

Academic Conduct

Procedure

1 Introduction

- 1.1 This procedure applies to all students undertaking any form of assessment, either under formal examination conditions, or as assessed coursework (including but not limited to, written coursework, practical work, OSCEs, models, sculpture, artwork); whether formative or summative, as part of their studies for credit towards an award of the University. This procedure is intended to be read alongside the University's Regulations for Study.
- 1.2 Institutions that deliver programmes leading to an award of, or validated by, the University are expected to have academic conduct procedures sympathetic and complementary to this procedure. Students or staff members in these institutions may refer the student to these procedures if they have exhausted their own institution's internal academic conduct procedure. In these instances, the case will be heard by the Appeal Committee.
- 1.3 For the purpose of these procedures, the BSc Applied Accounting course will be regarded as a separate institution and therefore timescales and penalties shall vary.
- 1.4 Students enrolled on Research Degree programmes are also expected to adhere to the Research Degree regulations. Where a breach of those regulations has been found, research students may be referred to these conduct procedures and the case will be heard by an Appeal Committee.
- 1.5 Some students enrolled on courses which lead to professional registration are also required to adhere to the Standards of Conduct: Fitness to Practise Regulations. Any breach of the Academic Conduct procedure may result in a referral to the Standards of Conduct: Fitness to Practice Regulations. Consequently, the full case file would be shared with appropriate University staff.
- 1.6 The University shall, at its sole discretion, decide which set of regulations are the most appropriate in the circumstances. Therefore, cases raised through the Conduct Regulations may be referred to other University procedures.
- 1.7 The University reserves the right to revisit an award in extraordinary circumstances. Therefore, these regulations may apply to former students who are no longer enrolled with the University.

2 General Approach

- 2.1 This procedure intends to ensure that the academic conduct process and outcomes are fair, proportional and reasonable for all involved.
- 2.2 Under the Regulations for Study the University has the power to discipline, suspend or require students to withdraw. As set out in the Terms and Conditions all students are bound by the provisions of these regulations. It is the responsibility of all students to ensure that they are familiar with the current version of these procedures at all times. Ignorance of their content will not be accepted as a defence or as mitigation in any proceedings brought under this procedure.
- 2.3 In the event of any uncertainty about these procedures or dispute about meaning, the Academic Registrar's or nominee's interpretation shall be used.
- 2.4 The University will make reasonable adjustments to this procedure where possible, when it is reasonable to do so to prevent any student from suffering a substantial disadvantage as a result of a disability. Students requiring reasonable adjustments to the paperwork or meetings will be expected to inform the Student Investigation and Resolution Team or Conduct Officer and any appropriate adjustments will be discussed.
- 2.5 This procedure includes a Fixed Penalty Policy for breaches of regulations for examinations where it is clear that the student is not attempting to gain an academic advantage. Details of the Fixed Penalty Policy can be found in the Appendix.
- 2.6 All parties involved in the implementation of this procedure will observe the requirements for confidentiality. Whilst confidential information may need to be disclosed or shared in order to consider and determine cases, this will only be to those staff and students involved in the procedures. However, confidential information may be disclosed to governmental, police or regulatory authorities as required by English law or by relevant professional or statutory requirements.
- 2.7 If a student is excluded from University via this procedure, relevant staff or departments will be informed of the outcome, as necessary, e.g. course staff, accommodation team. Where the confidential information is also personal data, the University will comply with its Student Privacy Notice with respect to that data
- 2.8 The University reserves the right to share information from the conduct process, including the outcome of the process, with the reporting person and witnesses as it deems appropriate in the circumstances. A reporting person or witness cannot challenge a decision made under these regulations, but if they have concerns about the way in which the case was handled or the process followed, they may be able to raise a complaint under the Student Complaints Procedure or Staff Grievance Procedure

3 Behaviour which will be regarded as a breach of the Academic Conduct Procedures

- 3.1 Behaviour which will be regarded as a breach of the Academic Conduct Procedures in relation to assessed work includes, but is not limited to the following:
 - (a) Plagiarism - copying the words or ideas of another person with or without their knowledge or agreement and presenting it as one's own;

- (b) Falsification - the presentation or submission of false information within an attempt to gain academic credit;
- (c) Collusion - the submission of work produced in collaboration with others, as entirely the student's own work;
- (d) Actions which enable another student to access or copy all or part of one's own work and to submit it as that student's own unaided work;
- (e) Gaining access to any unauthorised material relating to an assessment prior to the release date of such information;
- (f) Custom writing services – the use of materials created by third parties and/or web sites and passed off as the student's own, including all forms of contract cheating, such as the use of, running of, or participation in, auction sites and essay mills to attempt to buy or use assessments or answers to questions set. It is also an offence to provide your own work to others with the intention of personal gain.
- (g) Duplication - the inclusion in coursework of any material which is identical or similar to material which has already been awarded credit by the same student for any other assessment within the University or elsewhere, for example, submitting the same piece of coursework for two different modules
- (h) Failure to obtain ethics approval to carry out research with human participants, in accordance with Departmental, Faculty and University procedures.

3.2 Academic misconduct in relation to formal examinations includes, but is not limited to the following:

- (a) Submitting other people's work as the student's own - copying or attempting to copy from any other candidate during an examination
- (b) Collusion - communicating during an examination with any person other than the invigilator(s) or other authorised member of staff
- (c) Being in possession of any written or printed material(s) or any electronically stored information during the examination, unless expressly permitted by the examination and/or assessment regulations
- (d) Being in possession of, or obtaining access to, a copy of an examination question paper in advance of the date and time for its authorised release
- (e) Falsification - assuming the identity of another person with the intent to deceive, for example, by sitting or attempting to sit an examination or test in the place of the student who should be sitting it
- (f) Continuing to write (or continuing to perform whatever task is being examined) after the end of the examination

4 Penalties

4.1 In order to maintain student discipline, the Vice-Chancellor has the authority to impose penalties upon students in accordance with this procedure (as set out in Article 3.2(g) of the Articles of Government). The Vice Chancellor may delegate some or all of this

authority (including the power to delegate further) to other members of staff and University bodies (as set out in Article 3.3 of the Articles).

- 4.2 The penalties available to be imposed in the case of a breach of the academic conduct regulations are:
- (a) An absolute discharge. This means that the student technically breached the regulation, but no blame should be attached to them
 - (b) A formal warning advising the student about future behaviour
 - (c) A requirement to correct a piece of coursework by a prescribed return deadline for a reduced or capped mark. Failure to meet the prescribed return deadline will result in a mark of zero for the relevant module or coursework
 - (d) A change of mark for the assessment, e.g. a reduction of marks, or the award of no marks and/or the removal of a resit opportunity where appropriate
 - (e) A fixed penalty (restricted use for examinations – see Appendix)
 - (f) A restriction on the maximum award that the student may obtain from the University. As soon as the student has sufficient academic credit for this restricted award, it shall be awarded at the next meeting of the relevant Examination Committee
 - (g) The withholding or withdrawal of academic credit or a University award
 - (h) A reduction of the class of the student's Honours degree and GPA. This penalty shall be applied as early as practicable
 - (i) The required temporary withdrawal of the student from the University
 - (j) The expulsion of the student from the University.
- 4.3 Where a Conduct Officer, a University Conduct Committee or an Appeal Committee believes it appropriate, they/it may recommend that the student a specified form of support, or set a requirement to participate in a different University procedure, e.g. the Fitness to Study process. The recommendation shall be recorded formally.
- 4.4 In the event of a further breach of these procedures by the student, the previous recommendation and associated information may be taken into account when considering the penalty for the subsequent breach.
- 4.5 Any penalty imposed will be commensurate with the seriousness of the breach of the Conduct procedures.
- 4.6 Each case will be judged on its own merits and is generally subject to the University's discretion.
- 4.7 Exceptionally, where none of the listed penalties is deemed to be appropriate by the Conduct Officer, University Conduct Committee or Appeal Committee they may determine another penalty provided that this penalty is approved by the Vice-Chancellor before being imposed.

4.8 Penalties issued under these regulations normally take precedence over any outcome of an exceptional circumstances application or course withdrawal request, for the relevant period of time. Any exceptions to this rule need to be agreed by the Academic Registrar or nominee.

5 Initiating the Academic Conduct Procedure

5.1 All staff or students who become aware of a potential breach of the Academic Conduct regulations should report the matter to the Student Investigation and Resolution Team, providing the necessary information and any supporting evidence.

5.2 The referral to the Conduct Officer should be made as soon as possible, preferably within 5 working days of the discovery of the potential breach.

5.3 The Student Investigation and Resolution Team will decide whether the case is appropriate for the Academic Conduct Procedure. The SIRT team will then check the referral form, and their records of any prior breaches, and proceed via one of the following routes:

- a) a first alleged minor breach by students in their first year at the University (of any course at any level) will be referred to the educational route (Good Academic Practice training), referring the student to the Centre for Academic Development (CAD);
- b) a second alleged breach¹, or a first alleged major breach (defined as academic misconduct through extensive plagiarism of the whole or nearly the whole submission, purchasing from or using a custom writing service, submitting someone else's work etc, as specified in the Definitions of Cheating) in the first year of study, or a breach in any subsequent year of study, will be referred to an academic conduct investigation (see section 6);
- c) if there is no potential case to answer, the case will be closed. The outcome will be communicated to the reporting person, with the recommendation to mark as normal.

5.4 With the educational route as per route 5.3 (a), the CAD team will communicate with the student and request that the student take the academic integrity course and then attend Good Academic Practice (GAP) training run by CAD. The CAD team will monitor the student's completion of the course and attendance at the training and feed back to the reporting person.

5.5 If it is agreed that there is a potential case to answer, as per route 5.3 (b), the case will be investigated by a Conduct Officer. The Conduct Officer will contact the reported student to inform them of how the matter is to be taken forward within 10 working days of the referral.

5.6 If the matter occurs in an examination, it may be dealt with by the Conduct Officer for Examinations.

6 Investigation by the Conduct Officer

6.1 The Conduct Officer shall carry out an initial investigation at their discretion, following the principle of fairness. Investigations may include interviews, gathering evidence, speaking to witnesses and preparing an investigation.

¹ Concurrent first minor breaches will be dealt with as one first minor breach and will follow the educational route.

6.2 Depending on the circumstances they may decide to take one or more of the following actions:

- Arrange an Interview with the student, or anyone relevant to the case. The Conduct Officer will write to the student, giving at least 5 working days' notice of the interview
- Decide there is no case to answer.
- Decide to refer the case to the Standards of Conduct: Fitness to Practice Regulations
- Give a fixed penalty as outlined in the Fixed Penalty Policy (Appendix);
- Refer the matter to be heard by the University Conduct Committee;

7 The Conduct Interview

7.1 The exact arrangements will be organised by the Conduct Officer. All students will have the right to:

- Be accompanied by a friend or other person who is not acting in a legal capacity
- Make representations/comments about any procedural issues
- Hear the case and ask about the allegations made against them
- Access all the evidence against them, excluding advice that is legally privileged, or information that is confidential and not directly relevant to the allegations made in the case against them
- State their case, including liability, mitigation, evidence, witness testimony
- Challenge any submissions made and/or evidence produced by the Conduct Officer.

7.2 The Conduct Officer may be accompanied by a note-taker during the interview. At the end of the conduct interview, the Conduct Officer will normally state the decision about breach of the regulations (if any), liability, and impose a penalty within the range delegated to them if applicable. On occasion, the Conduct Officer may reconvene the interview, for example, where more information is required.

7.3 The Conduct Officer may give penalties appropriate to the breach up to and including 4.2 (e). The maximum fine which a Conduct Officer can impose is £100 and the maximum period of unpaid community service is 10 hours.

7.4 The Conduct Officer may refer the case to a University Conduct Committee if they decide a breach of the regulations has been committed, but the penalty they feel is appropriate is not one which they are permitted to award.

7.5 The student will receive written confirmation of the decision, any penalty and an explanation of the appeal process where applicable, normally within 5 working days from the date of the Interview and within 25 working days of the referral to the Conduct Officer.

8 The University conduct committee

8.1 The University conduct committee will normally consist of the following:

- A Chair (a trained member of Senior Staff)
- A member of the Student Investigation and Resolution Team
- A trained representative of the student body.

8.2 A member of the Student Investigation and Resolution Team or nominee will act as Secretary to the committee. A reported student will normally be given at least 10 working days' notice of the committee date.

8.3 The University conduct committee will allow:

(a) The conduct officer to:

- state their case and provide relevant evidence;
- question those present and challenge any submissions made and/or evidence produced by the student;
- to state their recommendation for the outcome of the University Conduct Committee

(b) The reported student to:

- provide relevant information and evidence in advance of the committee;
- state their appeal and provide relevant evidence;
- challenge any submissions or evidence provided to the committee;
- be accompanied by a friend, colleague or legal representative acting in a legal capacity (See paragraph 11.5). This person should not have been involved in the circumstances/incident or be called as a witness

(c) Members of the Committee to:

- question those present and clarify any evidence or statements produced by either party.

8.4 The University conduct committee will normally state the decision about breach of the procedures, liability and any penalty during the meeting. On occasion, a decision may be taken to reconvene the committee, for example, where more information is required.

8.5 The University conduct committee may impose the full range of penalties.

8.6 The student will receive an outcome letter explaining the decision, penalty, next steps and information about making an appeal, if applicable, normally within 5 working days of the University conduct committee.

9 Request to progress to an appeal committee

9.1 Where the reported student is:

(a) found to be in breach of these procedures by the Conduct Officer and is dissatisfied with the outcome of a conduct interview, penalty or procedure;

or,

(b) found to be in breach of these procedures at the University Conduct Committee and is dissatisfied with the outcome, penalty or procedure

they may request that their case is heard by a University Appeal Committee.

9.2 To initiate an appeal committee, the student must write to the Student Investigation and Resolution Team within 10 working days from the date of the outcome letter, stating which aspect of the decision, penalty or process the reported student disagrees with and on which one (or more) of following grounds:

- (a) The student would like to present new evidence that they could not have reasonably produced before the conduct interview or University conduct committee;
- (b) There was a procedural irregularity;
- (c) The decision regarding liability was not fairly or reasonably made;
- (d) The penalty is unfairly disproportionate to the breach

- Evidence where appropriate, will be required.

9.3 The Student Investigation and Resolution Team may do one of the following:

- require clarification of the request, or further documentation before proceeding
- not permit the student to go to University appeal committee, if the request is late and a valid, substantiated reason for being late is not provided, or the student has not met the grounds for appeal.
- convene a University appeal committee.

9.4 The student will be informed of the decision within 10 working days.

9.5 A student who believes that the decision not to permit the student to go to an appeal committee is inappropriate may request that it be reviewed by the Head of Student Investigation and Resolution or nominee.

9.6 A student who wishes to request a review must write to the Student Investigation and Resolution Team, setting out the reasons why they believe the decision was inappropriate within 10 working days of the issue of the decision.

9.7 The Head of Student Investigation and Resolution or nominee will review the decision, normally within 10 working days of receiving the request, and either uphold the decision or allow the student to proceed to a University appeal committee. If the decision is upheld the student will be issued with a Completion of Procedures Letter.

10 The Appeal Committee

10.1 The Appeal Committee membership will consist of:

- A Chair (a trained member of Senior Staff)
- Academic Registrar (or nominee)
- A representative of the student body.

10.2 Members of the appeal committee will be trained in these regulations. They must not have been involved with the case previously.

10.3 A member of the Student and Investigation and Resolution Team or a nominee will normally act as Secretary to the committee.

10.4 The reported student and the Chair of the University conduct committee, or the investigating conduct officer have the right to attend.

10.5 Unless otherwise determined by the Chair of the appeal committee, the appeal shall take the form of a review of the decision of the University conduct committee or conduct officer. This means that the appeal committee shall normally only consider issues raised in the appeal by the reported student.

10.6 The appeal committee will allow

(a) The reported student to:

- provide relevant information and evidence in advance of the committee;
- state their appeal and provide relevant evidence;
- challenge any submissions or evidence provided to the committee;
- to be accompanied by a friend, colleague or legal representative acting in a legal capacity (See paragraph 11.5). This person should not have been involved in the circumstances/incident or be called as a witness

(b) The Chair of the University conduct committee to:

- state their case and provide relevant evidence;
- question those present;
- challenge any submissions made and/or evidence provided

(c) Members of the Appeal Committee to

- question those present and clarify any evidence or statements produced by either party.

10.7 The appeal committee will normally state its decision as to whether to allow or dismiss the appeal at the hearing. The appeal committee may:

- uphold the decision of the University conduct committee or the conduct officer; or
- refer the case back to the University Conduct Committee or to a new Conduct Officer for a fresh hearing; or
- reach a different outcome and/or impose an alternative penalty.

10.8 The student will receive an outcome letter, explaining the decision and penalty and will be issued a Completion of Procedures letter.

11 Other procedural matters

11.1 Conduct procedures started prior to a student's enrolment end date may continue beyond the expected end date but must normally be concluded prior to any degree or award being conferred. Where this is not possible the University reserves the right to delay the conferment of any degree or award until the disciplinary procedures have been concluded.

11.2 Where proceedings have been initiated against an individual under these regulations and the enrolment status of that individual changes, the University may continue with, suspend and subsequently resume, or terminate those proceedings as seems appropriate.

11.3 If a conduct Officer starts to investigate a case and decides that it would be more appropriately handled by another conduct officer, either because of an association with the case or the nature of the alleged breaches, the case can be reallocated.

- 11.4 If a student cannot attend a conduct interview, University conduct committee or an appeal committee, they must write to the organiser before the meeting with reasons and evidence. The organiser will consider the reasons given and, at their discretion, rearrange the interview or committee, or inform the student that the reason given for not attending is invalid and that the interview or committee will go ahead as scheduled. If the student fails to attend (after attempts to rearrange, if appropriate) then the conduct officer or committee may hear the case in the absence of the student.
- 11.5 It is the responsibility of the student wishing to be accompanied to inform the friend, colleague or representative of the date, time and place of the interview or committee. The student must inform the organiser in advance if they wish to be accompanied. The friend, colleague, or representative may undertake the presentation of the case on behalf of the student, but a student may not be represented at a hearing in his or her absence and the friend, colleague or representative may not answer questions on the student's behalf.
- 11.6 At all stages of the conduct procedure, decisions will be based on the evidence available and decided upon based on the balance of probability. Conduct officers, the University conduct committee or the appeal committee will accept the explanation that is most likely to be true.
- 11.7 At a conduct interview, all decisions shall be made by the conduct officer alone. At a University conduct committee or appeal committee, all decisions shall be made by a simple majority of the members of the committee. In the event of a tied vote, the Chair shall have a second and deciding vote.
- 11.8 If this procedure is initiated on behalf of a student or staff member, the conduct officer or conduct committee may keep that person informed about the general progress of the investigation and the general outcome of it, but specific details will not be shared.
- 11.9 While every decision in relation to the case shall be for the conduct Officer or conduct committee, they shall give consideration to the views of the person who reported the incident, about the original circumstances and any subsequent developments. That person is expected to fully co-operate throughout the proceedings.
- 11.10 The University will endeavour to respond to any conduct case as rapidly as possible and will, where possible, adhere to the stated timeframes. However, every case will need to be fully investigated and this may mean that a conclusion cannot be reached as quickly as either party would wish, particularly if the case is complex or extensive or was submitted at a time when key staff are away from the University. Timescales may be varied by the University where there is good reason to do so.
- 11.11 Some circumstances that constitute a breach of these regulations may create serious concerns about the student's welfare, in which case the Fitness to Study Policy may be invoked, or Wellbeing Team informed of proceedings and/or outcome as necessary.
- 11.12 Staff and students who become aware of anyone who may commit, or may have already committed a breach of these regulations are authorised and required to take whatever steps are reasonable and, without risk to themselves, to stop the breach and to prevent a recurrence, and report it to the appropriate conduct officer. Failure of a member of staff to do so, for whatever reason, shall not prevent the University initiating proceedings under these regulations in respect of the breach and will not be accepted as a defence or as mitigation in any such proceedings.

- 11.13 Where the statement of allegations involves more than one student, the conduct officer or the Chair of the committee shall determine whether the cases should be heard individually or by a single hearing for all the students. If the cases are heard individually, the reported students (and any representatives) will only be able to attend their own hearing and access their own case files, unless explicit permission to share has been given from another individual involved. Members of the University conduct committee, or appeal committee will be able to hear all individual cases relating to the same report.
- 11.14 All investigated cases will be recorded and the information logged. Conduct officers, University conduct committees or appeal committees will have access to information relating to a previous breach (if any) by the same student once it has been established that a further breach has occurred. It may be deemed that the subsequent breach is an escalation of the previous breach; should that be the case an appropriate penalty will be imposed.
- 11.15 If a student has completed this procedure and they are still dissatisfied with the outcome, they may be able to refer the issue as a complaint to the [Office of the Independent Adjudicator for Higher Education](#) (OIA) providing that it is eligible under the OIA's Rules. A letter stating that a student has completed this procedure shall comply with the OIA's guidance for a "Completion of Procedures" letter.

Appendix A - Fixed Penalty Policy

The Conduct Officer may impose a fixed penalty where:

- Students generally understand why the requirement is necessary
- There is usually little doubt about the facts of an alleged breach, so usually no need for an investigation
- There are usually few valid grounds for mitigation.

And/or

- The behaviour has interfered with the safety or learning of other students.

The tariff for fixed penalties is given below. Depending on severity of the incident, a warning may be given before a fine, at the Conduct Officer's discretion.

Fixed Penalties Examinations

(a) Disturbances – e.g. Mobile phones/smart devices going off will result in a fine.

- A first offence will result in a fine of £50
- A second offence will result in a fine of £100
- A third offence will be treated as a moderate breach of the general regulations

(b) Unauthorised item(s) on desk or on person, or authorised notes. (If not directly related to the examination)

- A first offence will result in a fine of £50
- A second offence will result in a fine of £100
- A third offence will be treated as a moderate breach of the general regulations

Appeals against Fixed Penalties

Students can appeal against fixed penalties by requesting a conduct investigation by the conduct officer. In order to request an appeal they must write to the conduct officer 10 working days of receiving the outcome letter. Students must provide the full case file and any additional evidence with their request.

The case will then be considered by a Conduct Officer and will follow the Student Conduct procedure. The conduct officer can impose a penalty or refer to a University Conduct Committee. The Conduct Officer's outcome will supersede the fixed penalty fine.

Updated and approved at QLIC 15th September 2021
(Inclusion of new 'educational route' in section 5)