

REGULATIONS

C1.1 Academic Conduct Regulations and Procedure

1. Introduction

- 1.1 Assessment is an opportunity for a student to demonstrate their learning. Equally, it is how the University tests whether a student has achieved the objectives of their programme of study and met the standards of an award.
- 1.2 These regulations set out the standard of academic integrity Oxford Brookes University expects of its students and that it believes to be consistent with upholding its duty to safeguard both the legitimate interests of students and the University's academic reputation.
- 1.3 Students are required to ensure they understand the University's expectations regarding academic integrity in all forms of assessment. Detailed information regarding students' responsibilities with regard to assessment can be found at <http://www.brookes.ac.uk/regulations/current/core/a3/a3-3>.
- 1.4 Further guidance regarding citing references and avoiding plagiarism can be found at <https://www.brookes.ac.uk/library/library-services/information-skills/>.

2. Scope

- 2.1 These regulations apply 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. These regulations are intended to be read alongside the University's Core Regulations for the Assessment of Students which can be found at <http://www.brookes.ac.uk/regulations>.
- 2.2 Institutions that deliver programmes leading to an award of, or validated by, the University are expected to have academic conduct regulations and procedures sympathetic and complementary to these regulations. Students or staff members in these institutions may refer the case to these regulations if they have exhausted their own institution's internal academic conduct procedure. In these cases, the case will be heard by the Appeal Committee.
- 2.3 For the purpose of these regulations, the BSc Applied Accounting course will be regarded as a separate institution and therefore timescales and penalties shall vary.
- 2.4 Students enrolled on Research Degree programmes are also expected to adhere to the Research regulations which can be found in Section B here: <https://www.brookes.ac.uk/regulations/current/specific/>

Where a breach of the Research regulations has been found, research students may be referred to these conduct procedures and the case will be heard by the Appeal Committee.
- 2.5 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 Regulations may result in a referral to the Standards of Conduct: Fitness to Practice Regulations. As such, the full case file would be shared with appropriate University staff.

- 2.6 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.
- 2.7 The University reserves the right to revisit an award in exceptional circumstances. Therefore, these regulations may apply to former students who are no longer enrolled with the University.

3. Principles

- 3.1 These regulations are intended to ensure that the academic conduct procedure and outcomes are fair, proportional and reasonable for all involved.
- 3.2 Under these Regulations the University has the power to discipline, suspend or require students to withdraw.
- 3.3 As set out in the Terms and Conditions (formerly the Conditions of Acceptance,) all students are bound by the provisions of these regulations and general University Regulations (academic and non-academic). It is the responsibility of all students to ensure that they are familiar with the current version of these regulations at all times. Ignorance of their content will not be accepted as a defence or as mitigation in any proceedings brought under these regulations.
- 3.4 Guidance on these regulations and procedure, for staff and students, is available on the University website (University Regulations and Student Investigation and Resolution Team pages) or from the Student Investigation and Resolution Team. In the event of any uncertainty or dispute, the Academic Registrar's or nominee's interpretation shall be used.
- 3.5 The University will make reasonable adjustments to these regulations where possible, when it is reasonable to do so to prevent any student from suffering a substantial disadvantage as a result of a disability. Those requiring reasonable adjustments will be expected to inform the Student Investigation and Resolution Team or Conduct Officer
- 3.6 These regulations include a Fixed Penalty Policy for breaches of the formal regulations for invigilated exams 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 Appendices (Appendix B) of these regulations.
- 3.7 All parties involved in the implementation of these regulations 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.
- 3.8 If a student is excluded from University via these regulations, a staff member from their course and the accommodation department will be informed of the outcome as necessary. Where the confidential information is also personal data, the University will comply with its Student Privacy Notice with respect to that data
- 3.9 The University reserves its 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
- 3.10 Where a report has been made against someone who is both a student and staff member at the University, the Academic Registrar shall decide whether the case is relevant for the Student Conduct Regulations or Human Resources procedures

3.11 These regulations are subject to approval by the University's Academic Board and the Board of Governors and will be subject to regular review.

4. Behaviour which will be regarded as a breach of the Academic Misconduct Regulations

4.1 Behaviour which will be regarded as a breach of the Academic Misconduct Regulations in relation to assessed work includes, but is not limited to the following:

- 4.1.1 Plagiarism - copying the words or ideas of another person with or without their knowledge or agreement and presenting it as one's own
- 4.1.2 Unacknowledged and/or unauthorised use of words or ideas from a source
- 4.1.3 Falsification - the presentation of data in reports, projects etc. based on research falsely purported to have been carried out by the student, or obtained by unfair means, or inventing quotations and/or references
- 4.1.4 Collusion - the submission of work produced in collaboration with others, as entirely the student's own work
- 4.1.5 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
- 4.1.6 Gaining access to any unauthorised material relating to an assessment prior to the release date of such information
- 4.1.7 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.
- 4.1.8 Duplication - the inclusion in coursework of any material which is identical or similar to material which has already been submitted for 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
- 4.1.9 Falsification - providing false academic or professional references, or making false claims about achievements, to the University or a third party
- 4.1.10 Failure to obtain ethics approval to carry out research with human participants, in accordance with Departmental, Faculty and University procedures.

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

- 4.2.1 Submitting other people's work as the student's own - copying or attempting to copy from any other candidate during an examination
- 4.2.2 Collusion - communicating during an examination with any person other than the invigilator(s) or other authorised member of staff
- 4.2.3 Introducing into the examination room or being in possession there of any written or printed material(s) or any electronically stored information unless expressly permitted by the examination and/or assessment regulations
- 4.2.4 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 (this covers both 'seen' and 'unseen' papers)
- 4.2.5 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
- 4.2.6 Continuing to write (or continuing to perform whatever task is being examined) after the invigilator has announced the end of the examination
- 4.2.7 The provision of falsified information that has the potential to give a student an unfair advantage.

5. Penalties

5.1 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).

- 5.2 The penalties available to be imposed in the case of a breach of the academic conduct regulations are:
- 5.2.1 An absolute discharge. This means that the student technically breached the regulation, but no blame should be attached to them
 - 5.2.2 A formal warning advising the student about future behaviour
 - 5.2.3 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
 - 5.2.4 A reduction of marks, a cap placed on the marks or the award of no marks for a piece of course work
 - 5.2.5 The award of an appropriate mark (including a resit or a fail grade) for the relevant module or unit
 - 5.2.6 A fixed penalty (restricted use – see Appendix B)
 - 5.2.7 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
 - 5.2.8 The withholding or withdrawal of academic credit or a University award
 - 5.2.9 A reduction of the class of the student's Honours degree and GPA. This penalty shall be applied as early as practicable
 - 5.2.10 The required temporary withdrawal of the student from the University¹
 - 5.2.11 The expulsion of the student from the University.
- 5.3 Any penalty imposed will be commensurate with the seriousness of the breach of the Conduct Regulations.
- 5.4 Each case will be judged on its own merits and is generally subject to the University's discretion.
- 5.5 Exceptionally, where none of these 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.
- 5.6 All 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.

6. The Academic Conduct Procedure

6.1 Initiating the Academic Conduct Procedure:

- 6.1.1 All staff or students who become aware of a potential breach of the Academic Conduct regulations are required to report the matter to the Student Investigation and Resolution Team, providing the necessary information and any supporting evidence via a Conduct Report Form.
- 6.1.2 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.
- 6.1.3 The Student Investigation and Resolution Team will decide whether the case is appropriate for the Academic Conduct Procedure.

¹ This penalty will only be imposed if, at the point of imposition, it does not prevent the student from completing their study within the required timeframe.

- 6.1.4 If it is agreed that there is a potential case to answer, the case will be referred to a Conduct Officer, who will investigate the case.
- 6.1.5 If there is no potential case to answer, the case will be closed. The outcome may be communicated to the reporting person.
- 6.1.6 If, upon receiving the case, the Conduct Officer decides there is no case to answer, the matter will be closed. The outcome may be communicated to the reporting person.
- 6.1.7 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.
- 6.1.8 If the matter occurs in an invigilated exam, it will be dealt with by the Conduct Officer for Examinations.

6.2 Investigation by the Conduct Officer

- 6.2.1 The Conduct Officer shall carry out an initial investigation at their discretion but following the principles detailed in the Conduct Officers' Handbook. Investigations may include interviews, gathering evidence, speaking to witnesses and preparing an investigation.
- 6.2.2 Depending on the circumstances they may decide to take one or more of the following actions:
 - 6.2.2.1 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
 - 6.2.2.2 Decide there is no case to answer.
 - 6.2.2.3 Decide to refer the case to the Standards of Conduct: Fitness to Practice Regulations
 - 6.2.2.4 Give a fixed penalty as outlined in the Fixed Penalty Policy (Appendix B);
 - 6.2.2.5 Refer the matter to be heard by the University Conduct Committee;

6.3 The Conduct Interview

- 6.3.1 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 all the evidence against them
 - State their case, including liability, mitigation, evidence, witness testimony
 - Question any witnesses and challenge any submissions made and/or evidence produced by the Conduct Officer.
- 6.3.2 The Conduct Officer may be accompanied by a note-taker during the interview.
- 6.3.3 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.
- 6.3.4 On occasion, the Conduct Officer may reconvene the interview, for example, where more information is required.

- 6.3.5 The Conduct Officer may give penalties appropriate to the breach up to and including 5.2.6. The maximum fine which a Conduct Officer can impose is £100 and the maximum period of unpaid community service is 10 hours.
- 6.3.6 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 (5.2.7 to 5.2.11).
- 6.3.7 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.

6.4 The University Conduct Committee

6.4.1 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.

6.4.1.1 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.

6.4.1.2 The University Conduct Committee will allow:

The Conduct Officer to:

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

The reported student to:

- state their case and provide relevant evidence, including testimony from witnesses, question any witnesses
- challenge any submissions or evidence produced by the Conduct Officer
- be accompanied by a friend, colleague or a legal representative. (See paragraph 8.6)

Members of the Committee to:

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

6.4.1.3 The University Conduct Committee will normally state the decision about breach of the regulations, liability and any penalty during the meeting.

6.4.1.4 On occasion, a decision may be taken to reconvene the committee, for example, where more information is required.

6.4.1.5 The University Conduct Committee may impose the full range of penalties.

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

6.5 Request to Progress to an Appeal Committee

6.5.1 Where the reported student is:

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

or,

found to be in breach of these regulations 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.

6.5.2 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 Conduct Officer outcome letter, or the University Conduct Committee 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:

6.5.2.1 The student would like to present new evidence that they could not have reasonably produced before the University Conduct Committee;

6.5.2.2 There was a procedural irregularity;

6.5.2.3 The decision regarding liability was not fairly or reasonably made;

6.5.2.4 The penalty is unfairly disproportionate to the breach of regulations.

6.5.3 Evidence where appropriate, will be required.

6.5.4 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
- Convene a University Appeal Committee.

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

6.5.6 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 Academic Registrar or nominee.

6.5.7 A student who wishes to request a review by the Academic Registrar or nominee 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.

6.5.8 The Academic Registrar or nominee will review the decision and either uphold the decision or allow the student to proceed to a University Appeal Committee within 10 working days of receiving the request. If the Academic Registrar or nominee upholds the decision they will issue the student with a Completion of Procedures Letter.

6.6 The Appeal Committee

6.6.1 The Appeal Committee membership will consist of:

- A Chair (a trained member of Senior Staff)
- Director of Academic and Student Administration (or nominee)
- A trained representative of the student body.

- 6.6.2 Members of the Appeal Committee must be trained in these regulations. They must not have been involved with the case previously.
- 6.6.3 A member of the Student and Investigation and Resolution Team will normally act as Secretary to the committee.
- 6.6.4 The reported student and the Chair of the University Conduct Committee, or the investigating Conduct Officer have the right to attend.
- 6.6.5 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. The Committee will allow:
- The reported student to state their appeal and provide relevant evidence (including testimony from witnesses), question any witnesses and challenge any submissions or evidence produced by the Conduct Officer
 - The Chair of the University Conduct Committee to state their case and provide relevant evidence (including testimony from witnesses), question any witnesses and challenge any submissions made and/or evidence produced by the student
 - Members of the Appeal Committee to question any witnesses and clarify any evidence or statements produced by either party.
 - The reported student to be accompanied by a friend, colleague or a legal representative (See paragraph 8.6)
- 6.6.6 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, 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.
- 6.6.7 The student will receive an outcome letter, explaining the decision and penalty and will be issued a Completion of Procedures letter.

7. Other procedural matters

- 7.1 Disciplinary 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.
- 7.2 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.
- 7.3 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 or the nature of the alleged breaches, the case can be reallocated.
- 7.4 Whenever a conduct interview, a University Conduct Committee or an Appeal Committee is convened, the convening officer shall give all parties appropriate notice, at least 5 working days' for an interview, or 10 working days for a committee.
- 7.5 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 will hear the case in the absence of the student.

- 7.6 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 interview or committee 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.
- 7.7 At all stages of the disciplinary process decisions will be based on the evidence available and 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.
- 7.8 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.
- 7.9 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.
- 7.10 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 with the Conduct Officer throughout the proceedings.
- 7.11 The University will endeavour to respond to any conduct case as rapidly as possible and will, where possible, adhere to the timeframes in appendix C. 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.
- 7.12 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.
- 7.13 All 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.
- 7.14 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 cases all individual cases relating to the same report.

- 7.15 All investigated cases will be recorded and the information logged with the Student Disputes Officers. 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.
- 7.16 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.

For further information about these regulations, please contact the Head of Investigation and Resolution.

Approved by: Academic Board, 3 July 2019

Next reviewed: July 2020

Appendices

Appendix A – Definitions

Completion of Procedures Letter – Issued on completion of the University’s internal procedures. This letter gives details of the grounds upon which a student may take the matter to the Office of the Independent Adjudicator for Higher Education should the student remain dissatisfied with the outcome of the Disciplinary process.

Conduct Officers - are trained staff, nominated by a Dean or Director. All Conduct Officers are authorised to investigate, hear and determine any case which has been referred to them under these regulations. The Conduct Officer shall have the power to access and process personal data for the purpose of the investigation. The Conduct Officer may give penalties appropriate to the breach up to and including 5.2.6.

Senior Staff - are trained staff from across the University. They chair University Conduct Committees and Appeal Committees. They will be appointed from a pool of Heads of Departments, Directors, Deans or their nominees.

Student Investigation and Resolution Team – are trained staff within Academic and Student Administration who manage the Academic Conduct Regulations. They can determine whether a case is eligible for the conduct procedure, whether reported students can proceed to the next level and they handle the investigation.

University Appeal Committee (UAC) - is a panel authorised to investigate, hear and determine any case which has been referred to the panel by a student following a UCC or Conduct Officer decision. The Appeal Committee can hear cases from across the University or its Partner Institutions relating to any breach. They shall have the power to access and process personal data for the purpose of the investigation. The Appeal Committee may impose the full range of penalties.

University Conduct Committee (UCC) - is a panel authorised to investigate, hear and determine any case which has been referred to the panel by a Conduct Officer, under these regulations. The UCC can hear cases from across the University or its Partner Institutions relating to any breach and shall have the power to access and process personal data for the purpose of the investigation. The UCC may impose the full range of penalties.

Appendix B - 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

* 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)

* 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. In order to request an appeal they must write to the Student Investigation and Resolution Team within 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 Regulations. 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.

Appendix C - Timescales

University Stage of Procedure	Timescale	Responsibility
Referral of case to Student Investigation and Resolution Team	As early as possible, preferably within 5 working days of the discovery of the potential breach	Person who is aware of the breach (reporting person)
Decision whether the report is eligible to be investigated under the Academic Conduct Regulations	10 working days of receiving the full conduct report and any relevant evidence	Student Investigation and Resolution Team
Referral to Conduct Officer if the case is eligible	10 working days of receiving the full conduct report and any relevant evidence	Student Investigation and Resolution Team
Conduct Officer(s) carries out an initial investigation	15 working days from referral	Conduct Officer(s)
Conduct Officer invites reported student to Conduct Interview	15 working days from referral. At least 5 working days' notice given	Conduct Officer
Outcome Letter or referral to University Conduct Committee	25 working days from Referral and within 5 days from conduct interview	Conduct Officer
University Conduct Committee	20 working days from the Conduct Officer referral	Student Investigation and Resolution Team
University Conduct Committee Outcome Letter	5 working days from University Conduct Committee	Student Investigation and Resolution Team
Student Request to Progress to Appeal Committee	10 working days from Outcome Letter from the Conduct Officer or University Conduct Committee	Reported student
Acknowledgement of Request to Progress to Appeal Committee	5 working days from reported student Request	Student Investigation and Resolution Team
Response to Request to Progress to Appeal Committee	10 working days from reported student request	Student Investigation and Resolution Team
Request for review of decision	10 working days from date of the decision not to allow an appeal	Reported student
Academic Registrar review outcome	10 working days from receipt of student request for review of decision not to allow an appeal	Academic Registrar
Appeal Committee	20 working days from decision to allow reported student request to go to Appeal Committee	Student Investigation and Resolution Team
Appeal Committee (Completion of Procedures)	5 working days from Appeal Committee	Student Investigation and Resolution Team

Appendix D - Procedure Flow Diagram

