

## ACADEMIC MISCONDUCT PROCEDURE

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This procedure should be read in conjunction with the **Academic Integrity Policy**.

This procedure applies to any student and any qualification of Falmouth University, whether offered solely by the University or in conjunction with any academic, professional or other institution in the United Kingdom or elsewhere, irrespective of the mode of study. The procedure applies equally to Foundation, undergraduate and postgraduate students.

Definitions:

- **You/Your** means a student or graduate (where applicable) of Falmouth University
- **We/Us/Our/The University** means Falmouth University

The Academic Misconduct Procedure is managed by the Quality Assurance and Enhancement (QAE) team, which is responsible for the effective development, implementation and management of the University's policies, procedures and processes. QAE may be contacted at [QAE@falmouth.ac.uk](mailto:QAE@falmouth.ac.uk).

If you are studying at a partner institution, the implementation of this procedure may be managed by the equivalent team at your institution. Your institution will publish details as appropriate. For students of partner institutions, where this document refers to QAE, please refer to your institution's guidance for information about the applicable equivalent.

**You can get free, impartial, confidential advice on this procedure from the FXU Students' Union at [advice@fxu.org.uk](mailto:advice@fxu.org.uk).**

### 1 Introduction

- 1.1 This document outlines the procedures for investigating an allegation of academic misconduct. If an internal assessor suspects that you have committed an offence of academic misconduct, or a third party raises concerns with the assessor, they will analyse the work in question to assess the extent and nature of the offence, before deciding on the correct course of action.
- 1.2 The University expects all parties to act reasonably and fairly towards each other, and to treat the procedures with respect.

### 2 Communication and engagement

- 2.1 Communications concerning the allegation will be sent to your University email account. In the event that an allegation is raised against you as a graduate, the University will contact you using the contact details held on file for you.
- 2.2 Should an allegation of academic misconduct be made against you, you should engage with the communications and procedures associated with the investigation. Non-engagement with

the academic misconduct procedures and associated communications may not normally be used as a defence against an allegation of academic misconduct or as grounds in any resultant appeal.

- 2.3 Please note: the Chancellor has no role with regards to the receipt or consideration of allegations of academic misconduct; any requests for information regarding allegations of academic misconduct sent directly to the Chancellor will be forwarded to QAE to be processed in line with the procedure. The University will not forward any letters concerning allegations of academic misconduct to the Chancellor.

### **3 Confidentiality**

- 3.1 Normally an allegation of academic misconduct and the associated investigation will only be viewed by the members of the Quality Assurance and Enhancement Team and, should the allegation progress to Stage 2 or Stage 3, the members of the Academic Misconduct Panel and/or Academic Disciplinary Committee. In certain instances, other members of staff will need sight of all or part of the allegation in order to respond to the points raised within the allegation or your responses to the allegation. You can be reassured that, in such instances, any information disclosed will be treated sensitively and confidentially.

### **4 Third party requests**

- 4.1 Falmouth University's relationship is with you, the student, irrespective of who pays your fees. Under Data Protection legislation, the University cannot deal with third party requests for information regarding an allegation of academic misconduct and/or third party requests to submit a statement regarding an allegation of academic misconduct without your prior written permission authorising that third party to act on your behalf in this matter. If you wish to provide third party authorisation, please contact QAE from your University email account.
- 4.2 If you grant third party authorisation, email correspondence regarding the allegation will be sent directly to the third party and your University email address will be copied in, unless you specifically direct us to the contrary. The University will only deal with the individual authorised to act on your behalf in respect of an allegation of academic misconduct; the third party may not authorise further third parties to act on their behalf.

### **5 Detection**

- 5.1 Academic misconduct may be detected in a number of ways, including but not limited to:
- a) **Questions of fact**  
Questions of fact may comprise evidence such as a piece of work that is poorly or incorrectly referenced, the use of unauthorised materials in an exam, or an advert for a commission placed by you.
  - b) **Detection software**  
The University uses detection software, such as Turnitin, to identify potential plagiarism. The assessor will scrutinise the work to establish the extent of any concern about academic misconduct, often using **active searching online**.
  - c) **Academic Integrity Vivas**  
Vivas are used to establish whether you have sufficient knowledge and understanding of the submission that you can be determined to be the author (clause 6).

d) **Active searching online**

If an assessor suspects that your work is not your own, active searching may help them identify academic misconduct even where detection software has not.

In addition, essay mills typically outsource commissioned assessments through legitimate copywriting websites. Assessors may use active searching of copywriting sites to identify where an assessment has been outsourced and respond accordingly, e.g. through a **viva** if a submission for that assessment appears to be inconsistent (in style, content, etc.) with your student profile (including other assessment submissions).

e) **Profile discrepancies**

Your tutors will quickly become familiar with your style of work, and will be able to tell if there is a change to the content you are submitting for assessment. Any submissions that seem out of character with your profile of work may be subject to an academic misconduct investigation.

## 6 Evidence

6.1 Where an assessor identifies a concern, they are expected to provide evidence of academic misconduct. Outcomes of academic misconduct investigations are based on the balance of probabilities: that is, it is more likely than not that the offence occurred.

6.2 The types of evidence provided will depend on the nature of the allegation, and may include, but are not limited to:

- a) reports from detection software (e.g. Turnitin);
- b) statements from witnesses to the alleged academic misconduct;
- c) sources from which an assessment is suspected to have been plagiarised;
- d) Academic Integrity Viva reports; and
- e) samples of previous work submitted by you.

6.3 In some cases, you may be required to prove that you have or have not done something: for example, if two students are accused of collusion, and Student A provides evidence that Student B copied their work, Student B would need to rebut the evidence.

6.4 You will also need to provide evidence to prove any mitigating factors that you would like the panel to consider. While mitigating factors will not permit a case to be dismissed without investigation, in some circumstances they may result in the panel applying a lesser penalty in proven cases.

## 7 Academic Integrity Vivas

7.1 You may be asked to attend a viva with your course team prior to your case being formally considered at Stage 1, 2 or 3 of the Academic Misconduct Procedure.

7.2 A viva is a means of assessing the extent of your knowledge and understanding of the work you submitted and is used as an indicator of whether you might be the author of the work. The viva will not determine whether an allegation of academic misconduct is proven – that is the role of an Academic Misconduct Panel. Rather, it provides you with an opportunity to demonstrate the extent of your knowledge about the submission, and

allows the assessor to consider whether they should refer your work to the formal academic misconduct procedure.

- 7.3 Other than in exceptional circumstance, you will be notified of the date of the viva at least five (5) days in advance by email to your University email account.
- 7.4 You should respond to the viva invitation at least one (1) day in advance of the viva. If you are unable to attend, you should provide a valid reason in advance of the scheduled date, on receipt of which the course team may reschedule the meeting on one (1) occasion only to facilitate your attendance.
- 7.5 At the discretion of your course team, the viva may take place via a video or telephone conference with you.
- 7.6 You may be accompanied to the viva panel meeting by one other person if you wish. That person must be one of the following:
- a) Another student who is currently enrolled on a course at the University;
  - b) A representative from FXU Students' Union; or
  - c) An accessibility or academic support worker.

If you are bringing another person with you, you must inform your course team of their full name and status (i.e. a, b or c) with at least one (1) working day in advance of the viva meeting.

- 7.7 The invitation will contain details of any documents the viva panel would like you to bring with you. You should endeavour to comply with that request; if you are unable to provide any of the requested documents, during the viva the panel may ask you to explain their absence.

You may also wish to bring other evidence with you. Please contact the FXU Students' Union at [advice@fxu.org.uk](mailto:advice@fxu.org.uk) for impartial advice about what evidence you may want to provide for your particular case.

- 7.8 The viva panel will normally comprise:
- a) A member of academic staff from your course team (Chair); and
  - b) The assessor(s) who have raised the question about the academic integrity of your work.

The Chair will ensure that a written record of the meeting is produced. Another member of University staff may be nominated as a minute secretary for the meeting.

- 7.9 Where the assessor suspects that collusion has occurred between two or more students, the students will normally be interviewed together.
- 7.10 At the meeting, the viva panel will question you about your submission. They may ask you to explain your approach to the assessment, how you found your sources, how you took

notes, and anything else they feel will help them reasonably conclude whether you are the author of the work.

7.11 If you do not attend the viva, and do not provide a valid reason for your non-attendance, negative inferences may be made as to whether you have committed academic misconduct and the case will usually proceed to the appropriate stage under the Academic Misconduct and Procedure.

#### 7.12 **Viva outcomes**

After the meeting, the panel will notify you of one of the following outcomes:

- a) No further action – the viva panel is satisfied that no academic misconduct has taken place. You will receive a copy of the viva report within ten (10) working days from the date of the meeting; or
- b) Referral to the Academic Misconduct Procedure – the viva panel suspects that academic misconduct has occurred and/or you have admitted academic misconduct. The case will be referred to the appropriate stage of the Academic Misconduct Procedure.

7.13 No penalty for academic misconduct may be issued by the viva panel; the panel may only refer the case to the appropriate Stage under the Academic Misconduct and Procedure.

### **8 Stage 1: Minor offence**

8.1 A minor offence is an offence of academic misconduct that the assessor judges to be minor in terms of proportion, level and context, and may be signified by (but not limited to) the following:

- a) Lack of appropriate of citation or referencing;
- b) Inappropriate levels of collaboration with another student;
- c) Incorrect behaviour in an examination.

8.2 Please note:

- a) The assessor may judge a first allegation that comprises misconduct in a small proportion of work to be a serious offence in respect of level, context and/or intent, and may refer the investigation to Stage 2.
- b) If you have previously received a warning for a first minor offence, the allegation will be progressed immediately to Stage 2.
- c) If an allegation of a second minor offence is raised before you have been notified of the first minor offence allegation, the second allegation will be dealt with at Stage 1 and not escalated to Stage 2.
- d) Any suspected academic misconduct offence at Level 7 will be progressed immediately to either Stage 2 or Stage 3 in accordance with the severity of the case as determined by QAE.

8.3 The assessor will complete a Stage 1 minor offence report and collect evidence to support the allegation. The assessor will forward the allegation to QAE, which will decide whether any action should be taken under Stage 1. If so, you will be informed of the allegation via your University email account, and invited to admit or deny the allegation within five (5)

working days.

- 8.4 Having considered the assessor's report and evidence, your response, and any defence you may have presented, QAE will decide whether the minor offence is proven or unproven. If you do not respond to the allegation within the designated five (5) working days, the decision will be based on the material available.

#### 8.5 Stage 1 Penalties

If the allegation is found to be proven the following penalties will apply:

- a) You will be issued with a warning letter via your University email account within ten (10) working days of the decision. The assessor, your personal tutor and your Head of Subject will also be notified of the outcome; **and**
- b) Your submitted work will be marked with the affected section(s) disregarded. Should this result in a failing mark and you have assessment attempts remaining, you will receive a referral opportunity for a capped mark in the tasks affected.

Should you receive a failure in the assessment tasks concerned and have no further assessment attempts available, you will therefore normally be withdrawn from your course for academic failure, in line with the Academic Regulations.

To support your studies and help you to avoid further offences of academic misconduct:

- c) You will be required to attend a tutorial with the assessor and/or your personal tutor and/or your Head of Subject to discuss the issue and how to avoid further offences in future; and
- d) You will be required to approach the ASK team (or your institution's equivalent) to arrange a minimum of three (3) mandatory study skills sessions. The sessions can be completed in person or remotely. It is expected that you will complete these sessions within four to six (4-6) weeks of the decision being communicated to you. It is your responsibility to arrange and attend these sessions.

**Please note:** Non-attendance at the tutorial and/or the skills sessions may not be used by you as mitigation of any further offence(s). Additionally, should a further allegation be proven against you, the Academic Misconduct Panel and/or Academic Disciplinary Committee may take into account your failure to complete the ASK sessions when determining a penalty for the offence. For example, where a Panel would ordinarily issue a failing mark in the assessment and a referral attempt for a capped mark, in light of your failure to complete the mandatory ASK sessions as advised you may also receive a capped mark to all of the modules in the same Study Block or level.

- 8.6 If the allegation is found to be unproven, you will receive a letter to your University email account to confirm that no further action will be taken. The allegation will be removed from your record and you will receive your outcome, marks and feedback without reference to the allegation.

### 9 Stage 2: Major offence

- 9.1 A major offence is an offence of academic misconduct affecting a significant proportion of a

piece of assessed work, and/or is a second minor offence. Stage 2 offences will be considered by an Academic Misconduct Panel (AMP).

- a) If you have previously had a proven outcome at Stage 2 and a subsequent allegation of academic misconduct is made, the case will progress immediately to Stage 3.
- b) If the major offences occurred concurrently and Stage 2 processes were incomplete when the subsequent cases were identified, the offences may be considered as a whole. This decision is to be made at the discretion of QAE.

## 9.2 Stage 2 Investigation

Your course team will produce an Academic Misconduct report. The report will indicate the extent and nature of the alleged offence under investigation. The report will be forwarded to QAE, along with copies of the following as applicable to the nature of the allegation:

- a) The relevant assessment brief(s);
- b) Module Information Form(s) (MIF);
- c) Detection software report(s);
- d) Academic Integrity Viva report;
- e) The alleged source(s) identified;
- f) Details of your ILP, reasonable adjustments, attendance monitoring, etc.;
- g) Any other documentation that the course team believe to be relevant to the case.

- 9.3 QAE will contact you via your University email account and will send you a copy of the report together with any supporting documents, the date of the next AMP meeting, and a response form. Using the response form, you should respond to the allegation within ten (10) working days from the date you were sent the request.

You are encouraged to contact the FXU Students' Union ([advice@fxu.org.uk](mailto:advice@fxu.org.uk)) to discuss the allegation before responding.

## 9.4 Admitting the allegation

Admitting the allegation allows the conclusion of the investigation to be expedited and may result in a lesser penalty being applied, depending on the nature of the offence.

If you wish to admit the allegation, you should email the completed response form, along with copies of any supporting evidence, to QAE within ten (10) working days.

On receipt of your response, QAE will convene the members of an AMP via email to discuss an appropriate penalty. The AMP members shall comprise the following:

- a) The Director of the academic department (or nominee) (Chair);
- b) An elected sabbatical officer of the FXU Students' Union (or nominee);
- c) Two members of academic staff from a different academic department; and
- d) Head of Quality Assurance & Enhancement (or nominee) (Secretary).

The AMP will consider the Academic Misconduct Report and accompanying paperwork, along with your written statement and any supporting evidence, before reaching a decision about the appropriate penalty (clause 10.15). A quorate decision requires the

agreement of a minimum of three panel members including the Chair.

Within five (5) working days of the decision being made, QAE will send you an email via your University email account with details of the penalty, and reasons for the decision, any relevant paperwork, and information about the Appeals Policy and Procedure (clause 18). The assessor and your personal tutor will also be informed of the outcome. Where there are implications for your marks or progression, the appropriate Assessment Boards shall also be notified of the decision.

#### **9.5 Denying the allegation**

If you deny the allegation, you should submit your response form, together with any written statement and supporting evidence, to QAE within ten (10) working days. Your case will proceed to the next scheduled AMP meeting.

The absence of a response from you within the specified timescales will be interpreted as a denial of the allegation and your case will proceed accordingly.

### **10 Stage 2 AMP meetings**

10.1 AMP meetings are held to discuss Stage 2 cases of academic misconduct when a student has denied an allegation.

10.2 AMP meetings will usually be held within twenty (20) working days of the response deadline, although this timeframe may need to be extended dependent on staff availability.

10.3 The AMP will comprise:

- a) The Director of the academic department (or nominee) (Chair);
- b) An elected sabbatical officer of the FXU Students' Union (or nominee);
- c) Two members of academic staff from a different academic department; and
- d) Head of Quality Assurance & Enhancement (or nominee) (Secretary).

A quorum of the AMP meeting shall be at least three members including the Chair. The assessor (or nominee) will also be in attendance. A QAE Officer may attend to take minutes.

10.4 Once QAE has received confirmation that you are denying the allegation, or you do not respond to the allegation by the deadline, QAE will contact you via your University email account to acknowledge receipt (if appropriate), and confirm the date and time of the AMP at which the allegation will be considered.

10.5 You should endeavour to attend the AMP meeting. If you are unable to attend in person, the AMP will consider your written statement and any supporting evidence you provide in lieu of your attendance. If you wish to provide any further evidence prior to the AMP, you should submit the documents to QAE at least one (1) working day before the date of the AMP meeting.

The University recommends that you contact the FXU Students' Union at [advice@fxu.org.uk](mailto:advice@fxu.org.uk) for impartial advice on writing your statement and providing evidence.

10.6 At the discretion of the AMP, the meeting may take place via a video or telephone conference with you.

10.7 You may be accompanied in the AMP meeting by one other person if you wish. That person must be one of the following:

- a) Another student who is currently enrolled on a course at the University;
- b) A representative from FXU Students' Union; or
- c) An accessibility or academic support worker.

If you are bringing another person with you, you must inform QAE of their full name and status (i.e. a, b or c) with at least one (1) working day in advance of the meeting by emailing QAE.

10.8 If you are unable to attend the AMP meeting, provided that the required notice of the AMP meeting has been sent to you, the meeting will proceed in your absence.

10.9 Where two or more students are accused of collusion, all students will normally be interviewed together.

10.10 During the meeting, the AMP will consider the evidence and, together with the assessor (or nominee), may question you to obtain a clearer understanding of your methodology, understanding of academic integrity and any other relevant issues.

The AMP may question the assessor to gain a clearer understanding of the information provided to students regarding academic integrity within the course, the clarity of the brief and any other factors the AMP deems relevant to their decision.

#### 10.11 **Stage 2 outcomes**

The AMP will decide one of the following outcomes:

- a) Unproven – no further action. The allegation will be removed from your academic record;  
or
- b) Proven - the panel will determine an appropriate penalty as defined below.

10.12 If you are in attendance at the meeting, you will be informed of the outcome and penalty once the AMP has reached its decision. The Chair will approve a report of the meeting, with clear reasons for the decisions reached and penalties imposed. Within ten (10) working days of the meeting, QAE will send you an email via your University email account with the outcome of the AMP, a copy of the report, any relevant paperwork, and information about the Appeals Policy and Procedure (clause 18). Where there are implications for your marks or progression, the appropriate Assessment Boards shall also be notified of the decision.

10.13 An Assessment Board cannot overturn the decision of an AMP.

#### 10.14 **Stage 2 Penalties**

The AMP will decide an appropriate penalty based on the following considerations:

- a) History: whether a previous case has been proven against you;

- b) Amount/extent of the offence, e.g. how much of an assessment is suspected to be not your own work;
- c) Level of study/how long you have been a student at the University;
- d) Value of assignment, e.g. was the task summative or formative, was it a final dissertation, etc.; and
- e) Evidence of deliberate intent to deceive.

10.15 In the event that Stage 2 academic misconduct is proven and depending on the severity, level and context of the offence, penalties may include one or more of the following:

- a) Referral back to Stage 1 of the procedure with the corresponding penalties;
- b) Failure in the assessment tasks concerned (a mark/grade of 1 F). Where you have assessment attempts remaining, you will receive a referral opportunity for a capped mark in the tasks affected;
- c) Failure in the assessment tasks concerned (a mark/grade of 1 F) **and** a capped mark applied to the module as a whole. Where you have assessment attempts remaining, you will receive a referral opportunity for a capped mark in the tasks affected;
- d) Failure in the assessment tasks concerned (a mark/grade of 1 F) **and** a capped mark applied to the module as a whole **and** a capped mark applied to all other modules in the study block or level. Where you have assessment attempts remaining, you will receive a referral opportunity for a capped mark in the tasks affected;
- e) Failure in the assessment tasks concerned (a mark/grade of 1 F) **and** recommendation to the Academic Disciplinary Committee for termination of study with no further opportunity for referral.

10.16 Where you receive a failure in the assessment tasks concerned and have no further assessment attempts available, you will therefore normally be withdrawn from your course for academic failure, in line with the Academic Regulations.

10.17 The offence will be logged on your student record and may be disclosed as part of any academic or work references as requested.

10.1 If you are a current student, to support your studies and help you to avoid further offences of academic misconduct:

- a) You will be required to attend a tutorial with the assessor and/or your personal tutor and/or your Head of Subject to discuss the issue and how to avoid further offences in future; and
- b) You will be required to approach the ASK team (or your institution's equivalent) to arrange a minimum of three (3) mandatory study skills sessions. The sessions can be completed in person or remotely. It is expected that you will complete these sessions within six (6) weeks of the decision being communicated to you. It is your

responsibility to arrange and attend these sessions.

**Please note:** Failure to attend the tutorial, and/or failure to complete any or all of the ASK sessions may not be used by you as mitigation against any further offence(s). Additionally, should a further allegation be proven against you, your failure to complete the ASK sessions may be taken into account when determining a penalty for the offence.

## **11 Stage 3 – Severe offence**

11.1 Stage 3 will be invoked when the severity of the allegation, your level of study and the number of previous proven offences against you so warrants. Stage 3 offences will be considered by the Academic Disciplinary Committee (ADC)

### **11.2 Stage 3 investigation**

Your course team will produce a Stage 3 Academic Misconduct report. The report will indicate the extent and nature of the alleged offence and any previous proven Stage 1 and/or Stage 2 offences. The report will be forwarded to QAE, along with copies of the following as applicable to the nature of the allegation:

- a) The relevant assessment brief(s);
- b) Module Information Form(s) (MIF)/Module Descriptor;
- c) Detection software reports;
- d) Academic Integrity Viva report;
- e) The alleged source(s) identified;
- f) Details of your ILP, reasonable adjustments, attendance monitoring, etc.;
- g) Any other documentation that the course team believe relevant to the case.

11.3 QAE will convene a meeting of the Academic Disciplinary Committee (ADC), to which you will be invited and should make every effort to attend. You will usually be given at least five (5) working days' notice of the ADC meeting. If you are unable to attend in person, you may respond in writing via a written statement submitted to QAE at least one (1) working day before the date of the meeting. If responding in writing, you should outline any relevant factors that you would like the ADC to take into account and attach any evidence you have to support your position.

## **12 Academic Disciplinary Committee**

12.1 The remit of the ADC is to review any recommendation by the AMP at Stage 2 to terminate a student's studies, and/or to consider any cases that have entered the process at Stage 3.

12.2 The ADC will comprise:

- a) Deputy Vice-Chancellor (or nominee) (Chair);
- b) Two senior academics from departments other than your own;
- c) The President of the FXU Students' Union (or nominee);
- d) Head of Quality Assurance & Enhancement (or nominee) (Secretary)

A quorum of the ADC shall be at least three members including the Chair.

Any member of staff (other than the Secretary to the ADC and the FXU representative) who has been previously involved in the case(s) under consideration, may not sit on the ADC considering that case. The assessors(s) or their nominees who made the original allegation(s) will be in attendance. A QAE Officer may attend to take minutes.

12.3 The ADC shall receive the following material as appropriate:

- a) The Stage 3 report and supporting materials submitted by the assessor;
- b) The report, supporting evidence and other documentation placed before the previous AMP where the case was proven;
- c) Any further representation from you (and any supporting evidence you have provided), if such a representation has been made.

12.4 You may attend the ADC meeting in person or you may respond in writing. If responding in writing, you should outline any relevant factors that you would like the ADC to take into account and attach any accompanying evidence. If attending in person, you may be accompanied in the ADC meeting by one other person if you wish. That person must be one of the following:

- a) Another student who is currently enrolled on a course at the University;
- b) A representative of the FXU Students' Union; or
- c) An accessibility or academic support worker.

If you are bringing another person with you, you must inform QAE of their full name and status (i.e. a, b or c) with at least one (1) working day in advance of the meeting by emailing QAE.

12.5 Where the assessor suspects that collusion has occurred between two or more students, the students will normally be interviewed together.

12.6 Provided QAE has provided you with the required notice of the ADC meeting, the ADC may proceed in your absence, or the absence of any response from you in the form of a written statement or similar.

12.7 The ADC will consider the evidence and may question you about the allegation.

12.8 The ADC may also question the internal assessor and/or invigilator to gain a clearer understanding of the information provided to students regarding academic integrity within the course, the clarity of the brief and any other factors the ADC considers relevant to its decision.

### 12.9 Stage 3 Outcomes

Where an ADC has been convened to consider a recommendation of termination of study from a Stage 2 AMP at which the offence was proven, the outcome from the ADC will be either:

- a) Termination of your study at the University; or
- b) Where compelling new evidence is supplied by you, exceptionally to apply an alternative penalty in line with University regulations. It shall be at the discretion of

the ADC to decide what constitutes compelling new evidence and the appropriate alternative penalty.

12.10 Where an ADC has been convened to consider a new case of Stage 3 academic misconduct, the outcome will be either:

- a) **Unproven** – no further action will be taken and the allegation will be removed from your record; or
- b) **Proven** - termination of your study at the University; or
- c) **Proven** - where compelling new evidence is supplied by you, exceptionally to apply an alternative penalty in line with University regulations. It shall be at the discretion of the ADC to decide what constitutes compelling new evidence and the appropriate alternative penalty.

12.11 The Chair will approve a report of the meeting, with clear reasons for the decisions reached and penalties imposed. Within ten (10) working days of the meeting, QAE will send you an email via your University email account with the outcome of the ADC together with a copy of the report from the meeting, any relevant documents, and information about the Appeals Policy and Procedure (clause 18). Where there are implications for your marks or progression, the appropriate Assessment Boards shall also be notified of the decision.

12.12 An Assessment Board cannot overturn the decision of the ADC.

### **13 Review of student's work**

13.1 Depending on the severity of the case, the ADC may think it necessary to order a review of any or all other work submitted by you for the course on which you are enrolled. You will be advised of any such review in the outcome letter from the ADC. The ADC may decide to defer a decision pending the review.

13.2 The review of your work should be completed within five (5) weeks of the ADC meeting. You will be informed of the outcome of the review within ten (10) working days. The ADC shall then be reconvened to consider the case as per the process outlined above.

### **14 Academic misconduct in formal unseen exams**

14.1 If you are suspected of contravening the assessment/examination regulations in a formal assessment/examination, you will be approached at the time by one of the invigilators, whenever possible, and the nature of the perceived contravention made clear to you. Except where you are causing a disturbance likely to affect other candidates, you will be permitted to complete the assessment/examination. QAE will be notified of the incident, and you will be instructed to attend any remaining assessments/examinations as normal.

14.2 A full report will be written after the incident by the invigilator(s)/assessor(s) and submitted to QAE. QAE will convene a Stage 2 AMP or Stage 3 ADC to take place as soon as possible after the alleged offence, depending on the severity of the allegation.

Where appropriate, the invigilator(s)/assessor(s) who has/have brought the allegation may attend in place of the internal assessor at the relevant meeting.

## **15 How academic misconduct applies to graduates**

15.1 If you have graduated and an allegation of academic misconduct is made against you for work submitted as part of the degree for which you were enrolled, the University may investigate with the allegation under the terms of this procedure.

15.2 In the case of academic misconduct being proven against a graduate, the following penalties may be applied:

- a) A reduction in the class of degree awarded; or
- b) Revocation of the original award; or
- c) A marking penalty or re-marking of the work with the plagiarised section removed, recognising that this may result in a reduction in the class of degree awarded or revocation of the original award.

15.3 The offence will be logged on your student record and the outcome and any penalties applied may be included in any future employment or academic references.

## **16 Graduation**

16.1 The University does not permit students with outstanding allegations of academic misconduct to attend the graduation ceremonies. You will not be able to attend the ceremonies until any investigation has been concluded. Should a penalty be applied as a result of a case, you will normally need to complete the required actions before you are eligible to attend any graduation ceremony; as a result, your graduation may be deferred until the following academic year.

If you have any concerns, please contact [QAE@falmouth.ac.uk](mailto:QAE@falmouth.ac.uk).

## **17 Transferring to other courses or institutions**

17.1 If you have an outstanding investigation or disciplinary action against you for alleged academic misconduct, you will not be allowed to transfer to another course at the University until the procedure is concluded. Similarly, if you are under suspicion of an academic offence and you withdraw from your course before the completion of the procedures, an application to another course at the University will not be considered until the investigation and procedures have been completed. An outcome may be that a transfer or application to another course will be rejected if academic misconduct is proven.

## **18 Professional Statutory and Regulatory Bodies**

18.1 If your course is accredited by a Professional Statutory or Regulatory Body (PSRB) and an allegation of academic misconduct is proven against you, the University may be required to inform the relevant PSRB of the outcome. Such disclosures will be made a minimum of twenty (20) working days from the date of the panel's decision and will be made independently of any other penalty issued by the University.

## **19 References**

19.1 In the event that Stage 2 and/or Stage 3 academic misconduct is proven, the offence will be logged on your student record and the outcome and any penalties applied may be included in any future employment or academic references.

19.2 If you have withdrawn before an investigation into a suspected academic offence has been completed, no reference will be given until an investigation has taken place and the procedures completed.

## **20 Right of appeal**

20.1 You have a right to appeal against the decisions taken and/or the penalties imposed through the Academic Misconduct Procedures. Any appeal should be made using the University's Appeals Procedure. You should submit your appeal within twenty (20) working days of the date the outcome was sent to you. Appeals received outside of the deadline will not normally be accepted. For full details how to appeal, see the [Appeals Policy and Procedure](#) documents.

20.2 Possible grounds for appeal may include:

- a) There were extenuating circumstances affecting you of which QAE, the AMP or the ADC was not aware when making the decision;
- b) There were procedural irregularities in the conduct of the investigation;
- c) There is evidence of prejudice or bias against you by a person or persons involved in the case;
- d) The penalty imposed is disproportionate to the offence.

20.3 You may not appeal on the grounds of non-engagement with or non-attendance at any stage in the process, for which you were provided with the required notice and communications.

## 21 VERSION CONTROL

PURPOSE/CHANGE	AUTHOR	DATE
Original document		
<b>Amendments approved at AQSC</b>	QAE	29 July 2015
Extensive rewrite including disaggregation of Policy and Procedure documents, approved at AQSC	QAE	4 July 2018
Original document for approval by AQSC.	QAE	July 2018
Minor changes to wording of 7.1, 8.4, 9.15a, 11.2a, 11.10b; addition of 11.11	QAE	20 September 2018
Addition of definitions, minor changes to wording/formatting of clauses 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, removal of reference to Learning Agreements, removal of schedule	QAE	4 July 2019