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## Senate Regulation 11: Regulations governing student conduct and discipline

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### Part B: University Regulations on Academic Misconduct

What is 'Academic Misconduct'? Some examples.

11.104 Academic Misconduct refers to any behaviour by a student that may give an unpermitted academic advantage to that student or another student. Examples of such misconduct are detailed below but the University will investigate any conduct that it considers meets the overall definition of academic misconduct:

- Cheating in examinations, including copying from the examination script of another candidate, obtaining improper assistance from another person, taking unauthorised material or a device into an examination.
- Allowing another person to impersonate them in an examination or impersonating another student.
- Plagiarism: submitting written work that contains material copied from the work of another person or using work written by another person, including published work and online sources without appropriate acknowledgement.
- Paying another person to undertake work or buying work from an 'essay mill' or other source.
- Allowing another person to copy their work.
- Falsifying results, data, or references, or falsely claiming to have carried out experiments, interviews, or other forms of research.
- Pretending ownership of someone else's ideas.
- Self-plagiarism: submitting for assessment work that has previously been submitted for another assessment and which has been awarded credit.
- Collusion: actively cooperating with other students to jointly produce work where there is a requirement that it be produced independently (collusion).
- Failing to obtain ethical approval when required to do so or failing to comply with conditions of such approval.
- Submitting a false claim for mitigating circumstances, such as where the evidence has been fabricated.

11.105 If students do not demonstrate academic integrity the University will investigate their actions under these Regulations and apply appropriate penalties.

11.106 In some cases, the University will be required to report proven acts of academic misconduct to the relevant accrediting body.

### Procedures for the Investigation and Consideration of Allegations of Academic Misconduct

*What happens if a student's work shows signs of Academic Misconduct?*

11.107 Where an internal examiner suspects plagiarism and/or collusion they will compile the appropriate evidence. Wherever possible this will include the original source(s) that have been used inappropriately. It may also involve a review of other assessed work submitted by the student for evidence of plagiarism or collusion.

11.108 Where an internal examiner (normally the person marking the work) suspects plagiarism and/or collusion

(see above for definitions), they will compile appropriate evidence. Wherever possible, this will include the original source(s) that have been used inappropriately. It may also involve a review of other assessed work submitted by the student for evidence of plagiarism and/or collusion.

- 11.109 The internal examiner will submit a report with supporting evidence to the School's Plagiarism Officer, who may request further information from the internal examiner or other members of staff in relation to the case.
- 11.110 If, having reviewed the evidence, the Plagiarism Officer determines that there is no case to answer they will dismiss the case.
- 11.111 If the Plagiarism Officer determines that there may be a case to answer they will write to the student, presenting the evidence and providing them with an opportunity to make a written response to the allegation.
- 11.112 Students may submit any mitigating factors, along with supporting evidence, that they consider the Plagiarism Officer should be aware of before reaching a decision.
- 11.113 A deadline will be set for the student's response, which will be not less than five working days from the date of notification of this request by the Plagiarism Officer.
- 11.114 In determining whether factors that mitigate the allegation of plagiarism are established by the student, it is noted that guidance on academic integrity is provided by Schools to all students and ignorance of the rules of academic writing and integrity will therefore not provide a defence to an allegation of plagiarism.
- 11.115 Circumstances that can provide valid mitigation for an allegation of plagiarism will be exceptional.
- 11.116 When a Plagiarism Officer writes to a student to present them with the evidence, they may also require the student to attend a meeting to discuss the allegations in addition to providing a written submission.
- 11.117 Where such a meeting is required, the student will normally be given at least five working days' written notice.
- 11.118 The Plagiarism Officer may request that the internal examiner who reported the alleged plagiarism/collusion attends the meeting with the student.
- 11.119 The student may be accompanied to the meeting by a friend or representative, who may not be a qualified member of the legal profession.
- 11.120 A member of staff may also be present to take notes at the meeting and make a record of the meeting which will be made available to the student on request.
- 11.121 If, having been given due notice, a student does not submit a response to the allegations and/or fails to attend the meeting, the Plagiarism Officer may proceed to determine an outcome to the case without offering further opportunity to the student to make representations.
- 11.122 Having reviewed the evidence and the response (if any) received from the student, the Plagiarism Officer will determine one of the following in respect of the allegation:
- there is no case to answer and dismiss the case;
  - that plagiarism or collusion have not been proven, but that there is evidence of Poor Academic Practice as defined in the table in paragraph 11.136 and the student should receive a warning and be directed to academic support within the School and required to undertake the University's on-line plagiarism tutorial;
  - that there is evidence of plagiarism or collusion, and impose a sanction as permitted under these regulations;
  - either that there is evidence of plagiarism or collusion for which a Plagiarism Officer cannot impose an appropriate sanction under these regulations or the case is too complex to resolve

without a full hearing and refer the matter for consideration by a Student Discipline Panel.

- 11.123 In exceptional circumstances where a Plagiarism Officer concludes that relevant mitigating circumstances have been submitted, they will determine the most appropriate sanction and may reduce the severity of the sanction that would otherwise be applied to take account of the mitigating circumstances.
- 11.124 In determining whether circumstances are relevant the Plagiarism Officer will consider whether the circumstances have previously been disclosed in a timely manner.
- 11.125 The Plagiarism Officer will notify the student of the outcome of the case, including reasons for their decision, normally within 10 days of the deadline for the student's written response.
- 11.126 If a Plagiarism Officer determines that the student has committed Poor Academic Practice they should be directed to sources of further training and advice.

#### Sanctions for plagiarism/collusion at School level

*If plagiarism or collusion has been identified in a student's work, what happens next?*

- 11.127 The evaluation of individual cases is the responsibility of the School Plagiarism Officer, who is well-placed to determine the severity of the case in the context of the academic discipline and the nature and scale of the assessment.
- 11.128 In applying the sanctions set out below, the Plagiarism Officer will comply with the principle that the operation of the sanctions for plagiarism must not put a student in a better position than if the assessment in question was not plagiarised but did not merit a pass.
- 11.129 The University has defined four categories of plagiarism and a sanction will be applied for each of these. A lesser category of Poor Academic Practice is also recognised and will not attract a sanction.
- 11.130 If plagiarism is found in an honours level or postgraduate research project or dissertation this will normally be considered category 2 or category 4 plagiarism (depending on the scale of the plagiarism), rather than poor academic practice or category 1 plagiarism.
- 11.131 A category 2 sanction applied to a postgraduate research project or dissertation will result in failure to obtain a master's degree as no master's award can be made with a mark of zero recorded for the research project or dissertation.
- 11.132 In such cases resubmission will not be offered but the Board of Examiners will consider whether an intermediate award of Postgraduate Certificate or Diploma can be awarded based on credit obtained from the taught modules.
- 11.133 Where the plagiarism in the project or dissertation is very serious or a repeat offence this will be considered to be category 4 plagiarism.
- 11.134 Where self-plagiarism is found to have occurred, the extent of the offence will be evaluated using the below categories. Self-plagiarism occurs when a student submits material for assessment which they have previously submitted as part of another assessment exercise and for which they have been awarded credit (NB the resubmission of formative assessment that has received feedback and subsequently been submitted for credit, is not self-plagiarism).

Category	Characteristics	Action
<p>Poor Academic Practice (PAP)</p> <p>First offences occurring in the first semester of a student's course should normally be treated as Poor Academic Practice</p>	<p>This is not a disciplinary offence and does not count as a first offence in the context of the Category 3 plagiarism definition.</p> <p>PAP involves collaboration or poor citation practice where there is evidence that the student did not appreciate the rules of academic writing or where the extent of copied material can be considered so slight that it does not justify disciplinary proceedings or a sanction. The work in question includes (among other characteristics):</p> <ul style="list-style-type: none"> <li>• a limited amount of material or copied text expressing ideas or concepts taken from the work of others in the student's own words but without appropriate citation.</li> <li>• a limited amount of material or copied text which is referenced in the bibliography but is not properly cited.</li> <li>• a limited amount of material or copied text that has been subjected to minor linguistic changes with or without citation.</li> <li>• a limited amount of material or copied text that is cited but not in quotation marks.</li> <li>• limited collaboration between students as evidenced by structure, source or copied text; this includes cases where the written work is original throughout.</li> </ul>	<p>A formal warning but no sanction is issued by the School's Plagiarism Officer and the student is directed to academic support within the department.</p> <p>The student is required to undertake the University's on-line plagiarism tutorial.</p> <p>In cases of poor academic practice, the mark will reflect the academic merit of the work; the mark is likely to be low.</p>

<p>Category 1 plagiarism and/or collusion</p>	<p>The work breaches the rules of academic integrity by presenting the material of others as the student's original material.</p> <p>Category 1 plagiarism includes (among other characteristics):</p> <ul style="list-style-type: none"> <li>• short blocks of material or copied text expressing ideas or concepts taken from the work of others without appropriate citation or copied text that is cited but not in quotation marks.</li> <li>• short blocks of material or copied text which is referenced in the bibliography but is not properly cited</li> <li>• short blocks of material or copied text that have been subjected to minor linguistic changes and presented as the student's own, with or without citation.</li> <li>• short blocks of material or copied text that is cited but not in quotation marks.</li> <li>• collaboration between students as evidenced by structure, sources, or short blocks of copied text, (including copied text subjected to minor linguistic changes) or similar bibliographies. A short block of text may be as small as two continuing lines.</li> <li>• Short blocks of copied code, other computer files or experimental results copied from another student or the work of others from online resources or books without appropriate referencing.</li> </ul>	<p>A mark of zero (0) should be awarded for the assessment in which the plagiarism was found to occur.</p> <p>The module mark is calculated based on the zero mark for the plagiarised assessment. If this results in failure of the module, where resubmission is available, the student may resubmit the assessment for a capped module mark.</p> <p>The cap should be set at the pass mark for the programme.</p>
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<p>Category 2 plagiarism and/or collusion</p>	<p>A Category 2 offence will be committed when the copied material represents a significant proportion of the work.</p> <p>The line between Category 1 and Category 2 offences will be determined by the level of similarity between the work and the source material on a case-by-case basis.</p> <p>Category 2 plagiarism includes (among other characteristics):</p> <ul style="list-style-type: none"> <li>• significant or numerous blocks of material or copied text expressing ideas or concepts taken from the work of others without appropriate citation.</li> <li>• significant or numerous blocks of material or copied text which is referenced in the bibliography but is not properly cited.</li> <li>• significant or numerous blocks of material or copied text that have been subjected to minor linguistic changes and presented as the student's own, with or without citation.</li> <li>• significant or numerous blocks of material or copied text that is cited but not in quotation marks. Significant blocks of text may be as small as several continuing lines</li> <li>• collaboration between students as evidenced by structure, sources, significant or numerous blocks of copied text, (including copied text subjected to minor linguistic changes) or similar bibliographies.</li> <li>• blocks of copied code, other computer files or experimental results copied from another student or the work of others from online resources or books without appropriate referencing.</li> </ul> <p>A Category 2 sanction may be applied where a repeat offence is committed. The Plagiarism Officer should make a judgement concerning the scale and extent of the plagiarism/collusion in the current offence. If both the previous and current offence meet the descriptors of Category 1, then a Category 2 sanction should be applied.</p>	<p>A mark of zero (0) should be awarded for the assessment in which the plagiarism was found to occur.</p> <p>The module mark is calculated based on the zero mark for the plagiarised assessment. If this results in failure of the module, the student should be required to resubmit the assessment to fulfil the learning outcomes and obtain the module credits where this is required for progression purposes. No mark will be awarded.</p> <p>If this sanction does not result in the failure of the module, the module mark obtained for the module should be further reduced by 10% of the maximum available mark.</p>
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<p>Category 3 plagiarism and/or collusion 'repeat offence'</p>	<p>A Category 3 sanction will normally be applied if a Category 1 or 2 sanction has been applied to a student's work on a previous occasion (i.e., a repeat offence).</p> <p>Contemporaneous offences or offences in which a student has had no opportunity to act upon advice arising from an earlier offence due to close submission dates etc. are not treated as repeat offences but may attract PAP, Category 1, or Category 2 penalties in the normal way.</p> <p>The Plagiarism Officer should determine whether the latest instance of plagiarism is Category 1 or Category 2 in the level of severity. The sanction to be applied should then consider the category of sanction of the prior offence.</p>	<p>If both offences are Category 1 then the sanction on the second offence is a Category 2 sanction. If either of the two offences is a Category 2 offence, then the sanction on the second offence is a Category 3 sanction.</p> <p>The Category 3 sanction is as follows:</p> <p>A mark of zero (0) should be awarded for the assessment in which the plagiarism was found to occur.</p> <p>The module mark is calculated based on the zero mark for the plagiarised assessment. If this results in failure of the module, the student should be required to resubmit the assessment to fulfil the learning outcomes and obtain the module credits where this is required for progression purposes. No mark will be awarded.</p> <p>If this sanction does not result in the failure of the module, the module mark obtained for the module should be further reduced by 10% of the maximum available mark.</p> <p>If this sanction does not reduce the degree classification at the end of the programme by one class, the degree class should be reduced by one class.</p> <p>Where reduction in the degree class would result in undergraduate students not obtaining an Honours degree, or in Foundation degree students or postgraduate students failing the programme, their cases should be considered by a disciplinary panel.</p>
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Category 4 plagiarism and/or collusion	<p>A Category 4 offence is the most severe plagiarism where the departmental processes do not provide a sufficient sanction.</p> <p>Examples include purchasing of work, or soliciting to do so, or multiple repeat offences. It may also be appropriate to refer to a disciplinary panel a case which is complex and where the department is unable to establish the facts, for example a case of apparent collusion where the identification of the guilty party cannot be ascertained. A disciplinary panel has the power to impose penalties up to and including expulsion from the University.</p>	Refer to Panel
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### Cases of Exam Misconduct

*How investigations and outcomes of possible academic misconduct in examinations are managed.*

- 11.135 Cases of examination misconduct will be referred to the Academic Registrar or authorised deputy.
- 11.136 For first offences of cheating in an examination the Academic Registrar (or deputy) shall determine whether the circumstances of the incident make the breach of regulation more or less severe and impose one of the penalties at (i) and (ii) below, accordingly. The determination of severity shall be a matter of judgement by the Academic Registrar (or deputy), considering previous decisions.
- 11.137 Either (i) a mark of zero is assigned to the piece of work in question. If this results in failure of the module, where resubmission is available, the student may resubmit the assessment for a capped module mark.
- 11.138 or (ii) a mark of zero is assigned to the piece of work in question and to the associated module; a reassessment may be awarded where permitted under the Regulations for progression purposes only; in modules above level 1, the mark of zero may not be excluded from any calculation for the classification of an award
- 11.139 For a second offence of cheating in an examination, the student will be referred to a Student Discipline Panel.
- 11.140 For other breaches of the examination regulations, the Academic Registrar may impose either of the sanctions at (i) and (ii) above or another sanction appropriate to the offence. Such sanctions may include a reduction in the mark given for the piece of work in question.
- 11.141 The application of penalties resulting from cheating in an examination is not intended to have a disproportionate effect on overall progression and award decisions for individual students. Once penalties set out above have been applied to a module, the following will apply:
- 11.142 When considering a module penalised under 11.138 (ii) at the point of progression, the mark obtained at re-sit should be used to consider whether a student may be allowed to progress. Where a student has committed the offence at re-sit the module should count as failed at the second attempt for progression decisions at that stage, however a further re-sit for progression purposes should be offered where permitted under regulations. The mark of zero will remain on the student's formal record of marks.
- 11.143 When considering the degree classification for a student for whom a sanction under 11.138 (i) has been imposed, the mark of zero shall be considered within the calculation of the credit weighted average. However, where the module has been re-sat for progression purposes and the pass mark reached in that re-assessment, the module will not be considered as failed when calculating the amount of failed credit permitted under the relevant scheme of assessment. The mark of zero will remain on the student's formal record of marks.
- 11.144 In determining penalties, the Authorised Officer/Academic Registrar shall take into account mitigating circumstances relevant to the case submitted by the student. Where an Authorised Officer concludes that

mitigating circumstances are relevant and should be taken into account in determining sanction, a sanction shall be applied according to precedent. In determining whether particular circumstances are relevant, the Authorised Officer will take into account whether the circumstances have previously been disclosed in a timely manner, as required under these Regulations.

#### Discipline Panel Stage

*Who is involved in a Discipline Panel? What happens at a Panel? What are the possible outcomes?*

- 11.145 Student Discipline Panels are appointed from the membership of the Senate Student Discipline Committee and from a wider group of trained academic and professional services staff and representatives of the Students' Union approved by the Committee to act in this capacity.
- 11.146 A Chair will be appointed for each panel from an approved group of Chairs who have been trained to undertake the role in relation to the type of misconduct under consideration.
- 11.147 Each Panel will consist of three members, one of whom will act as Chair, all of whom are impartial and will have undertaken appropriate training. A Students' Union Sabbatical Officer may be a member of the Panel depending on the nature of the case under consideration.
- 11.148 Additional panel members may be appointed at the discretion of the Chair of the Senate Student Discipline Committee according to the nature of the case under consideration and, if necessary, where particular expertise is required.
- 11.149 Students will be notified of their required attendance at a Student Discipline Panel in writing at least five working days before the scheduled date.
- 11.150 The student is required to attend the hearing and it is expected that this will usually be in person, except in cases where the Chair of the Panel has agreed that attendance may take place by alternative means.
- 11.151 If a student does not attend the panel hearing and has not notified the Secretary in advance, the Chair will determine whether based on the evidence available to it, the Panel can proceed and reach a decision in the student's absence, or whether the Panel should adjourn.
- 11.152 Students will be advised that they may be accompanied by a friend or representative at the panel hearing. Student Discipline Panel hearings are internal University proceedings not legal proceedings, students will not normally be permitted to be accompanied by a qualified member of the legal profession.
- 11.153 Students will be advised of the conduct and procedures for the panel meeting in advance. This will include the opportunity to nominate witnesses. It is the decision of the Chair as to whether nominated witnesses should be invited to attend.
- 11.154 On conclusion of the hearing, the Panel will determine in private session whether or not the allegations of misconduct against the student have been proven on the balance of probabilities and, if proven, determine the imposition of any sanctions.
- 11.155 A decision, with reasons, will be notified to the student, in writing normally within five working days of the date of the Panel hearing, along with their right to appeal the decision.

#### Appeals against the outcome of Student Discipline Panels

*What happens if a student disagrees with the decision made by a Panel?*

- 11.156 Students may submit an appeal in writing against the decision of the Plagiarism Officer or Student Discipline Panel within ten working days of the date of notification of its decision. Such appeals should be submitted to the Academic Registrar or nominee.
- 11.157 Students may not appeal against the finding of Poor Academic Practice as this does not constitute a sanction for academic misconduct.
- 11.158 Appeals may be submitted on one or more of the following grounds that:

- there was a procedural irregularity in the consideration of the case by the Plagiarism Officer, or Student Discipline Panel;
- evidence available to the Plagiarism Officer, or Student Discipline Panel was not fully considered;
- there was prejudice or bias in the conduct of the Plagiarism Officer, or Student Discipline Panel;
- the decision was unreasonable;
- the sanction imposed was excessive;
- that there is new material evidence that for good reason was not available for consideration by the Plagiarism Officer, or Student Discipline Panel.

11.159 Appeals will be reviewed by the Academic Registrar or nominee hereby known as the 'designated member' approved by the Senate Student Discipline Committee to determine whether there are eligible grounds for appeal and whether the appeal should be referred for further consideration by a panel and member of the Senate Student Discipline Committee.

11.160 Where eligible grounds for appeal are not determined, the designated member will notify the student that their appeal is not eligible for consideration and will issue notification that this concludes the University's process.

11.161 In such cases, a Completion of Procedures letter will be issued, notifying students of their right to submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA) if their case is eligible under its scheme, within twelve months of the notification.

11.162 Where eligible grounds for appeal are determined, an Appeals Panel may be convened to hear the appeal. In certain circumstances where there is evidence that there was procedural irregularity in the consideration of the case or that the sanction was excessive, the designated member will take action to remedy the procedural irregularity or to reduce the sanction imposed. Provided that there are no further procedural irregularities in this part of the process, there shall be no further right of appeal within the University.

#### Student Discipline Appeals Panel

##### *What happens at an Appeals Panel hearing?*

11.163 An Appeals Panel will be established comprising three members who are impartial, appointed from the Senate Student Discipline Committee.

11.164 Appellants will be notified in writing at least five working days before the date the panel is to be held.

11.165 The appellant and Panel members will receive the same set of documentation relating to the case.

11.166 Appellants will be advised that they are required to attend, but if they do not attend the panel hearing and have not notified the Secretary in advance, the Chair will determine whether based on the evidence available to it the Panel can proceed and reach a decision in the student's absence.

11.167 Appellants will be advised that they may be accompanied by a friend or representative at the panel hearing. Student Discipline Panel hearings are internal University proceedings not legal proceedings, so students will not normally be permitted to be accompanied by a qualified member of the legal profession.

11.168 The Chair may make such adjustments to the procedures they consider reasonable to ensure a fair hearing.

11.169 On conclusion of the hearing, the Student Discipline Appeal Panel will determine in private session whether the appeal is upheld or dismissed in whole or in part and any outcome to be imposed. The decision, with reasons, will be notified to the student in writing normally within five working days of the date of the Panel hearing.

11.170 On conclusion of its consideration of a case a Student Discipline Appeal Panel may determine one of the following outcomes:

- confirm the outcome of the original decision of the Student Discipline Panel;
- revise the sanction imposed to a lower sanction;
- conclude that the original outcome was unsafe and should be overturned and any sanction removed.

11.171 The Student Discipline Appeal Panel outcome concludes the University's process and a Completion of Procedures letter will be issued to students, notifying them of their right to submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA) if it is eligible under its scheme, within twelve months of the notification.

### Sanctions

*What sanctions for academic misconduct can be imposed by a Student Discipline Panel?*

11.172 The sanctions detailed in the table below can be imposed where a student is found to have breached the University's Regulations with respect to academic misconduct where the case has been referred to a Student Discipline Panel.

11.173 In reaching their decision on appropriate sanctions following a determination that the academic misconduct allegations against a student have been proven, the Academic Registrar (or nominee) or Student Discipline Panels will consider the individual circumstances of each case. The following factors and any others considered relevant may be factored into determination of the sanction:

- Scale and extent of the academic misconduct
- Previous offences
- Relevant mitigating factors. The Panel should be satisfied that these are exceptional, that there is good reason why they were not brought to the University's attention at an earlier point and, if appropriate, supported by evidence.

### Potential Sanctions (Academic misconduct)

11.174 The Panel may impose any of the sanctions listed under section Senate Regulation 11.134 instead of or in addition to the sanctions below.

Sanction	Authorised to impose
Reprimand	Head of School or nominee, Academic Registrar, or nominee Student Discipline Panel
Formal Written Warning	Head of School or nominee, Academic Registrar, or nominee Student Discipline Panel
Written Apology to those affected by the misconduct	Head of School or nominee, Academic Registrar, or nominee Student Discipline Panel
Requirement to attend or complete training/personal development/ educational resources	Head of School or nominee, Academic Registrar, or nominee Student Discipline Panel
Requirement to pay for damages	Head of School or nominee, Academic Registrar, or nominee Student Discipline Panel
A fine (£50 - £1000)	Academic Registrar or nominee (up to £250), Student Discipline Panel
Suspension of specific academic and/or non-academic privileges	Academic Registrar or nominee, Student Discipline Panel

Enforcement of No-Contact Order(s) with other named student(s)	Academic Registrar or nominee, Student Discipline Panel
Exclusion from Degree Congregation	Student Discipline Panel
Exclusion from specific buildings/use of facilities for a fixed period	Student Discipline Panel
Suspension from the University for a fixed period	Student Discipline Panel
Permanent exclusion from the University (i.e.,expulsion)	Student Discipline Panel or the Academic Registrar in the case of criminal conviction
Prohibited to re-apply to the University	Student Discipline Panel
Revocation of University award	Senate