
Senate Regulation 11: Regulations governing student conduct and discipline

Introduction (11.1-11.53)

What is Senate Regulation 11?

11.1

These Regulations explain the University's requirements with respect to student conduct and behaviour and the action the University will take when students breach those requirements.

11.2

The University is authorised to implement student disciplinary regulations in accordance with Ordinance 23, which gives Senate the power to suspend, exclude or expel a student or to impose other sanctions as appropriate in accordance with the Student Conduct and Discipline Regulations. Senate also has the authority to revoke an award of the University where there is good cause.

11.3

These Regulations set out what constitutes misconduct and the sanctions the University may apply when, following investigation, students are found to have breached its Regulations.

11.4

These Regulations deal with the following two types of misconduct: (A) non-academic misconduct and (B) academic misconduct

Application of the Regulations - Who do these regulations apply to?

11.5

These Regulations apply to all students who have entered into a contract with the University under the Terms & Conditions of Offer, including students in suspense of studies.

11.6

In certain circumstances, these Regulations may apply to an applicant who has accepted an offer to study at the University or to a student's actions before they registered with the University, where their behaviour would put them in breach of the Regulations.

11.7

The Regulations may also apply to former students of the University, for example, where there is evidence that they obtained an award of the University through fraudulent means. Where major academic misconduct is proven this can lead to an award being revoked.

11.8

If a student withdraws from the University before, during or following investigation into alleged misconduct, the University may commence or continue action under these Regulations.

11.9

If a student sponsored under the University's Tier 4 UKVI license has potentially breached or is found to have breached the Regulations, including before and during the investigation and this brings their

immigration status into question, the matter will be referred to the Academic Registrar or nominee to determine whether the University can continue to sponsor the student.

Fundamental Principles underpinning the Regulations - Why are the regulations important?

11.10

The University is primarily an academic community with the principal functions of learning, teaching, and research. Students are members of this community. They study and sometimes work and live in proximity with one another and with other members (including staff). For this community to function effectively and safely, students are required to comply with the University's prescribed standards of conduct.

11.11

The University is committed to sustaining an inclusive learning, working and research environment characterised by respect and dignity, and free from harassment, bullying, abuse, and discrimination as detailed in the University's Dignity and Respect Policy. This applies to all students and staff of the University.

11.12

The key principles underpinning these Regulations are that:

- the University will act transparently, impartially, promptly, proportionately, and fairly in implementing these Regulations and associated disciplinary procedures (including in respect of any investigation into alleged student misconduct);
- the University will provide support as required to students who report or who are reported for alleged misconduct and signpost or refer to specific external services as appropriate;
- the University will make reasonable adjustments in accordance with the Equality Act 2010 to the disciplinary procedures where required to accommodate the needs of disabled students;
- decisions on whether a student has breached the University's standards of conduct will be determined on the balance of probabilities (that it is more likely than not that the alleged misconduct occurred);
- any sanction imposed following a finding that a student has committed misconduct will be proportionate to the nature and extent of the misconduct;
- University disciplinary processes are internal University processes and distinct from the criminal justice system; University procedures can only determine whether its regulations and requirements have been breached and not whether a criminal offence has taken place;
- these Regulations are not designed to deal with or resolve disputes between individual students but, rather, for the University to deal with individual instances of student misconduct and to regulate student conduct and discipline;
- the University may commence or continue with steps under these Regulations, including an investigation or panel hearing, in the absence of the student (including where they have withdrawn or graduated);
- these Regulations do not apply to allegations of misconduct by staff (or to investigations thereof) which will be dealt with under the University's staff disciplinary procedures;

- the University may reconsider previous allegations and take steps under these Regulations, including an investigation or panel hearing, where new evidence not previously available has become known.
- The University will take reasonably practicable steps to secure Freedom of Speech within the law, under the Higher Education (Freedom of Speech) Act 2023.

Student Code of Conduct - What is expected of students at the University of Leicester?

11.13

The University is committed to sustaining a learning, working and research environment characterised by respect and dignity, and free from harassment, bullying, abuse, and discrimination.

11.14

Students are required to behave with respect and courtesy at all times, as such behaviours demonstrate due regard for the feelings and rights of others, and in turn create an environment where dignity can be preserved and enhanced.

11.15

Students are required to contribute to ensuring that the University of Leicester is a safe, welcoming and productive environment, which operates within a wider community, and where there is equality of opportunity and valuing of diversity, fostered in an environment of mutual respect and dignity.

11.16

Students are required to comply with University and government guidance with respect to measures taken in response to Covid-19.

11.17

Students are required to adhere to these Regulations in relation to expected standards of behaviour as follows:

- The University upholds the right of students to hold and express views that others may find challenging, but will not tolerate abusive behaviour that incites hatred or breaches the law.
- Students are required to adhere to the values of academic integrity and not to engage in forms of academic misconduct, such as plagiarism, collusion, or cheating.
- Students must not engage in any form of sexual misconduct and the University will not tolerate any such misconduct.
- Students must not use language or behave in a way or that is abusive, threatening, or offensive. The University will not tolerate violence, indecency, bullying or harassment in any form.
- Students must respect University property and facilities. The University will not tolerate damage to its assets, or any behaviour that presents a risk to safety on University premises.
- Students must not engage in any criminal or potentially criminal activity. The University will not tolerate theft or fraud, or the possession, supply, or production of controlled substances.

11.18

Detailed examples of misconduct are given in the Regulations on Non-Academic Misconduct (Part A) and Academic Misconduct (Part B).

Confidentiality and Disclosure of Information - Who will be informed about alleged misconduct?

11.19

All information considered during the consideration, investigation and determination of alleged misconduct will be treated with due confidentiality and normally only shared as required with those who are involved in the conduct or management of the matter or for the purposes of providing support.

11.20

The University will, where it is required to do so by law, disclose any information to appropriate authorities, including the police. The University may also decide to disclose information voluntarily, where it determines it appropriate to do so.

Police/Criminal Investigation and Proceedings - Are Police ever involved in an investigation of student misconduct?

11.21

The University may at its discretion refer a matter to the police, taking account of, as relevant and appropriate, the individual circumstances arising in the case (such as the nature, circumstances, and degree of seriousness of the alleged misconduct) and its data protection and confidentiality obligations to relevant individuals.

11.22

The University may at its discretion commence, take, or continue with any step or action under the disciplinary procedures set out in these Regulations (including but not limited to investigation, imposition of a precautionary measure or the holding a disciplinary hearing) notwithstanding any prospective or current police or criminal investigation or proceedings in relation to the matter or the University.

11.23

The University may also at its discretion postpone, suspend, or stay any step or action in light of such investigation or proceedings. The University will consider matters on a case-by-case basis.

11.24

The University may take precautionary measures, where necessary, at any point during or following an investigation, such as suspending or excluding a student or putting in place 'a no-contact order' as a protective measure whilst police or criminal investigations or proceedings are underway.

11.25

If a student is acquitted or convicted of a criminal offence the University may take account of this in dealing with a matter under these Regulations, but it is not bound by the outcome of any police or criminal investigation or proceedings.

11.26

If at the end of criminal proceedings, a student receives a conviction, the student will not have an automatic right to resume their studies. The University may consider the student's right to resume studies without invoking the University Disciplinary procedure and based on an individual case the Academic

Registrar has authority to determine whether expulsion would be an appropriate outcome taking full account of all circumstances.

11.27

In such cases, where a decision is taken to expel, a student will have the right of appeal to the Registrar and Secretary.

Roles and Responsibilities - Who is involved in assessing and deciding on student conduct cases? How are students supported?

11.28

The Senate Student Discipline Committee is responsible for the operation and review of policies and procedures relating to student conduct and discipline and for ensuring that Student Conduct and Discipline Regulations are consistently applied across the University.

11.29

The President and Vice-Chancellor can exclude a student permanently from the University and may delegate such action to the Registrar & Secretary or the Academic Registrar or nominee.

11.30

The Academic Registrar or nominee may determine precautionary measures such as no-contact orders, temporary exclusion orders or temporary suspensions.

11.31

Student Conduct Officers are appointed within the Division of Student and Academic Services to support the discipline process and undertake investigations as required and, in cases of non-major misconduct, may make recommendations to the Academic Registrar or nominee on the imposition of sanctions in accordance with published guidance.

11.32

The Academic Registrar or nominee undertakes the initial consideration of all cases and may impose sanctions for non-major misconduct following investigation and will review and determine the eligibility of appeals against the outcome of a Student Discipline Panel.

11.33

Heads of School and Divisions or their nominees can deal with cases of non-major misconduct in the first instance and if not resolved at this stage, or where not considered appropriate, can decide to refer formally through the student discipline process.

11.34

An Academic Conduct Officer will be appointed for each School by the Head of School. The role of Academic Conduct Officer will be to investigate alleged cases of academic misconduct identified in work submitted for assessment, except invigilated examinations. Where the alleged cheating occurs during invigilated examinations cases will be dealt with by the Examinations team and referred to the Academic Registrar or nominee as appropriate.

11.35

Student Discipline Panels are established by the Senate Student Discipline Committee to consider individual cases of alleged misconduct and recommend sanctions where appropriate.

11.36

Student Discipline Appeals Panels are established by the Senate Student Discipline Committee to consider appeals by students against the outcome of Student Discipline Panels.

11.37

The Cause for Concern Group is the operational group of University services that meets regularly to ensure high-risk student cases are appropriately supported, managed and risk-assessed. The Group undertakes initial risk assessments and makes recommendations to the Academic Registrar or nominee for any precautionary measures that need consideration.

11.38

The Case Management Protocol refers to whenever a supported (disclosing, reporting or reported) student is receiving specific, ongoing support from a member of Student Support Services staff in relation to a particular 'case' or incident. This process begins at the point of disclosure and ends either when the supported student wants it to, or when they cease being a registered student.

11.39

Case Workers are trained members of staff with specialist knowledge from Student Support Services with responsibility for discussing the disclosing/reporting/reported students' options with them and enabling the appropriate support to happen for as long as the Case Management Process is in progress.

11.40

The University has a duty to manage the risk to students, staff, visitors, and its reputation in relation to the report of any allegation that the Student Conduct and Discipline Regulations have been breached.

Definition: 'Risk Assessment and Review'

11.41

A risk assessment may be conducted for any allegation but will be required for all cases of major misconduct, defined as:

- an allegation of sexual misconduct;
- an allegation of violent misconduct;
- an allegation that suggests there is a risk of harm to students, staff, or others;
- an allegation of misconduct that involves the police or other authorities;
- an allegation that suggests there is a serious risk to the reputation or another aspect of the University.

11.42

The risk assessment will be conducted as soon as possible by members of the Cause for Concern Group, for consideration by the Academic Registrar.

Definition: 'Precautionary Measures'

11.43

A precautionary measure is taken to mitigate risk for all parties concerned and is not a sanction nor a presumption that a student has breached the University's Regulations.

11.44

In certain circumstances, where it is deemed necessary to ensure the safety of students or staff and/or protect University property, the University may temporarily suspend or exclude a student for a defined period that will be reviewed on a regular basis, usually at least every four weeks, and can be extended as necessary.

11.45

Precautionary measures, one or more of which may be imposed on any student, are defined as:

- Temporary Exclusion Orders, under which a student is excluded from entering some or all University premises, but continues with their academic studies;
- Temporary Suspension Orders, under which a student is excluded from entering some or all University premises, and suspended from continuing with all or part of their academic studies, including teaching events, assessment, placements, or examinations;
- No-Contact Orders, under which a student is prohibited from contacting another student(s), physically, verbally or via social media platforms;
- The above measures may also include exclusion from accessing the facilities and societies/groups operated by the Students' Union. In all such cases the agreement of the Students' Union will be sought in advance.

11.46

An initial decision to temporarily exclude or suspend a student or issue a no-contact order will normally be taken by the Academic Registrar or nominee on the advice of the Cause for Concern Group.

11.47

Students can request a review of the decision to issue a precautionary measure, within five working days of the notification. Requests for a review are considered by the Academic Registrar or Registrar and Secretary or nominee.

Allied Regulations and Procedures

Including the 'Fitness to Practise' requirement and policies specific to the Students' Union

11.48

The University has published Regulations and procedures for the investigation of the professional conduct of students in relation to fitness to practise on the following programmes: Doctor of Clinical Psychology, MBChB degrees, BSc in Operating Department Practice, BSc in Diagnostic Radiography, MPharm in Pharmacy, PGCE, MSc in Midwifery and Leadership, MSc in Nursing and Leadership, BSc in Physiotherapy, and awards in Counselling.

11.49

Where students registered on one of these programmes are subject to an investigation under the Student Conduct and Discipline Regulations this is likely to raise an issue of concern for the relevant Fitness to

Practise Committee. Fitness to Practise Committees may take appropriate precautionary measure prior to the instigation of the disciplinary investigation.

11.50

In such cases the disciplinary process will be concluded first and the relevant Fitness to Practise Committee will then initiate or continue its own procedures. It may take account of the findings of the disciplinary process and any penalties/sanctions imposed.

11.51

Additional policies and procedures relating to student conduct and discipline that apply to specific activities or locations within the University will be approved by the Senate Student Discipline Committee.

11.52

The Students' Union is a separate entity with its own policies and procedures governing student conduct in relation to the activities of the Students' Union. In accordance with the University's Data Sharing Agreement, relevant information may be shared between the Students' Union and the University to inform their respective disciplinary processes. Sanctions may be applied by the Students' Union following a University discipline outcome, or vice versa.

11.53

The Senate Student Discipline Committee has authority to review and approve all allied policies and procedures in accordance with the register maintained by the Secretary of the Committee on its behalf.

Non-Academic Misconduct (11.54-11.105)

Regulations on Non-Academic Misconduct

11.54

Non-academic misconduct includes any act or behaviour that is detrimental to a member of staff, student or visitor to the University, its property, interests or to the reputation of the University.

11.55

With respect to interpersonal misconduct, these Regulations apply to allegations made about student members of the University.

11.56

If a reporting student makes an allegation about a member of staff, the allegation will be considered through the University's staff disciplinary procedure with support provided to the student through the Case Management Protocol.

11.57

A report made about a student from an individual who is not a member of the University will be considered as far as is reasonable or practicable.

11.58

Students are required to comply with the University's conduct requirements outlined in the Code of Conduct (outlined in section 11.13). Examples of non-academic misconduct are detailed below, but this list is not exhaustive and the University may investigate any act that its view constitutes misconduct:

- Conduct that may constitute a criminal offence
- Failure to declare a conviction when required to do so
- Causing or threatening physical harm
- Violent behaviour of any kind, for example punching, kicking, slapping, biting
- Indecent or abusive behaviour or language expressed in any way, including verbally, in writing, through messaging services or on social media or physically
- Sexual misconduct through unwanted behaviour of a sexual nature
- Abusive, disorderly, threatening or stalking behaviour, expressed in any way whether physically, through messaging services or on social media
- Harassment or unwanted behaviour on the grounds of race, disability, ethnicity, gender, sexual orientation, gender reassignment, age, religion, or belief
- Bullying
- Coercion
- Organising or participating in initiation activities
- Producing, consuming, possessing or supplying controlled or illegal substances
- Producing or supplying new psychoactive substances
- Damaging or defacing University property
- Smoking inside University premises
- Vandalism
- Disruptive behaviour on University premises
- Stealing from the University or any other party
- Action likely to cause injury through reckless behaviour
- Attending teaching under the influence of alcohol or drugs
- Action compromising health and safety, for example setting off fire alarms or extinguishers or obstructing access to rooms or buildings
- Access to buildings, spaces or facilities that is not connected with the work, business and social activities of the University and to any part of the University where access is not authorised from time to time
- Unauthorised use or misuse of property or facilities
- Misuse of IT facilities which may include internet access abuse such as visiting inappropriate websites, uploading/downloading inappropriate content or propagation of computer viruses

- Fraud, deceit, deception or dishonesty in relation to any activities of the University; for example, submitting fraudulent documentation to gain advantage, such as submitting fake certificates or transcripts to gain a place at the University or fraudulent evidence in support of a claim for mitigating circumstances
- Making accusations against staff or students maliciously, in bad faith or making accusations which are vexatious
- Making false accusations against staff or students, where there are reasonable grounds to demonstrate that these were malicious or made in bad faith
- Actions which may or do bring the University into disrepute
- Misuse of a student ID card, for example allowing another person to use the card or allowing another student to use it to record attendance for the cardholder at a teaching event
- Failure to comply with measures in place to respond to COVID-19
- Failure to comply with a previously imposed sanction under these Regulations

11.59

Allegations of sexual misconduct and harassment will be considered under these Regulations and in accordance with the Policy on Sexual Misconduct and Harassment.

11.60

If, during the course of dealing with an individual matter, information comes to light that suggests further alleged misconduct by the reported student under investigation, the University will normally deal with the additional misconduct allegation separately under these Regulations.

Disciplinary Procedures for Non-Academic Misconduct

11.61

Allegations of misconduct will be actioned by the Student Conduct Team on receipt of a Misconduct Formal Reporting Form.

Initial Consideration Stage

11.62

Initial consideration of the case is made by the Head of Student Conduct, Complaints and Resolution or nominee, who may determine:

- a) To dismiss the case;
- b) To refer the case to the Cause for Concern Group and allocate to a Student Conduct Officer in cases of major misconduct;
- c) To refer the case to a Student Conduct Officer for follow-up, in cases of non-major misconduct.
- d) To refer the case for informal resolution.

11.63

Allegations of major misconduct, as defined above, will be referred to the Cause for Concern Group to review any recommended precautionary measure(s) and next appropriate steps will be agreed with the Academic Registrar or nominee.

11.64

Allegations relating to speech that may fall under the provisions of the Higher Education (Freedom of Speech) Act 2023 will be subject to a triage process, to be completed by the Head of Student Conduct, Complaints and Resolution (or nominee). This is to ensure that the University complies with its duty to secure free speech within the law.

Speech that is considered to be within the law will not be subject to disciplinary action.

11.65

Allegations of misconduct of a non-major nature will normally be investigated by a Student Conduct Officer, who upon completion of the investigation may:

- a) recommend imposing a sanction for consideration by the Academic Registrar or nominee;
- b) recommend an informal resolution;
- c) where this is not considered appropriate, refer the case for full investigation and subsequent consideration by a Student Discipline Panel.

11.66

The University will offer appropriate support to all students involved in a student discipline investigation.

Investigating Stage

11.67

A Student Conduct Officer will undertake an initial review of the documentation to ensure that they have all the information to start the process as articulated in the Procedures for the Investigation and Consideration of Non-Academic Misconduct.

11.68

Interviews will normally form part of the investigation process.

11.69

Students may bring a friend or representative to the meeting, who may not be a qualified member of the legal profession.

11.70

Students are required to cooperate with an investigation and, where appropriate, are expected to provide evidence in a timely manner.

11.71

If a student refuses to attend an interview, the Student Conduct Officer will proceed with the case taking account of all the available evidence.

11.72

On conclusion of their full investigation, the Student Conduct Officer will produce a written report that includes all relevant documentation and findings. This will include a recommendation on whether the case should proceed to consideration by a Student Discipline Panel.

11.73

In cases of major non-academic misconduct, if the Student Conduct Officer's findings are that there appears to be insufficient evidence to progress the case to a Student Discipline Panel, the report will be referred to the Academic Registrar or nominee for further consideration. They may:

- a) Dismiss the case due to lack of evidence;
- b) Refer the case to a Student Discipline Panel.

11.74

If the case is dismissed by the Academic Registrar or nominee, the reported student will be notified in writing by the Student Conduct Team.

Discipline Panel Stage

11.75

Student discipline panels are appointed from a pool of trained Academic and Professional Services staff. Suitably trained student representatives may also be appointed to panels as appropriate.

11.76

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.

11.77

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 student representative may be a member of the Panel depending on the nature of the case under consideration.

11.78

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.

11.79

Students will be notified of their required attendance at a Student Discipline Panel in writing at least five working days before the scheduled date.

11.80

The reported 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.

11.81

In the event that a reported student does not attend the panel hearing and has not notified the Secretary in advance, the Chair will determine whether on the basis of the evidence available to it, the Panel can proceed and reach a decision in the student's absence, or whether the Panel should adjourn.

11.82

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, unless agreed under the Legal Representation Procedure.

11.83

The procedure of the Student Discipline Panel will be set out in the Agenda provided to the student, and is subject to change by the Chair where there is clear rationale for doing so.

11.84

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.

11.85

A decision, with reasons, will be notified to the reported 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

11.86

Reported Students may submit an appeal in writing against the decision of the Authorised Officer or Student Discipline Panel within ten working days of the date of notification of its decision. Such appeals should be submitted to the Student Conduct and Complaints Team using the dedicated appeal form.

11.87

Appeals may be submitted on one or more of the following grounds that:

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

11.88

Appeals will be reviewed by an experienced panel member, hereby known as the 'designated member,' who has had no previous dealings with the case. They will determine whether there are eligible grounds for appeal and whether the appeal should be referred for further consideration by an appeals panel.

11.89

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

11.90

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 it is eligible under its scheme, within the OIA's defined time limits.

11.91

Where eligible grounds for appeal are determined, the designated officer may take action to remedy any procedural irregularity or to reduce the sanction imposed. They may also elect to convene an Appeals Panel if they deem the matter requires additional consideration. 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.

11.92

In cases of interpersonal misconduct, reporting party(s) are unable to appeal the outcome of the panel, unless specified otherwise in a Policy supporting these regulations. The primary reason for this is that panel proceedings consider cases in which the reported student and University are the parties to the hearing, and reporting student(s) are normally present in the position of witness. However, reporting party(s) can request an informal review of the decision by a different student panel member, by contacting the Student Conduct Team within 10 working days of being notified of the outcome, or submit a Stage One complaint utilising the student complaints process under Regulation 12.

Student Discipline Appeals Panel

11.93

An Appeals Panel will be established comprising three members who are impartial, appointed from a pool of trained Academic and Professional Services staff. The chair will usually be the reviewer who found grounds for the appeal to be heard. The other panel members will have had no previous dealings with the case.

11.94

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

11.95

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

11.96

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

11.97

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, unless agreed under the Legal Representation Procedure.

11.98

A Student Discipline Appeal Panel hearing will be conducted in accordance with the procedures articulated in the Procedures for the Investigation and Consideration of Alleged Non-Academic Misconduct.

11.99

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

11.100

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.

11.101

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.

11.102

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

11.103

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 non-academic misconduct.

11.104

In reaching their decision on appropriate sanctions following a determination that the non-academic disciplinary 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 ~~for~~.

Potential Mitigating Factors

- Early admission of the breach of regulations and willing cooperation with the investigation
- Genuine remorse for actions and the effect such actions have had on others
- Significant provocation

Potential Aggravating Factors

- Failure to respond to previous warnings and/or a record of previous breaches of the regulations
- Behaviour was motivated by or demonstrated hostility to someone with a protected or presumed protected characteristic
- Misconduct was planned
- Misconduct involved personal gain
- Failure to respond to warnings or concerns expressed by others
- Acting under the influence of drugs or drinks
- Use of a weapon
- Use of violence
- Deliberate damage to property
- Abuse of a position of trust
- Serious physical or psychological effect on the victim whether intended or not
- Intention to degrade a victim

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

11.105

Where a panel believes that it may be necessary to revoke an award (for example where a student has graduated and misconduct is identified after the event), the panel will send a report to the Chair of Senate for consideration of this, and the final decision will be communicated by the Chair of Senate.

Academic Misconduct (11.106-11.171)

Definition

In this section: What is 'Academic Misconduct'? A definition and some examples.

11.106

'Academic Misconduct' refers to any behaviour by a student that may give them or another student an unfair academic advantage. The University will investigate any actions or behaviour that it considers academic misconduct based on this broad definition. Examples of misconduct are detailed below, but this list is not exhaustive.

- Plagiarism, including:
 - Submitting written work that contains material authored by another person or persons or generated by a platform (for example using artificial intelligence), whether published or unpublished, without appropriate acknowledgement. This includes online and print sources, prose, code, graphs, and University-owned teaching and learning materials. As well as verbatim reproduction of material, unacknowledged paraphrase and 'patchworking' (the use and rearrangement of several sources without appropriate references) is also plagiarism. Failure to acknowledge sources, even if caused by unintentional error, may be defined as academic misconduct and considered under these regulations.
- Self-Plagiarism (Recycling), including:
 - Submitting for assessment work that a student has previously submitted for assessment, whether in whole or in part, unless this is expressly permitted. This regulation applies to work submitted as part of the same programme or a different programme, in a different year, or at another institution.
- Collusion, including:
 - Cooperation between students to jointly produce work where there is a requirement that it be produced independently. This includes sharing ideas in person and/or online.
 - A student allowing another individual or individuals to copy their work.
 - A student sharing their work (in whole or in part) with a third party - for example, by uploading their work to a website - which may allow another individual or individuals to gain an unfair academic advantage
- Cheating in relation to supervised examinations, including:
 - copying from the examination script of another candidate; attempting to obtain or obtaining improper assistance from another person; taking unauthorised material or a device into an examination.
 - a student allowing an individual to impersonate them in an examination or sitting an examination for another student.
- Contract Cheating, including:
 - A student paying an individual, individuals or third party to undertake work on

their behalf. This may include buying a piece of work (in whole or in part) from an 'essay mill' or tutoring service, or in any way using answers advertised or provided by a third party.

- A student entering the preliminary stages of an arrangement with a third party such as an individual, an 'essay mill' or a tutoring service, even if the student does not complete the transaction.
- Falsification, including:
 - Falsifying results, data, or references, or falsely claiming to have carried out experiments, interviews, or other forms of research.
 - Failing to obtain ethical approval when required to do so or failing to comply with conditions of such approval.
 - Submitting a claim for mitigating circumstances under false pretences, i.e., with fabricated evidence. If the claim results in an unfair academic advantage, it may be considered under the regulations governing academic misconduct.

11.107

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

11.108

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

In this section: What happens if a student's work appears to show signs of Academic Misconduct?

Reports of Alleged Academic Misconduct

11.109

All staff and students have a responsibility to report any suspected instances of academic misconduct. Allegations of suspected academic misconduct therefore may originate from an internal source (such as an internal examiner, invigilator, or student of the University) or an external source.

Misconduct Identified and Reported by an Internal Examiner

11.110

Following a review of a student's submission, an internal examiner can:

- a) Conclude **Minor Academic Misconduct** has occurred. Specific feedback should be provided to the student about the issues in their academic practice. Errors at this level do not merit referral to the Academic Conduct Officer or a sanction for academic misconduct. However, the mark for the assignment may be reduced to an extent comparable to other minor errors the student should address and improve in future work.

- b) Refer the matter to an Academic Conduct Officer for further consideration if **Moderate** or **Major Academic Misconduct** is suspected.

11.111

Where an internal examiner suspects **Moderate** or **Major Academic Misconduct** (plagiarism and/or collusion as per the descriptors below), they will compile the appropriate evidence. This may include a summary of the academic misconduct identified, copy of the Turnitin report(s), annotated exam script(s), copies of or links to the original sources.

Misconduct Identified and Reported by Other Sources

11.112

Reports of alleged academic misconduct by a member of staff (outside of the marking process), third party or another student, will be considered as far as is reasonable and practical. Such reports must be made in writing and upon receipt will be referred to the Academic Conduct Officer.

Academic Conduct Officer's Investigation and Consideration

11.113

Having reviewed the report and evidence, the Academic Conduct Officer may:

- a) Determine there is no case to answer or there is insufficient evidence to support an allegation. No further action will be taken. However, information will be kept on file in line with the relevant data retention policy;
- b) Consider the matter to constitute Minor Academic Misconduct and request that the internal examiner provide relevant feedback to the student;
- c) Request more information from the reporting party or internal examiner;
- d) Determine that the matter requires further consideration.

11.114

If the Academic Conduct Officer determines that there may be a case to answer they will write to the student, presenting the evidence and inviting them to respond in writing to the allegation.

11.115

A deadline will be set for the student's response, which will be no less than five working days from the date of notification of this request by the Academic Conduct Officer.

11.116

When an Academic Conduct Officer writes to a student to present them with the evidence, they may also require the student to attend a meeting in addition to providing a written submission.

11.117

Where such a meeting is required, the student will normally be given no less than five working days from the date of notification of this request by the Academic Conduct Officer.

11.118

The Academic Conduct Officer may request that the internal examiner who reported the alleged plagiarism/collusion, or the Module Convener, attends the meeting with the student.

11.119

The student may be accompanied to the meeting by a supporting individual or representative, who must 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 Academic Conduct Officer may proceed to determine an outcome to the case without offering further opportunity to the student to make representations.

11.122

Having considered the response (if any) received from the student along with the evidence submitted, the Academic Conduct Officer will determine one of the following in respect of the allegation:

- a) There is no case to answer and dismiss the case;
- b) That plagiarism or collusion have not been proven, but that there is evidence of **Minor Academic Misconduct** as defined in the tables below and the student should be directed to academic support within the School and required to undertake the University's on-line plagiarism tutorial;
- c) That there is evidence of **Moderate Academic Misconduct** and impose a sanction as permitted under these regulations;
- d) That there is evidence of **Major Academic Misconduct** and refer the matter for consideration by a Student Discipline Panel. Where an Academic Conduct Officer finds that Major Misconduct has occurred, but the appropriate sanction is one available under a Moderate 2 finding, they may impose this sanction without referral to a Student Discipline Panel.

11.123

The Academic Conduct 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.

Academic Conduct Officer: Outcomes and Sanctions

In this section: If plagiarism or collusion has been identified in a student's work, what happens next?

Principles for applying sanctions

11.124

The evaluation of **Moderate Academic Misconduct** (as defined by the descriptors below in section 11.128) is the responsibility of the School Academic Conduct 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.

11.125

In applying the sanctions set out below, the Academic Conduct Officer will comply with the following principles and decision-making factors:

Principles:

- That students should only be awarded for work which is their own;
- That the operation of the sanctions for plagiarism or collusion or other forms of academic misconduct must not put a student in a better position than if the assessment in question was not plagiarised or created through collusion but did not merit a pass;
- Decisions about whether academic misconduct has occurred will be made on the balance of probabilities: i.e., based on available evidence, it is more likely than not that something has happened.
- For **Minor** and **Moderate** offences, the sanctions will normally be applied at the level of the assessment. A Student Discipline Panel may consider sanctions applying to the level of the overall module mark or above.

Deciding factors:

- The **Primary Factor** in deciding which sanctions to apply is the scale and extent of the problematic material (created through plagiarism, collusion or other forms of academic misconduct);
- **Mitigating Factors** – Mitigating factors will not excuse academic misconduct nor result in the dismissal of a case of academic misconduct. If students are experiencing serious or significant events beyond their control that have affected their health or personal life, they should apply for mitigation or support through the appropriate procedure. It is expected that this application will be made at the time the circumstances occur.
Repeat Offences - A repeat offence is considered to have occurred when a student has received two previous **Moderate 2** or **Major Academic Misconduct** sanctions. Contemporaneous offences or offences in which a student has had no opportunity to act upon advice arising from an earlier offence – due to adjacent submission dates, etc. – are not treated as repeat offences but may attract a sanction under **Moderate Academic Misconduct** in the normal way. Offences are normally considered to be repeated only in assessments contributing towards the student's award.
- **Intent** – Asserting that misconduct was unintentional is not normally a factor in deciding whether academic misconduct has occurred. However, in cases of **Major Academic Misconduct** (see the table at 11.129), intentional deception to gain academic advantage may be taken into account.

11.126

Following the determination of outcome and sanction, the case may be referred to the Board of Examiners to confirm the impact on the students' progression and award.

11.127

Where evidence is found that a student's behaviour has led to academic misconduct occurring, but they have gained no academic advantage, the Academic Conduct Officer may consider further disciplinary action under Senate Regulation 11 Part A Non-academic misconduct.

11.128

The categories of plagiarism and collusion and their associated sanctions are outlined in the tables below. Other forms of academic misconduct will be considered on a case-by-case basis taking into account extent and severity and may also result in a sanction as set out below:

CATEGORY OF PLAGIARISM^	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENT INFORMED VIA	MEASURE / <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
<u>MINOR</u>	MIN: Errors in referencing and use of sources (<i>amounting to circa 10% of the assessment</i>) that should be brought to the student's attention so that they can improve their academic skills.	No	Marker	Assessment feedback	<u>MINS</u>: Mark for assessment may be reduced as appropriate within the assessment marking criteria. Any reduction will be proportionate to that applied for comparable minor errors (e.g., with expression, punctuation, presentation.	Feedback as per the School's standard procedures, e.g., in free text and/or standardised comments on Turnitin; pre-formed QuickMark on Turnitin; rubric on Turnitin; School's training materials; Centre for Academic Achievement.	No	No

CATEGORY^	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENT INFORMED VIA	MEASURE/ <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
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<u>MODERATE (1)</u>	MOD1: Pronounced (<i>amounting to circa 25% of the assessment</i>) recurring instances of material included without appropriate acknowledgement (i.e., in quotation marks, references, and/or bibliography). This includes verbatim material (potentially with some words substituted); patchwork; unacknowledged paraphrase; copied code; other computer files or experimental results.	Yes	Academic Conduct Officer	Email from Academic Conduct Officer	MOD1S: If proven, <i>mark for assessment reduced by 10%</i> of actual mark achieved by the student. If this sanction results in failing the module overall, students may resubmit the affected assessment for a capped mark if available via the proper application of the relevant progression or award regulations.	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes
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CATEGORY^	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENT INFORMED VIA	MEASURE / <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
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<u>MODERATE (2)</u>	MOD2: Significant (<i>amounting to circa 35% of the assessment</i>) recurring instances of material included without appropriate acknowledgement (i.e., in quotation marks, references, and/or bibliography). This includes verbatim material (potentially with some words substituted); patchwork; unacknowledged paraphrase; copied code; other computer files or experimental results.	Yes	Academic Conduct Officer.	Email from Academic Conduct Officer.	MOD2S: If proven, mark of 0 for <i>assessment</i> . If this sanction results in failing the module overall, students may resubmit the affected assessment for a capped mark if available via the proper application of the relevant progression or award regulations.	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes
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CATEGORY^	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENT INFORMED VIA	MEASURE / SANCTION	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
<u>MAJOR</u>	MAJ: Extensive and significant (<i>amounting to circa 35% or more of the assessment</i>) material that includes, but is not limited to, a considerable portion of an assessment taken from a third party with or without their permission and/or any portion of	Yes	Academic Conduct Officer. (Academic Conduct Officer. refers case to	Email from Academic Conduct Officer.* Email from Student	MAJS: A disciplinary panel has the power to impose penalties that include any of the sanctions listed above and in	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes

an assessment being purchased from an essay mill or similar third party. Major academic misconduct refers in particular to material included in an assessment in a manner that appears *on the balance of probability* intended to deceive markers to gain unfair academic advantage.

Student Conduct & Complaints.)

Conduct & Complaints.

addition: 0 for the module (resubmit for a capped mark for the module where permitted); reduction of the final degree classification; expulsion from the University for all students involved.



CATEGORY ^A	EXTENT / TYPE OF PROBLEM MATERIAL	REFER CASE TO A.C.O.	MANAGED BY	STUDENT(S) INFORMED VIA	MEASURE / <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
<u>REPEAT</u> OCCURRENCES	REP: A sanction as per Major Academic Misconduct for repeated plagiarism or other forms of academic misconduct is applied when a student has received a Moderate 2 or Major Misconduct sanctions for two previous submissions. The student should have received feedback on the previous two instances and had a reasonable opportunity to act on that	Academic Conduct Officer.	Academic Conduct Officer. refers case to Student Conduct & Complaints.)	Email from Academic Conduct Officer.* Email from Student Conduct & Complaints.	<u>REPS:</u> A disciplinary panel has the power to impose penalties that include any of the sanctions listed above and in addition: 0 for the module (resubmit for a capped mark	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes

feedback, seek advice and guidance where required.

for the module) in which the third instance of Moderate 2 academic misconduct occurred.

CATEGORY OF COLLUSION^	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENTS INFORMED VIA	MEASURE / <u>S</u> ANCTION	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
<u>MINOR</u>	MIN: Limited (<i>amounting to circa 10% of the assessment</i>) collusion between students evidenced by a few instances of similarities in structure, source or copied text; this includes cases where the written work is original throughout. This should be brought to the students' attention so that they can improve their academic skills.	No	Marker	Assessment feedback. All students involved are alerted to the issues in order that they avoid repeating errors in future.	<u>MINS</u>: Mark for assessment may be reduced. Any reduction will be proportionate to that applied for comparable minor errors (e.g., with expression, punctuation, presentation	Feedback in free text and/or standardised comments on Turnitin; pre-formed QuickMark on Turnitin; rubric on Turnitin; School's training materials; Centre for Academic Achievement.	No	No

CATEGORY	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENTS INFORMED VIA	MEASURE/ <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
<u>MODERATE</u> (1)	MOD1: Pronounced (<i>amounting to circa 25% of the assessment</i>) collusion between students evidenced by similarities in structure, sources, short blocks of copied text (including copied text subjected to minor linguistic changes), matching original text, or quite similar bibliographies, copied code, other computer files or experimental results.	Yes	Academic Conduct Officer	Email from Academic Conduct Officer.	MOD1S: If proven, mark for assessment reduced by 10% for all students involved (of mark achieved by the student). If this sanction results in failing the module overall, students may resubmit the affected assessment for a capped mark if available via the proper application of the relevant progression or award regulations.	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes

CATEGORY	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENTS INFORMED VIA	MEASURE / <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
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<u>MODERATE (2)</u>	MOD2: Significant (<i>amounting to circa 35% of the assessment</i>) collusion between students evidenced by similarities in substantial areas of the work, including in structure, sources, substantial or numerous blocks of copied text (including copied text subjected to minor linguistic changes), matching original text, or very similar bibliographies, copied code, other computer files or experiment results.	Yes	Academic Conduct Officer	Email from Academic Conduct Officer	MOD2S: If proven, mark of 0 for assessment for all students involved. If this sanction results in failing the module overall, students may resubmit the affected assessment for a capped mark if available via the proper application of the relevant progression or award regulations.	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes
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CATEGORY	EXTENT / TYPE OF PROBLEM MATERIAL~	REFER CASE TO A.C.O.	MANAGED BY	STUDENTS INFORMED VIA	MEASURE / <u>SANCTION</u>	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
<u>MAJOR</u>	MAJ: Extensive and significant (<i>amounting to circa 35% or more of the assessment</i>) collusion between students in a manner that appears <i>on the balance of probability</i> intended to deceive markers to gain	Yes	Academic Conduct Officer (Academic Conduct	Email from Academic Conduct Officer	MAJS: A disciplinary panel has the power to impose penalties that include any of the sanctions	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students	Yes

unfair academic advantage. This is evidenced by pronounced similarities in the work, including structure, sources, sizeable blocks of copied text (including copied text subjected to minor linguistic changes), sizeable blocks of matching original text, highly similar bibliographies, copied code, other computer files or experiment results.

Officer refers case to Student Conduct & Complaints.)

Email from Student Conduct & Complaints.

available for Moderate misconduct, and in addition: 0 for the module (resubmit for a capped mark for the module where permitted); reduction of the final degree classification; expulsion from the University for all students involved.

Union) can support.

CATEGORY	EXTENT / TYPE OF PROBLEM MATERIAL	REFER CASE TO A.C.O.	MANAGED BY	STUDENT(S) INFORMED VIA	MEASURE / SANCTION	SUPPORT / GUIDANCE VIA	STUDENT MAY APPEAL?	SCHOOL / DEPT. RECORD?
REPEAT OCCURRENCES	REP: A sanction as per Major Academic Misconduct for repeated collusion is applied when a student has received a Moderate 2 or Major Misconduct sanctions for two previous submissions. The student should have received feedback on the previous two instances and had a reasonable		Academic Conduct Officer (Academic Conduct Officer refers case to Student	Email from Academic Conduct Officer Email from Student Conduct & Complaints.	REPS: A disciplinary panel has the power to impose penalties that include any of the sanctions available for findings of Major misconduct and in addition: 0 for the	Personal Tutor; Students' Union Advice Centre; Centre for Academic Achievement	Yes SU (Students Union) can support.	Yes

opportunity to act on that feedback, seek advice and guidance where required.

Conduct &
Complaints.)

module (resubmit for a capped mark for the module where permitted) in which the third instance of Moderate 2 academic misconduct occurred for all students involved.

Cases of Exam Misconduct

In this section: How investigations and outcomes of possible academic misconduct in examinations are managed.

11.129

Cases of examination misconduct will be referred to the Academic Registrar or authorised deputy.

11.130

Having reviewed the report from the invigilator and evidence, the Academic Registrar or authorised deputy may:

- a) Determine there is no case to answer or there is insufficient evidence to support an allegation. No further action will be taken.
- b) Request more information from the reporting party or other relevant witnesses.
- c) Determine that the matter requires further consideration.

11.131

If the Academic Registrar or authorised deputy determines that there may be a case to answer, they will write to the student, presenting evidence and inviting them to respond in writing to the allegation.

11.132

If, having been given due notice, a student does not submit a response to the allegations, the Academic Registrar or authorised deputy may proceed to determine an outcome to the case without offering further opportunity to the student to make representations.

11.133

Having considered the response (if any) received from the student along with the evidence submitted, the Academic Registrar or authorised deputy will determine one of the following in respect of the allegation:

- a) There is no case to answer and dismiss the case;
- b) That there is evidence that exam misconduct has occurred and impose a sanction as permitted under these regulations.
- c) That there is evidence of major misconduct and refer the matter for consideration by a Student Discipline Panel

11.134

For first offences of cheating in an examination, the Academic Registrar or authorised deputy shall determine the extent to which the circumstances of the incident impact upon the severity of the

breach of regulation. The determination of severity shall be a matter of judgement by the Academic Registrar or authorised deputy, considering previous decisions.

11.135

The Academic Registrar or authorised deputy may impose a sanction of a mark of zero for the assessment. If this sanction results in failing the module overall, students may resubmit the affected assessment for a capped mark if available via the proper application of the relevant progression or award regulations.

11.136

Repeat offences of cheating in an examination or cases where the circumstances of the incident are deemed to be exceptional will be treated as Major Academic Misconduct and the student will be referred to a Student Discipline Panel.

11.137

The application of sanctions resulting from cheating in an examination is not intended to have a disproportionate effect on upon overall progression and award decisions for individual students.

11.138

In determining sanctions, the Academic Registrar or authorised deputy may consider mitigating factors relevant to the case submitted by the student. Where the Academic Registrar or authorised deputy concludes that mitigating factors should be taken into account, an appropriate sanction shall be applied according to precedent. In determining relevance, consideration will be given as to whether the circumstances were disclosed in a timely manner, as required under these Regulations.

11.139

The Academic Registrar or authorised deputy 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.

Discipline Panel Stage

In this section: Who is involved in a Discipline Panel? What happens at a Panel? What are the possible outcomes?

Panel Composition

11.140

Student Discipline Panels are appointed from a pool of trained Academic and Professional Services staff, and Academic Conduct Officers. Suitably trained student representatives may also be appointed to panels as appropriate.

11.141

A Chair will be appointed for each panel who will have experience of acting on discipline panels, and have been suitably advised on their responsibilities as Chair.

11.142

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 student representative may be a member of the Panel depending on the nature of the case under consideration.

11.143

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.

11.144

A Secretary will be appointed to each Panel. The Secretary is not a member of the Panel but will be present throughout.

Panel Procedures

11.145

Students will be notified of their required attendance at a Student Discipline Panel in writing at least five working days before the scheduled date.

11.146

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.

11.147

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.

11.148

Students will be advised that they may be accompanied by a supporting individual or representative at the panel hearing. As 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, unless agreed under the Legal Representation Procedure.

11.149

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.

11.150

The procedures for the conduct of a Student Discipline Panel will be set out in the Agenda provided to the student, and is subject to change by the Chair where there is clear rationale for doing so.

11.151

On conclusion of the hearing, the Panel will determine in private session whether the allegations of misconduct against the student have been proven on the balance of probabilities and, if proven, determine the imposition of any sanctions.

11.152

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.

Sanctions

In this section: What sanctions for academic misconduct can be imposed by a Student Discipline Panel?

11.153

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 authorised deputy 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, are supported by evidence.

Potential Sanctions (Academic misconduct)

11.154

In addition to, or instead of, the sanctions listed under Senate Regulation 11.128, the below sanctions may be imposed by those authorised under the table. Where a case is referred to a Student Discipline Panel, no sanctions should be imposed by other parties.

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

11.155

Where a panel believes that it may be necessary to revoke an award (for example where a student has graduated and misconduct is identified after the event), the panel will send a report to the Chair of Senate for consideration of this, and the final decision will be communicated by the Chair of Senate.

Appeals against the outcome of Student Discipline Panels or a sanction imposed by an Academic Conduct Officer

In this section: What happens if a student disagrees with the decision made by a Discipline Panel or Academic Conduct Officer?

11.156

Students may submit an appeal in writing against the decision of the Academic Conduct 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 Minor Misconduct 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 Academic Conduct Officer, or Student Discipline Panel;
- That evidence available to the Academic Conduct Officer, or Student Discipline Panel was not fully considered;
- That there was prejudice or bias in the conduct of the Academic Conduct Officer, or Student Discipline Panel;
- That the decision was unreasonable;
- That the sanction imposed was excessive;
- That there is new material evidence that for good reason was not available for consideration by the Academic Conduct Officer, or Student Discipline Panel.

11.159

Appeals will be reviewed by an experienced panel member, hereby known as the 'designated member/officer,' who has had no previous dealings with the case. They will determine whether there are eligible grounds for appeal and whether the appeal should be referred for further consideration by an appeals panel.

11.160

Where eligible grounds for appeal are not determined, the designated officer 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, the designated officer may take action to remedy any procedural irregularity or to reduce the sanction imposed. They may also elect to convene an Appeals Panel if they deem the matter requires additional consideration. 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

In this section: 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 (SSDC). The designated officer who made the decision to refer the case to panel will usually act as Chair to any subsequent Appeals Panel.

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 supporting individual or representative at the panel hearing. As 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, unless agreed under the Legal Representation Procedure.

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 the OIA's defined time limits.