

**Credit Framework for Taught Courses of Study
Information for Students, Teachers and Examiners**

Annex 10: Academic Misconduct: Principles and Procedures

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Note: Where the text states ‘School’ this should be understood to refer to ‘School’ or ‘Department’ at the sub-divisional level, as appropriate.

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1. Introduction

- 1.1 The procedures set out in this Annex apply to all forms of academic misconduct, to registered students and graduates of the University (see section 15 below), and to the students and graduates of the University's Validated Institutions and Partner Colleges.
- 1.2 Students have a responsibility to act with honesty, integrity and fairness in completing assessment requirements in relation to their course of study. Such academic integrity plays a positive role in student development both during study and when moving into employment.
 - 1.2.1 In demonstrating these positive behaviours, students should take note of the concepts of [good academic practice and academic integrity](#).
- 1.3 Where breaches of academic integrity occur this is considered to be academic misconduct. Allegations of academic misconduct are dealt with in accordance with the procedures below. These procedures apply to students studying on both taught and research courses of study.
 - 1.3.1 Some examples of the most common forms of academic misconduct are given at section 2.2 below. This list is not intended to be exhaustive.
- 1.4 The University's Validated Institutions, Partner Colleges and other specified partner providers (see the Code of Practice: [Annex P](#)) are required to follow the principles and procedures outlined in this Annex when dealing with any allegations of academic misconduct. Where referrals to non-academic discipline procedures are required, the non-academic discipline procedures of the partner institution should be followed. Appeals against decisions of Academic Misconduct Committees should be referred by the partner to the University.
- 1.5 Penalties may be applied singly or in combination where a student has previously committed an offence. Please note that where penalties are combined, Academic Misconduct Committees should ensure that these combinations do not impede student progression.

2. General Regulation V.3: Academic Misconduct

- 2.1 Regulation V.3 of the [General Regulations for Students](#), which apply to both taught and research students, states that "Students are required to act with honesty and integrity in fulfilling requirements in relation to assessment of their academic progress." This document sets out the procedures for investigating alleged breaches of General Regulation V.3.

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2.2 Examples of Academic Misconduct

The following are some illustrative examples of academic misconduct which will be regarded as a breach of this regulation (again, the list is not exhaustive):

- 2.2.1 **Plagiarism:** reproducing in any work submitted for assessment or review (for example, examination answers, essays, project reports, presentations, dissertations or theses) any material derived from work authored by another without clearly acknowledging the source. Presenting work copied directly from another student without their knowledge.
- 2.2.2 **Duplication of material (self-plagiarism):** reproducing without acknowledgement in any submitted work any material used by that student in other work for assessment, either at this University or elsewhere¹.
- 2.2.3 **Collusion:** conspiring with others to reproduce the work of others², including knowingly permitting work to be copied by another student. Collusion is distinct from contract cheating as it does not depend on a payment or payment in kind being made for the work.
- 2.2.4 **Contract Cheating:** where a student (or a number of students collectively) pay a third party for services that result in the submission of work for assessment that is, either wholly or in part, not the student's own work. The payment may be financial or involve payments in kind. Where no payment is made the alleged offence should be treated as the offences of **plagiarism, collusion or impersonation**, as appropriate and as set out above.
- 2.2.5 **Fabrication:** the falsification of data, evidence, quotations, citations or other information in any assessed work.
- 2.2.6 **Impersonation:** allowing an individual or individuals to impersonate the student in an examination or other assessment event/activity.
- 2.2.7 **Failure to obtain Ethical/Research Approval:** the failure to obtain ethical approval where there is a requirement to do so. Carrying out research without appropriate permission.
- 2.2.8 **Misconduct in examinations and In-Course Tests:** including the use of unauthorised materials, mobile phones and other prohibited electronic devices, obtaining or offering improper assistance to another candidate.

¹ Unless expressly permitted by the assessment criteria.

² Unless assessment criteria explicitly permit the submission of jointly authored or collaborative work.

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- 2.2.9 **Attempting to influence a member of staff:** seeking to gain an advantage with regard to work submitted for assessment by offering an examiner or teacher any inducement to treat that work more favourably than the work itself merits. This could also include an attempt to induce a professional service staff member to alter a mark or mark(s) for a more favourable outcome.³
- 2.2.10 The examples of academic misconduct set out at 2.2.1 to 2.2.5 above are most likely to be evidenced in assessed coursework and so the investigatory and reporting procedures will normally be routed through the marker of the assessment and the module convenor.
- 2.2.11 The procedures for the forms of academic misconduct given at 2.2.6 to 2.2.9 allow for any such alleged breaches to be investigated and reported to the Chair of the Academic Misconduct Committee by other relevant members of staff.

3. Principles

The following principles underpin the University's approach to cases of alleged academic misconduct and should be observed at all times:

- 3.1 **Student Induction, Guidance and Support** – Divisions will provide students with information regarding academic integrity and students will be given access to an online Academic Integrity Module during their first term of study.
- 3.2 **Independent Advice** - students are able to access advice and guidance in relation to any allegation of academic misconduct via [Kent Union/GK Union](#) as applicable.
- 3.3 **Confidentiality** – appropriate levels of confidentiality will be maintained throughout academic misconduct procedures. Data related to academic misconduct procedures will be kept in line with the University's [Documentation Retention and Archiving Policy](#).⁴
- 3.4 **Timeliness** – Allegations of academic misconduct will be dealt with in a timely manner, and without any undue delay. The University will aim to complete the

³ The University has established an [Anti-Bribery and Corruption Policy](#) which applies to the full range of the University's activities, both in the UK and overseas.

⁴ This policy sets out approved document retention periods in order that Kent may meet its obligations to students; comply with quality assurance requirements; reduce burdens on space and storage; and comply with data protection legislation by not retaining documentation longer than is justifiably necessary.

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investigation and the formal process of considering an allegation within 40 working days and hear any appeal within 15 working days of the appeal being lodged. Students will be kept informed of progress of any claim of academic misconduct against them.

- 3.5 **Strict Liability** – all types of academic misconduct are considered under the principle of strict liability. This means that whether a student intended to commit an academic misconduct offence or not, is not of relevance.
- 3.6 **Balance of Probabilities** – the standard of proof used for academic misconduct is the balance of probabilities. This means that decisions on allegations of academic misconduct will be based on whether the Chair of/ the Academic Misconduct Committee believes, given the information available, it is more likely that the allegation is true, or untrue.
- 3.7 **Staff Training** – Members of Committees who consider academic misconduct allegations will be given appropriate training by the Quality Assurance and Compliance Office.

4. Academic Misconduct Committees

- 4.1 Each Division will establish one or more Academic Misconduct Committee(s) to consider cases of alleged academic misconduct. Committees shall consist of three academic members of the Division, one of whom shall be appointed as Chair, and one student representative to be nominated by Kent Union.
 - 4.1.1 The student representative will be a full, decision-making member of the Committee and will participate in meetings convened for the purpose of hearing a case under the procedures set out in section 7 of this Annex. Where a student representative attends a hearing as a panel member, it will not be their role to provide guidance or support to those students whose work or behaviour is the subject of the allegations under review. Where such support is required it must be supplied by an individual who is not a panel member.
 - 4.1.2 Each Committee will have a Secretary appointed from within the Division, who shall ensure that appropriate records are kept of all academic misconduct allegations and their outcomes.
- 4.2 Academic Misconduct Committees will consider such cases of alleged academic misconduct as are referred to it by the Chair. These cases will fall into one of two categories, either:
 - (a) Alleged minor offences for which the findings and penalty proposed by the Chair are contested by the student(s) concerned; or

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(b) Alleged significant or serious offences.

The procedures for the operation of the Academic Misconduct Committee can be found below at section 7.

- 4.3 It is recognised that Divisions will organise the chairing of Committee(s) in line with their own requirements (e.g. some Divisions may have one Chair for each committee, whereas others may have a single Chair who acts in this capacity for each of their committees). Whatever the configuration the following principles must be observed:
- i. All committees must operate under the procedures detailed in this Annex.
 - ii. Divisions should take steps to ensure that there is consistency between its committees, through continuous monitoring and review of decisions made.
 - iii. For the avoidance of doubt, neither the member(s) of staff raising the allegation of academic misconduct, nor any other staff member involved in the informal investigation of an allegation of misconduct, may be part of the Academic Misconduct Committee convened to consider the case in which they have already participated in such a fashion.

5. Chair of the Academic Misconduct Committee

The role of the Chair of the Academic Misconduct Committee will be as follows:

- (a) To promote the value of acting with honesty and integrity in all matters to do with assessment to the students in the Division;
- (b) To assess allegations of academic misconduct made against relevant students in the Division and consider the evidence presented with a view to determining if there is a case to be considered;
- (c) To dismiss allegations where these are considered to be unfounded on the basis of the evidence presented;
- (d) Where, on the basis of the evidence presented, a case is found, to determine whether the allegations indicate that a minor offence or a significant or serious offence has been committed (see section 6.3.3 for criteria for determining if an offence might be judged as minor);
- (e) Where the alleged offence is considered to be minor, to propose the allocation of an appropriate penalty proportionate to the offence (see Appendix A for more information on penalties);

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- (f) Where the findings or proposed penalty for a minor offence are contested by the student, to convene a meeting of the Academic Misconduct Committee to hear the case;
- (g) Where the case constitutes one of a number of contemporaneous alleged breaches by the student, to refer the case(s) to the Academic Misconduct Committee;
- (h) Where the alleged offence is considered to be significant or serious, to convene a meeting of the Academic Misconduct Committee to hear the case;
- (i) To chair meetings of the Academic Misconduct Committee convened in accordance with the procedures set out in this Annex;
- (j) To review annually the management of cases, the conduct of hearings and the allocation of penalties, with a view to ensuring consistency of practice in the Division;
- (k) To contribute to any University review of these practices and procedures.

6. Procedures for Considering Allegations of Academic Misconduct

6.1 The procedures for considering allegations of academic misconduct will consist of the following stages, as necessary:

- (a) An **informal investigation stage**, which will seek to establish if there is a case to be considered; on the basis of the available evidence the Chair of the Academic Misconduct Committee will determine whether the case should be dismissed or should proceed to the formal stage.
- (b) A **formal stage**, where necessary, in which the student is informed of the investigation; as relevant to the case, the Chair of the Academic Misconduct Committee determines whether (i) a penalty be proposed or (ii) the matter be referred to a hearing;
- (c) A **hearing stage**, as necessary, in which the student may contest the allegation and the proposed penalty before it is recorded and applied;
- (d) An **appeal stage**: students are entitled to submit an appeal against the decisions of the Chairs/Academic Misconduct Committees, in line with the grounds for appeal set out in section 9 below.

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6.2 Informal Investigation Stage

6.2.1 Overview

The informal stage commences when a member of staff suspects that a case of academic misconduct has occurred and so initiates a preliminary investigation.

Where the suspected offence involves a piece of assessed coursework or non-invigilated examination or test, the initial investigation will be undertaken usually by the marker (or other member of staff raising the concern), who, on the basis of the evidence gathered, may elect either to dismiss the case or to refer it to the Chair of the Academic Misconduct Committee for review.

Where the suspected offence takes one of the other forms of academic misconduct, such as an examination hall offence, the initial investigation will be undertaken by the most appropriate member of University staff and be reported directly to the Chair of the Academic Misconduct Committee in the relevant Division (see 2.2.10 above).

The following procedures will apply at the informal investigation stage:

6.2.2 Coursework Assessment/Non-invigilated Remote Examination or Test

- a. Where a marker suspects a case of academic misconduct has occurred, an initial investigation of the evidence will be carried out;
- b. Should the marker or other investigating staff member determine that the allegation is without foundation, they will dismiss the case and no further action shall be taken;
- c. Where the marker or other investigating staff member considers that there is a case to answer, it will be referred to the Chair of the Academic Misconduct Committee for formal consideration.
 - i. The relevant section of the Academic Misconduct Referral Form should be completed and forwarded to both the Chair and the Secretary to the Academic Misconduct Committee. The form will state the nature of the allegation and reasons for referral. Evidence relating to the allegation will be provided with the form.
 - ii. The student should be informed that their assessment is the subject of an allegation and the reason for referral. This should make clear that at this point it is an initial investigation and does not mean that

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the allegation will necessarily be confirmed. A template letter is provided for this purpose⁵.

- iii. Where the Chair considers after investigation that the allegation requires no further action they shall so inform the Module Convenor and no further action shall be taken. The Secretary of the Academic Misconduct Committee will write to the student to inform them that there will be no action in respect of the allegation. A template letter is provided for this purpose⁶.
- iv. The Chair will complete the relevant section of the Academic Misconduct Referral Form, outlining the reasons why no action will be taken. This form will be provided to the Secretary of the Academic Misconduct Committee who will hold a record of the investigation and outcome in order only that a record of the proceedings is retained. No reference to a case so dismissed will be held on the student's permanent record.

6.2.3 Other Offences

- a. Where a case of academic misconduct is suspected the member of staff involved will refer the matter and any available evidence direct to the Chair of the relevant Academic Misconduct Committee in the Division in which the student is registered for their consideration;
- b. Where the suspected offence occurs in an examination hall, the CSAO will ensure that the University's procedures for invigilation are followed and that the incident report forms are forwarded to the Chair of the relevant Academic Misconduct Committee in the Division in which the student is registered for their consideration.

6.3 Formal Stage: A Case to Answer

6.3.1 First Offences (UG Stages 0 -1), Minor Offences, Significant Offences and Serious Offences

Where as a result of the informal investigation the Chair considers that the evidence indicates there is a case to answer, they will determine if the alleged breach should be regarded as constituting a minor, a significant or a more serious offence. In reaching this determination, the Chair will take into account such factors as the following:

⁵ Template to follow

⁶ Template to follow

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- The contribution to the overall mark for a module made by the piece of work in which the instance of alleged misconduct has been identified;
- For plagiarism or self-plagiarism, the proportion of the piece of work that is plagiarised;
- Whether the student is already in receipt of a formal warning letter for academic misconduct;
- The number of previous or contemporaneous offences, if any, with any instances of repeat offending normally to be regarded as constituting a significant or more serious offence;
- Evidence of intent to deceive, with any such evidence normally to be regarded as requiring the treatment of the case as per a significant or more serious offence.

In determining the severity of an offence, and its associated Penalty Category, the Chair can also consult the indicative Exemplar Offences and Penalties provided in [Appendix A](#) of this Annex.

6.3.2 First Offence: Plagiarism/Self-Plagiarism – UG Stage 0/Stage 1

The University acknowledges that at the start of a student's career, plagiarism may be inadvertent and a result of inexperience or poor academic practice. In recognition of this fact, the following procedures have been developed to manage first offences of plagiarism or self-plagiarism.

- i. Where a first offence of plagiarism/self-plagiarism is suspected in a piece of coursework submitted by a stage 0/1 undergraduate student and is referred by a marker to the Chair of the Academic Misconduct Committee for consideration, discretion is afforded the Chair to treat the case as warranting at most an unpenalised resubmission for the piece of work in question and a referral for academic support, provided that:
 - The Chair is satisfied that the incidence of plagiarism is a result of poor academic practice;
 - There is, therefore, no evidence of any intent to deceive;
 - The piece of work constitutes the first such incidence of inadvertent plagiarism or self-plagiarism for that student. A student who has benefited from this discretion in Stage 0 may not benefit from it again in Stage 1.
- ii. Where the Chair determines that the work concerned constitutes an instance of inadvertent plagiarism or self-plagiarism, the student will be informed of this in writing, along with the proposed penalty. In such

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cases the Chair, in consultation with the marker, will determine if a mark may be returned for the piece of work based on the portion which is not plagiarised or whether the student should be permitted to re-submit the piece of work without penalty by an agreed deadline. Where, subsequent to the discounting of the plagiarised portion, the mark awarded is lower than the pass mark, the student may be given the opportunity to resubmit the work where it is considered appropriate to do so, by an agreed deadline for an uncapped mark.

- iii. Students will not be issued with a formal warning letter where such inadvertent breaches are upheld.
- iv. This opportunity to resubmit in term time prior to the next available resubmission opportunity only applies to first offence plagiarism cases over Stages 0 and 1.
- v. A record of the outcome will be kept by the Secretary to the Academic Misconduct Committee. This record will be deleted when the student progresses from Stage 1. Such cases will not be regarded as constituting a breach of academic misconduct and will not be recorded on the student's transcript or academic reference.
- vi. Where the student elects to contest the allegation of inadvertent plagiarism or self-plagiarism, the matter will be considered remitted for consideration by the Academic Misconduct Committee under the procedures set out at the formal stage for the conduct of Minor Offences at sections 6.3.3.1 – 6.3.3.9 below.
- vii. Academic Practice Referral - a referral for further guidance on Academic Practice will be made for the student, in the cases of minor offences (Penalty Categories A to B, as per [Appendix B](#) of Annex 10).
- viii. While the application of this First Offence procedure is normally limited to students at Stages 0-1 in their UG studies, the Chair of the Academic Misconduct Committee may at their discretion apply it to short-term of direct-entry students at other initial stages of their UG registration at the University. This procedure may not be applied to PGT students.
- ix. Exceptionally, at the exclusive discretion of the Chair of the Academic Misconduct Committee, *a second instance of inadvertent plagiarism or plagiarism committed by a student in Stage 0 may be considered under this procedure, provided that:
 - The Chair is satisfied that the second incidence is a result of poor academic practice;

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- There is, therefore, no evidence of any intent to deceive;
- There is evidence that the student had attempted to engage with the Academic Practice Referral made as a result of the initial offence but, despite their efforts, was unable to benefit from the guidance provided.

Where the Chair of the Academic Misconduct Committee decides it would be appropriate to consider a second instance of poor academic practice by a Stage 0 student under the 'First Offence' procedure, the full set of provisions available under clause 6.3.4 will apply.

Note: For the avoidance of doubt, a second instance in this context is defined as any second instance of *either* inadvertent plagiarism or self-plagiarism that occurs after the student was found to have committed an initial offence of either type. For example, an offence of inadvertent self-plagiarism that takes place after an initial offence of inadvertent plagiarism would be considered as a second offence.

6.3.3 Minor Offences

- 6.3.3.1 Where the Chair determines on the basis of the available evidence that the case should be treated as per a minor offence they will propose a penalty from those available in [Appendix B](#) (normally penalty categories A to B).
- 6.3.3.2 The Secretary to the Academic Misconduct Committee will write to the student and set out the details of the allegation, the nature of the evidence, the proposed penalty and state that the proposed penalty will be automatically applied should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline (normally 10 working days, though this may be a shorter period if this is necessary to ensure that the outcome can be made available to a meeting of the Board of Examiners).
- 6.3.3.3 Should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline of 10 working days the penalty will be applied automatically and a formal warning letter issued (other than with respect to first cases of inadvertent plagiarism or self-plagiarism at UG Stages 0/1: see section 6.2.3). The Secretary will inform the Chair of the relevant Board of Examiners of the decision. Students may appeal against this outcome in line with the grounds set out at section 9 below.

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- 6.3.3.4 Should the student contest the allegation and/or the proposed penalty, the Chair will refer the case to the Academic Misconduct Committee. The student will be invited to submit representations in writing. A hearing in person will be convened where the Chair considers that there are sound reasons for doing so.
- 6.3.3.5 Following consideration by the Academic Misconduct Committee, the Secretary will inform the student of the outcome of their case, including whether the original outcome has been upheld, or a new outcome reached.
- Note: The procedures for the conduct of the Academic Misconduct Committee are set out at section 7.
- 6.3.3.6 The Secretary will inform the Chair of the relevant Board of Examiners of the decision of the Academic Misconduct Committee for its information. Boards of Examiners will accept the decision of the Academic Misconduct Committee and may not reopen the case or vary the penalty prescribed.
- 6.3.3.7 In receiving the outcome of the Academic Misconduct Committee, the student shall be informed of their right to appeal as per the procedure referenced in section 9.
- 6.3.3.8 The final outcome for the allegation of academic misconduct will be recorded on the Academic Misconduct Referral Form. The form shall be held on file by the Secretary to the Academic Misconduct Committee.
- 6.3.3.9 Understanding and Avoiding Plagiarism module - there is a requirement for the module to be completed for all acts of minor academic misconduct where a penalty has been applied.⁷

6.3.4 Significant Offences

- 6.3.4.1 Where the Chair determines on the basis of the available evidence that the case should be treated as per a **significant** offence they will propose a penalty from those available in Appendix B (normally penalty category C).
- 6.3.4.2 Where the case is treated as significant, the Secretary to the Academic Misconduct Committee will write to the student and set out the details of the allegation, the nature of the evidence, the proposed penalty and state that the proposed penalty will be automatically applied should the student either

⁷ The exceptions to this are where a student has had their studies terminated, or where a claim of academic misconduct is being considered against a graduate.

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decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline (normally 10 working days, though this may be a shorter period if this is necessary to ensure that the outcome can be made available to a meeting of the Board of Examiners).

- 6.3.4.3 Should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline of 10 working days the penalty will be applied automatically. The Secretary will inform the Chair of the relevant Board of Examiners of the decision. Students may appeal against this outcome in line with the grounds set out at section 9 below.
- 6.3.4.4 Should the student contest the allegation and/or the proposed penalty, the Chair will refer the case to the Academic Misconduct Committee. The student will be invited to submit representations in writing. A hearing in person will be convened where the Chair considers that there are sound reasons for doing so.
- 6.3.4.5 Where a student has previously received a penalty for a significant breach of academic misconduct, this should be considered as a repeat offence, and a meeting of the Academic Misconduct Committee should be convened.

6.3.5 Serious (including repeat) Offences

- 6.3.5.1 Where the Chair of the Academic Misconduct Committee determines on the basis of the available evidence that the case should be treated as an alleged **serious** offence they will ask the Secretary to convene the Academic Misconduct Committee to hear the case. A penalty should be imposed from those available in [Appendix B](#) (normally, penalty categories D-E);
- 6.3.5.2 The Secretary will inform the student of the outcome of their case.
- 6.3.5.3 The Secretary will inform the Chair of the relevant Board of Examiners of the decision of the Academic Misconduct Committee for its information. Boards of Examiners will accept the decision of the Academic Misconduct Committee and may not reopen the case or vary the penalty prescribed.
- 6.3.5.4 In receiving the outcome of the Academic Misconduct Committee, the student will be informed of their right to appeal as per section 9 below.
- 6.3.5.5 The final outcome for the allegation of academic misconduct will be recorded on the Academic Misconduct Referral Form. The form shall be held on file by the Secretary to the Academic Misconduct Committee.

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- 6.3.5.6 Understanding and Avoiding Plagiarism module – Other than where a student’s registration is terminated there is a requirement for the module to be completed for acts of academic misconduct where a penalty has been applied for a significant or serious offence.⁸

7. Procedures for Academic Misconduct Committees

- 7.1 The following procedures should be observed in operating Academic Misconduct Committees.
- 7.1.1 The student shall be informed by the Secretary of the date on which the Academic Misconduct Committee will consider the case.
- 7.1.2 Students will be informed that they may submit evidence to the Committee in writing or, where the Chair considers a hearing in person appropriate, during the hearing.
- 7.1.3 Where the evidence suggests that the case will be complex or that the outcome might potentially lead to serious consequences for the student (i.e. category E penalties such as Termination of Studies), it would be appropriate for the Chair to indicate that a hearing in person will be staged. Students will be informed by the Secretary that the case will proceed via a hearing and for these reasons.
- 7.1.4 Except where the Chair decides that evidence provided by either party should be confidential to the Committee, students and Committee members will each be provided with copies of the written evidence submitted by the other and, where a hearing in person is held, they will both be permitted to hear the other's evidence.
- 7.1.5 Where a student attends a hearing of the Academic Misconduct Committee, they may be accompanied by a member of staff or a student of the University or a member of staff of the Students' Union or a relative. Where a student representative attends a hearing as a panel member, it will not be their role to provide guidance or support to those students whose work or behaviour is the subject of the allegations under review. Where such support is required it must be supplied by an individual who is not a panel member.
- 7.1.6 Hearings are not legal proceedings and a student may not normally be accompanied by a legal representative, even if the legal representative is a

⁸ The exceptions to this are where a student has had their studies terminated, or where a claim of academic misconduct is being considered against a graduate.

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member of staff or a student of the University or a member of staff of the Students' Union or a relative. However, in complex disciplinary cases, or cases where the outcome can potentially lead to a serious consequence, (i.e. category E penalties such as Termination of Studies) students are permitted to have legal representation.

- 7.1.7 Students must give the Chair of the Academic Misconduct Committee advance notice where they intend to use legal representation, so that the University can support the Academic Misconduct Committee in obtaining its own legal advice/support.
- 7.1.8 Where legal representation is required by both parties, the date of the Academic Misconduct Committee hearing may need to be amended, taking into account that the consideration of allegations should be completed within 40 working days (see section 3.4).
- 7.1.9 Where a student does not attend an Academic Misconduct Committee hearing on the scheduled date without good reason, they will have no further right of redress within the University's appeals procedures.
- 7.1.10 Where non-attendance is found to be for good reason, the Chair will reconvene the Committee at a later date, taking into account that the consideration of allegations should be completed within 40 working days (see section 3.4).
- 7.1.11 The Chair shall have the right to decide that evidence submitted in person or in writing should be ignored by the Committee on the grounds that it is irrelevant or inappropriate and shall give reasons for doing so.
- 7.1.12 The Secretary shall be responsible for ensuring that a confidential record is kept of all cases. The University is obliged to release details relating to academic discipline offences if these are explicitly requested by prospective employers as part of an academic reference or where disclosure is an obligatory professional requirement.

8. Other Matters to Note

- 8.1 Formal Written Warning – a formal warning letter will be sent to all students where it is found that academic misconduct has taken place, regardless of the severity of the offence (other than with respect to first cases of inadvertent plagiarism or self-plagiarism at Stages 0/1: See section 6.3.4).
- 8.2 Academic Practice Referral - a referral for further guidance on Academic Practice will be made for students in the cases of minor offences (Penalty Categories A to B, as per Appendix B of Annex 10).

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- 8.3 Understanding and Avoiding Plagiarism module - there is a requirement for the module to be completed for all acts of academic misconduct where a penalty has been applied⁹.
- 8.4 First and Subsequent Offences - students must receive a formal warning letter for a first offence, prior to a second offence being established. (Other than with respect to first cases of inadvertent plagiarism or self-plagiarism at UG Stages 0/1: See section 6.3.4). This is to recognise that students may submit multiple assessments at the same time, where the same academic integrity issues arise. In such cases it would be inappropriate to establish a second offence prior to academic integrity training having been completed.
- 8.5 Re-assessment - where, as a result of academic misconduct, a piece of work is failed (i.e. a plagiarised piece of work has its mark reduced to '0') resulting in the failure of a module, any re-submission of that work will count as one of a student's two automatic referral opportunities (as per the [Credit Framework](#), section 7).
- 8.6 'Ownership' of cases - Cases of alleged academic misconduct will be managed within the student's 'home' Division except as where set out below at 8.7 – 8.8:
- 8.6.1 Where a case of academic misconduct is alleged with regard to a module delivered outside of a student's 'home' Division, the marker or other most appropriate staff member shall conduct the informal investigation stage of the academic misconduct procedures.
- 8.6.2 Cases will be then referred to the Chair of the relevant Academic Misconduct Committee in the student's 'home' Division, for the formal stage of the academic misconduct procedures to be completed.
- 8.6.3 Module Convenors cannot amend a decision made by the Chair or the Academic Misconduct Committee of the student's 'home' Division.
- 8.7 Contract Cheating - The Quality Assurance Agency (QAA) defines Contract Cheating as a form of cheating where a student submits work to a higher education provider for assessment, where they have used one or more of a range of services provided by a third party, and such input is not permitted.
- 8.7.1 The contract with the student can include payment or other favours, but this is not always the case.

⁹ The exceptions to this are where a student has had their studies terminated, or where a claim of academic misconduct is being considered against a graduate.

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- 8.7.2 'Services' may include essays or other types of assignments, conducting research, impersonation in exams and other forms of unfair assistance for completing assessed work.
- 8.7.3 'Third parties' include web-based companies or auction sites (essay mills), sharing websites (including essay banks), or an individual such as a lecturer, colleague, friend or relative.
- 8.7.4 'Input' means that the third party makes a contribution to the work of the student, such that there is reasonable doubt as to whose work the assessment represents."¹⁰
- 8.7.5 The University takes Contract Cheating in any form extremely seriously, and as such any proven case of academic misconduct which involves Contract Cheating will result in one of the severest levels of penalty available being applied, including termination of studies with no award.

9. Appeals

- 9.1 Students wishing to appeal against the decisions of Chairs of Academic Misconduct Committees, may do so on the following grounds:
- Where there are reasonable grounds, supported by objective evidence, to believe that there has been an administrative, procedural or clerical error of such a nature as to have affected the recommendation of the Committee; and/or;
 - That fresh evidence can be presented, which could not reasonably have been made available before the decision was made, and which casts reasonable doubt on the reliability of the decision; and/or
 - that the outcome and/or penalty were unreasonable or not justified given the evidence which was available at the time; and/or
 - Where there is evidence of prejudice or bias or the reasonable perception of prejudice or bias against the student.
- 9.2 Appeals on these grounds must be submitted and conducted in line with the procedures set out in [Annex 13](#) of the Credit Framework.

¹⁰ [Contracting to Cheat in Higher Education - How to Address Contract Cheating, the use of Third-party Services and Essay Mills](#), QAA, 2017 (last accessed 30 January 2020)

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10. Revocation of Awards

- 10.1 The University reserves the right to investigate an allegation of academic misconduct made following a student receiving their award. In such cases, the University will investigate the allegation under the procedures above to determine what action should be taken.
- 10.2 If, on completion of the above procedures, sufficient evidence exists to confirm academic misconduct has taken place, the University will apply an appropriate sanction from its list of Academic Misconduct Penalties ([Appendix A](#)). This may include, where applicable, revocation of the relevant University award.