity to reflect on an earlier finding of misconduct.

The matter should be referred to an Academic Misconduct Panel if the offences are different or particularly complex or of the highest severity. This referral would be after the student has had the opportunity to respond to the allegations.

3) Two or more previous misconduct offences on record:

The AIOs or Assessments & Awards Office should refer the matter to an Academic Misconduct Panel. This referral would be after the student has had the opportunity to respond to the allegations.

**Academic misconduct of the highest severity**

24. Where proven, a student's registration will normally be terminated in cases of the highest severity of academic misconduct. Academic misconduct is deemed to be of the highest severity in the following circumstances (the list is not exhaustive):

- (i) personation or impersonation at assessment
- (ii) contract plagiarism
- (iii) failure to store unauthorised materials and/or devices in the designated spaces within an assessment venue or ancillary area
- (iv) breach of agreed ethical protocol.

**Burden of proof**

25. In academic misconduct matters it is for the University to show that it is more likely than not that academic misconduct has taken place.

**Standard of proof**

26. The standard of proof applied is that of the balance of probability; that on the evidence put forward it is more likely than not that something was or was not the case.

## Confidentiality and General Data Protection Regulations

27. The University deals with academic misconduct matters in confidence, to the extent that this is compatible with making enquiries and holding meetings to consider the matter. The University collects and processes a variety of personal data in order to fulfil relevant student Regulations (see the [Regulations web page](#) for a list of all Student Regulations). This personal data may be provided by the student or collected from other departments within the University or taken from publicly available sources such as social media. The University processes personal data for this purpose in its legitimate interests. Some Regulations will require the sharing of sensitive personal data (defined as “special category” data by data protection legislation). The University processes and shares special category data in the substantial public interest and only where it is necessary to enable the University to fulfil its duties of care to the student, other students, or to safeguard third parties. More detail on the types of data collected and how it is used to meet this need can be found in the Student Regulations Privacy Notice, available at the above link.

## Support to study and fitness to practise considerations

28. Following a case of proven academic misconduct a referral may be made as appropriate for consideration under the University's [Regulations for fitness to practise](#) or [Regulations for support to study](#).

## Special circumstances

29. Special circumstances apply when there is valid evidence documented by a third party to demonstrate that the student's ability to make a rational choice was impaired at the time that they committed the misconduct.
30. Valid evidence in relation to special circumstances will be: a signed and dated letter from a medical practitioner (GP or clinical specialist) that states the dates when the illness affected the student and how the circumstances affected the student's ability to make a rational choice at the time the misconduct took place. All other extenuating circumstances requests by the student in relation to the assessment in question will be ceased.

## Instances of possible academic misconduct which require academic judgement – Formal Discussion

31. Where a tutor identifies that work submitted for assessment appears to contain the products of academic misconduct as described in Regulations 16 - 22 above, they consult another academic colleague (this does not have to be an Academic Integrity Officer) and jointly reach an initial view as to whether this is the case. Where no agreement can be reached, a third academic colleague is consulted and a majority decision is reached. In coming to this view consideration is given, where relevant, to any reports provided by testing services authorised by the University such as Turnitin® and Turnitin® Authorship Investigate.
32. Where there is no evidence of possible academic misconduct the matter is concluded, marking of the work in question is resumed and processed in the normal way. The student is not made aware of these discussions. The time between an instance of possible academic misconduct being identified and the decision that there is no case should normally be no more than two working days.
33. Where possible evidence of academic misconduct is identified, the details are forwarded to the named contact in the Academic Hive who will arrange for a formal discussion between the student and one or two AIOs<sup>5</sup> (one of whom will lead the

---

<sup>5</sup> The AIOs should not have a close relationship with the student (or students) and should not have been involved in previously proven misconduct allegations against the student.

meeting). Where there is suspected collusion or evidence that a student has provided work for another student to pass off as their own or possible academic misconduct in group work, the AIOs will meet with both/all students concerned individually.

34. The student receives five working days' notice of the formal discussion and is invited to submit any representations in relation to the concerns, including evidence of special circumstances. The student is also informed of the support provided by the University of Surrey Students' Union and that they can be accompanied by a friend or an official of the Students' Union at the discussion. The letter outlines the nature of the allegation and the potential outcomes of the formal discussion. A copy of all relevant material is also provided to the student in advance of the meeting. In exceptional circumstances and with written agreement of the student, the formal discussion may take place earlier than five working days.
35. The formal discussion is also attended by the Module Leader or, in the case of dissertations, by the first marker. The student and the AIOs will receive details of the allegation and the supporting evidence (e.g. a Turnitin®/Authorship Investigate report), where relevant, but the AIOs will not be informed of any previous findings of either poor academic practice or academic misconduct until after they have made their decision and, if relevant, are determining the penalty.
36. Where a student is unable to attend the meeting on the specified date and time they can request an alternative provided there are valid reasons supported by appropriate evidence. The formal discussion can take place in person or online or telephone.
37. The formal discussion provides an opportunity for the student to explain how they approached the assessment task and for the student to be shown how the suspected academic misconduct has been identified. In cases of suspected collusion, consideration will be given as to whether the assessment instructions were sufficiently clear as to whether the work was to be undertaken singly or collectively. In cases of possible academic misconduct in group work, consideration will be given as to whether the group work was designed to produce a single piece of work with a mark in common for all members of the group or whether discrete elements were produced by individual members.
38. The student is also given the opportunity to raise any previously undisclosed special circumstances.
39. Should a student choose to waive their right for a formal discussion to take place, they must notify the University of their decision in writing (via e-mail). If the student does not attend the formal discussion and there are no valid reasons for non-attendance, the AIOs will reach a finding based on the information available to them.
40. Following the formal discussion and normally within ten working days of the instance of possible academic misconduct being identified, the lead AIO produces a report which has one of the following five outcomes:
  - that the work does not include material that is the product of academic misconduct
  - that the work includes material that is more likely than not to be the product of poor academic practice rather than academic misconduct
  - that the work includes material that is more likely than not to be the product of academic misconduct and there is no evidence of special circumstances<sup>6</sup>

---

<sup>6</sup> This finding is a two-stage decision-making process. A finding of academic misconduct should be made independently of and prior to consideration of special circumstances.

- that the work includes material that is the product of academic misconduct and there is evidence of special circumstances<sup>7</sup>
  - that the academic misconduct is deemed to be particularly complex, of the highest severity (as detailed in Regulation 24) or is a third offence, and that the matter should be referred for consideration by an Academic Misconduct Panel (see Regulation 57).
41. The lead AIO may provide the outcome to the student verbally at the formal discussion. The outcomes of the report are then actioned by the Academic Hive normally within five working days of receiving the report.
  42. Where the outcome is that the work does not include material that is the product of academic misconduct, no further action is taken. The student is informed of this in writing and receives a copy of the notes of the formal discussion which are produced by a member of the Academic Registry. The letter is also copied to the Module Leader, the AIOs and, for undergraduate and taught postgraduate students, the personal tutor, and for postgraduate research students the supervisor. Marking of the work in question is resumed and processed in the normal way.
  43. Where the outcome is a judgement of poor academic practice the student is informed of this in writing and receives a copy of the notes of the formal discussion. The letter is also copied to the Module Leader, the AIOs and, for undergraduate and taught postgraduate students, the personal tutor, and for postgraduate research students the supervisor. The student is also recommended to access advice and support provided by the University's learning support services as outlined in Regulation 9. Marking of the work in question is resumed and processed in the normal way. It is not normally appropriate to attribute marks to any sections of the student's work that has been produced by third parties (unless the assessment is group work). Notification of a finding of poor academic practice is recorded on the student's record in SITS. Where the poor academic practice is a second or subsequent instance the student is instructed to meet with their personal tutor or supervisor who will determine the most suitable means of helping the student to improve their academic practice.
  44. Where the finding is that academic misconduct has been committed, and there are no special circumstances, the student is informed of this by letter and receives the reasons for the decision, confirmation of the penalty that the Board of Examiners will be instructed to implement and information about their right to appeal. The letter is also copied to the Module Leader, the AIOs and, for undergraduate and taught postgraduate students, and for postgraduate research students the supervisor. If appropriate, the student is also recommended to access advice and support as outlined in Regulation 9. For programmes that are accredited by a Professional, Statutory or Regulatory Body (PSRB) the letter is also copied to the relevant Academic Registry staff for consideration, if necessary, under the [Regulations for fitness to practise](#).
  45. Where the finding is that academic misconduct has been committed and there are special circumstances which clearly demonstrates that the student's ability to make a rational choice was impaired at the time the misconduct took place, the lead AIO will instruct the relevant Board of Examiners to void the assessment and to allow a new attempt as if for the first time (or second time if the voided attempt was a resit). The student is informed of this by letter and receives a copy of the notes from the meeting. The letter is also copied to the Module Leader, the AIOs and for undergraduate and taught postgraduate students the personal tutor, and for postgraduate research students the supervisor. The student is also recommended to access advice and support as outlined in Regulation 9. The student's name is also referred to the Chief

---

<sup>7</sup> Ibid

Student Officer for consideration, if necessary, under the [Regulations for support to study](#).

46. Where the academic misconduct and/or special circumstances are considered to be particularly complex, the offence is of the highest severity (as outlined in Regulation 24) or the case is a third offence, the matter will be submitted to an Academic Misconduct Panel in accordance with Regulation 57. The reasons for this decision will be outlined to the student.
47. There may be instances following the formal discussion when the AIOs determine that the matter would be more appropriately or additionally dealt with under the University's [Student disciplinary regulations](#) or [Regulations for fitness to practise](#) and if so will refer the matter to the relevant Authorised Person. Such instances include, but are not limited to, evidence that a student has provided work for another student to pass off as their own.

### **Instances of possible academic misconduct which do not require an academic judgement**

48. Where there is evidence that a student has committed academic misconduct as described in Regulations 16 - 22 above, the tutor, invigilator, or other person who has identified the possible academic misconduct reports the matter to the Assessment and Awards Office.
49. The Assessment and Awards Office will ensure that the student has been informed of the allegation and has had five working days in which to submit any representations in relation to it, including evidence of any special circumstances. The Assessments and Awards Office will also ensure that the student has been informed of the potential outcomes of the consideration of their case and of the support available from the Students' Union.
50. Two staff from the Office will decide whether the evidence is such that it is more likely than not that academic misconduct has occurred. The individuals considering the matter will not be informed about any previous findings of poor academic practice or academic misconduct against the student until after they have made their decision and, if relevant, are determining the penalty.
51. Where the academic misconduct is deemed to be particularly complex, of the highest severity (as detailed in Regulation 24) or is a third offence, the matter is referred for consideration by an Academic Misconduct Panel (see Regulation 57).
52. Where the academic misconduct is not deemed to be of the highest severity, the Assessments and Awards Office may come to one of three findings:
  - (i) that academic misconduct has not occurred
  - (ii) that it is more likely than not that academic misconduct has occurred and there is no evidence of special circumstances<sup>8</sup>
  - (iii) that it is more likely than not that academic misconduct has occurred and there is evidence of special circumstances<sup>9</sup>.
53. Where the finding is that academic misconduct has not occurred there is no further action. The student is informed of this by letter. Marking of the work in question is resumed and processed in the normal way.
54. Where the finding is that academic misconduct has been committed, and there are no special circumstances, the student is informed of this by letter and receives the

---

<sup>8</sup> This finding is a two-stage decision-making process. A finding of academic misconduct should be made independently of and prior to consideration of special circumstances.

<sup>9</sup> Ibid

reasons for the decision, confirmation of the penalty that the Board of Examiners will be instructed to implement and information about their right to appeal. The letter is also copied to the Module Leader and, for undergraduate and taught postgraduate students, and for postgraduate research students the supervisor. If appropriate, the student is also recommended to access advice and support as outlined in Regulation 9. For programmes that are accredited by a Professional, Statutory or Regulatory Body (PSRB) the letter is also copied to the relevant Academic Registry staff for consideration, if necessary, under the [Regulations for fitness to practise](#).

55. Where the finding is that academic misconduct has been committed and there are special circumstances which clearly demonstrate that the student's ability to make a rational choice was impaired at the time the misconduct took place, the Assessments and Awards Office will instruct the relevant Board of Examiners to void the assessment and to allow a new attempt as if for the first time (or second time if the voided attempt was a resit). The student is informed of this by letter and the letter is also copied to the Module Leader and for undergraduate and taught postgraduate students the personal tutor, and for postgraduate research students the supervisor. The student is also recommended to access advice and support as outlined in Regulation 9. The student's name is also referred to the Chief Student Officer for consideration, if necessary, under the [Regulations for support to study](#).
56. The Assessment and Awards Office will also determine whether the matter is to be dealt with through the University's *Student Disciplinary Regulations*.

### **Academic Misconduct Panels**

57. Academic Misconduct Panels are convened at Faculty level under the authority of the Pro-Vice-Chancellor, Executive Dean of the Faculty to address possible instances of academic misconduct of the highest severity or complexity and third offences. They are normally convened by the Assessment and Awards Office on behalf of the Pro-Vice-Chancellor, Executive Dean. Academic Misconduct Panels conduct their business in accordance with the [Procedure for hearings by Panels](#) which detail how Panels work, including the right of a student to attend a hearing and to be accompanied. It is expected that those asked to attend a hearing will acquaint themselves with the *Regulations*.

### **Membership of an Academic Misconduct Panel**

58. The membership of an Academic Misconduct Panel comprises three academic staff from the pool of trained Panel members as follows
  - an Academic Integrity Officer (Chair)
  - a second Academic Integrity Officer
  - a member of academic staff

A member of the Assessment and Awards Office attends as Secretary to support the Panel.

59. Members of an Academic Misconduct Panel should not have a close relationship with the student (or students) considered by the Panel and should not have been involved in previous misconduct allegations against the student.

### **Procedure**

60. Not less than five working days before a proposed Academic Misconduct Panel hearing the Assessment and Awards Office writes to the student to:
  - (i) confirm the date, time and place for the meeting;



- (ii) provide a copy of the material that will be considered by the Academic Misconduct Panel and of the procedures to be followed by the Panel;
- (iii) ask the student if they wish to present their case in writing and/or submit any special circumstances;
- (iv) remind the student that they can seek advice from the Students' Union and that they may be accompanied at the Panel by a friend;
- (v) remind the student of the penalties that an Academic Misconduct Panel may impose.

The Assessment and Awards Office will also confirm whether the tutor (or tutors) who marked the relevant work, an AIO and/or an independent subject specialist have been requested to attend the meeting to advise the Panel and answer its questions.

In exceptional circumstances and with written agreement of the student, the Panel hearing may take place earlier than five working days.

### ***Attendance of the student at an Academic Misconduct Panel***

- 61. A student can attend the Panel in person, or online or telephone. In cases of possible academic misconduct in group work students will attend the hearing separately. Where a student responds in writing that they do not wish to attend the hearing they can provide a written statement in advance of the Panel meeting and can ask a friend or the Students' Union to attend as an observer. The written statement and the name and contact details of the friend must be provided three working days in advance of the hearing. In such cases of confirmed absence the student may not later cite their absence from the Panel hearing as cause to reject its findings and/or outcomes. Where a student does not acknowledge receipt of the letter and/or email that invites them to attend a hearing by an Academic Misconduct Panel within three working days, the Assessment and Awards Office will issue a reminder. If the student fails to respond to these communications the hearing by an Academic Misconduct Panel will proceed in the student's absence.
- 62. Where a student is unable to attend the Panel meeting on the specified date and time they can request an alternative provided there are valid reasons supported by appropriate evidence.
- 63. In cases where it is proposed that an Academic Misconduct Panel be convened outside the University's published semester dates, and the student states in writing that they are unable to attend the Panel hearing either in person or virtually, the University will offer to defer the hearing until the next available opportunity within its published semester dates. The student is informed of the possible impact of such a delay on their ability to progress to the next stage or level of their programme.

### ***Representation of students in academic misconduct hearings, including legal representation***

- 64. In any Academic Misconduct Panel hearing a student's friend accompanies them in a supportive role. They may speak to the student during the hearing and may speak for the student (with their permission) to the Panel however it is the normal expectation that the student will answer any questions from the Panel for themselves. The friend may also ask questions of the Panel and those providing advice or evidence with the permission of the Chair.
- 65. The University's academic misconduct procedure is not a legal process but an academic procedure. Where a student insists on legal representation in a hearing by an Academic Misconduct Panel the University will also require legal representation. In these circumstances it may take longer to convene the Panel.

### **Evidence**

66. Prior to the meeting of an Academic Misconduct Panel the Assessment and Awards Office provides for the Panel and the student copies of:

- the work in question that was submitted by the student for assessment, together with any earlier drafts of the work that were requested and have been provided, and the results of any analyses that the tutor who marked the work and the AIO have undertaken, and copies of sources (or extracts from sources) that might have been plagiarised
- the report compiled by the AIO of the outcomes of the formal discussion or a report compiled by the Assessment and Awards Office (as appropriate)
- all relevant supporting evidence
- any evidence that the student has provided

The Panel will not be informed about any previous findings of poor academic practice or academic misconduct against the student until after they have made their decision and, if relevant, are determining the penalty.

### **Students who commit more than one form of academic misconduct**

67. Where a student appears to have committed academic misconduct in more than one of the different ways described in Regulations 18 - 22 above within a short space of time (normally less than one calendar month) it is possible to submit all the instances to a single Academic Misconduct Panel. In such cases the Panel will decide whether to deal with them as a single instance of academic misconduct, or as a series of instances, and to recommend any penalties accordingly.

68. Where an Academic Misconduct Panel chooses to deal with several instances of academic misconduct as one instance, and the student's records show that they have previously been penalised for academic misconduct, the penalties available to the Panel include recommending to the Pro-Vice-Chancellor, Executive Dean of Faculty that the student's registration be terminated.

### **Findings and outcomes of an Academic Misconduct Panel**

69. An Academic Misconduct Panel may come to one of four findings:

- (i) that academic misconduct has not occurred
- (ii) that the work includes material that is the product of poor academic practice
- (iii) that it is more likely than not that academic misconduct has occurred and there is no evidence of special circumstances<sup>10</sup>
- (iv) that it is more likely than not that academic misconduct has occurred and there is evidence of special circumstances<sup>11</sup>.

70. In cases of group work, the Panel will decide whether academic misconduct applies to all or some of the students in the group depending on the requirements of the assessment brief and the nature of individual contributions.

71. The findings are normally reported to the student at the end of the Academic Misconduct Panel hearing, together, if relevant, with the penalty that the Panel will instruct the Board of Examiners to implement and the student's right to appeal. The

---

<sup>10</sup> This finding is a two-stage decision-making process. A finding of academic misconduct should be made independently of and prior to consideration of special circumstances.

<sup>11</sup> Ibid

Assessment and Awards Office subsequently confirm the findings in writing to the student.

72. Where the finding is that the work does not include material that is the product of academic misconduct no further action is taken. The student is informed of this by letter and receives a copy of the notes of the Panel hearing. The letter is also copied to the Module Leader and, for undergraduate and taught postgraduate students, the personal tutor, and for postgraduate research students the supervisor. Marking of the work in question is resumed and processed in the normal way.
73. Where the finding is a judgement of poor academic practice the student is informed of this by letter and receives a copy of the notes of the Panel hearing. The letter is also copied to the Module Leader and, for undergraduate and taught postgraduate students, the personal tutor, and for postgraduate research students the supervisor. The student is also recommended to access advice and support as outlined in Regulation 9. Marking of the work in question is resumed and processed in the normal way. It is not normally appropriate to attribute marks to any sections of the student's work that has been produced by third parties (unless the assessment is group work). Notification of a finding of poor academic practice is recorded on the student's record in SITS. Where the poor academic practice is a second or subsequent instance the student is instructed to meet with their personal tutor or supervisor who will, determine the most suitable means of helping the student to improve their academic practice.
74. Where the finding is that academic misconduct has been committed, and there are no special circumstances, or the special circumstances submitted are not accepted by the Panel, the student is informed of this by letter. They also receive a copy of the notes from the Panel hearing, the penalty that the Board of Examiners will be instructed to implement and information about their right to appeal. The letter is also copied to the Module Leader and, for undergraduate and taught postgraduate students, the personal tutor, and for postgraduate research students the supervisor. If appropriate, the student is also recommended to access advice and support as outlined in Regulation 9. For programmes that are accredited by a Professional, Statutory or Regulatory Body (PSRB) the letter is also copied to the relevant Academic Registry staff for consideration, if necessary, under the [Regulations for fitness to practise](#).
75. Where the finding is that academic misconduct has been committed and there are special circumstances which clearly demonstrates that the student's ability to make a rational choice was impaired at the time the misconduct took place, the Panel will instruct the relevant Board of Examiners to void the assessment and to allow a new attempt as if for the first time (or second time if the voided attempt was a resit). The student is informed of this by letter and receives a copy of the notes from the Panel hearing. The letter is also copied to the Module Leader and for undergraduate and taught postgraduate students the personal tutor, and for postgraduate research students the supervisor. The student is also recommended to access advice and support as outlined in Regulation 9. The student's case is also referred to the Chief Student Officer for consideration, if necessary, under the [Regulations for support to study](#).
76. Where the finding is that the academic misconduct is deemed to be of the highest severity, as detailed in Regulation 24, an Academic Misconduct Panel will normally instruct a Board of Examiners that the student's registration be terminated, regardless of whether there have been any previous instances of proven academic misconduct. In exceptional circumstances, the Panel may apply a first and/or second offence penalty.
77. Where a student's registration is terminated following an instance of academic misconduct this is recorded on the student's record in SITS and the student will not be permitted to re-register for any award with the University (see [Regulations for taught programmes](#)). Where the credits the student has accrued are sufficient to entitle them

to an intermediate exit award they may take the award but may not receive it at a University award ceremony.

## Penalties for proven cases of academic misconduct

**Table 1: Penalties that an Academic Integrity Officer, the Assessments & Awards Office and an Academic Misconduct Panel instructs a Board of Examiners to apply**

| Instances of academic misconduct<br>(Penalties are cumulative) | Scale of penalties where academic misconduct is found to have taken place during a first assessment attempt   | Scale of penalties where academic misconduct is found to have taken place during a reassessment attempt   |
|--|---|---|
| First instance   | <p>Mark of zero for the unit of assessment<br/>AND</p> <p><u>If the module is passed overall</u> – the module mark is capped at the pass mark<sup>12</sup></p> <p><u>If the module is failed</u> – reassessment is allowed. Reassessment penalty is applied to the re-assessed unit(s) of assessment. In cases, where following the reassessment attempt, the module is passed, the module mark is capped at the pass mark.</p>                     | <p>Mark of zero for the unit of assessment<br/>AND</p> <p><u>If the module is passed overall</u> – the module mark is capped at the pass mark</p> <p><u>If the module is failed</u> – no further reassessment is allowed unless the student is entitled to a third attempt.<br/><a href="#">Regulations for taught programmes</a> apply.</p>                    |
| Second instance  | <p>Mark of zero for the unit of assessment<br/>AND</p> <p><u>If the module is passed overall</u> – the module mark is capped at zero and module credits are awarded (for credit bearing modules)</p> <p><u>If the module is failed</u> – reassessment is allowed. Reassessment penalty is applied to the re-assessed unit(s) of assessment. In cases, where following the reassessment attempt, the module is passed, the module mark is capped</p> | <p>Mark of zero for the unit of assessment<br/>AND</p> <p><u>If the module is passed overall</u> – the module mark is capped at zero and module credits are awarded (for credit bearing modules)</p> <p><u>If the module is failed</u> – no further reassessment is allowed unless the student is entitled to a third attempt. The module mark is capped at</p> |

<sup>12</sup> In exceptional cases, where the volume of academic misconduct is proven to be low, a mark of zero is given for the unit of assessment, but the module mark is not capped. If the module is failed – the unit of assessment may be retaken as a second or third attempt (subject to eligibility). Reassessment penalty is applied to the re-assessed unit(s) of assessment

|   |   |   |
|---|---|---|
|   | at zero and module credits are awarded (for credit bearing modules).                    | zero. No module credits are awarded. <a href="#">Regulations for taught programmes</a> apply. |
| Third instance<br>(only applicable to Academic Misconduct Panels) | Termination of registration.<br><a href="#">Regulations for taught programmes</a> apply | Termination of registration.<br><a href="#">Regulations for taught programmes</a> apply.      |

### Appeals against findings and outcomes

78. The procedure for appeals against findings and outcomes of the academic misconduct process are outlined in appendix B2.1

## Appendix 1 – Academic judgment

(an excerpt from the [OIA Good Practice Framework: Disciplinary Procedures](#))

| Questions normally involving academic judgment  | Questions of fact that do not normally involve academic judgment |
|---|--|
| Is the standard of work so out of line with the student's other work that it suggests cheating? | Did the student advertise for someone to do the work for them?   |
| Are the ideas copied from someone else's work?  | Did the student buy an essay online?                             |
| Is the plagiarism major or minor?   | Did the student take notes into the examination?                 |
| Do the student's working notes support their case that the submitted work is theirs?            | Are the quotations marked by indented text or quotation marks?   |
| Are the ideas the student is referring to in such common usage that it is not plagiarism?       | Did the student intend to cheat?                                 |

The following list further illustrates the types of academic misconduct where an academic judgement is usually not deemed necessary. This list is not exhaustive:

- Having unauthorised material during an assessment
- Discussing assessment questions and/or answers with others during a timed assessment event when the work is meant to be completed individually
- Submitting a translation that is available verbatim on a translation tool, such as Google Translate, where the assessment is/was to translate a text from own knowledge