

ACADEMIC MISCONDUCT PROCEDURE

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

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. QAE may be contacted at 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 Students' Union at advice@thesu.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.

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 may 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 Detection

4.1 Academic misconduct may be detected in a number of ways, including but not limited to:

a) **Questions of fact**

Questions of fact are based on clear evidence that something has, or has more likely than not, taken place. For example, the evidence may show poorly cited or wholly unreferenced use of sources, where work has been previously submitted by you for an earlier assessment, 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. More information about this process can be found in the Academic Misconduct Procedure.

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.

e) **Discrepancies with your profile**

Your course team quickly become familiar with your style of work and will be able to tell if your work appears inconsistent with your profile. This may be a change in authorial voice (for example, using different or elevated language), stylistic approach, academic performance level, visual language or an unexplained change in content.

Suspecting or identifying a discrepancy with your profile is often one of the first signs for an assessor that your work might require further investigation under the Academic Misconduct Procedure. The assessor may invite you to a viva or proceed directly to a formal stage of investigation.

5 Evidence

5.1 Where an assessor makes an allegation of academic misconduct, they are expected to provide

evidence to support their concerns. Outcomes of academic misconduct investigations are based on the balance of probabilities: that is, it is more likely than not that the offence occurred?

5.2 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.

5.3 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.

5.4 In some cases, you may be asked to provide specific evidence. For example, in an allegation of plagiarism, an Academic Misconduct Panel may ask to see your earlier drafts or research notes. Where you are unable to provide requested evidence, you may be asked to explain its absence.

5.5 If you would like the University to consider any mitigating factors in your case, you must provide evidence of these with your response. While mitigating factors will not permit a case to be dismissed without investigation, the panel may consider your evidence of mitigating factors when deciding on a penalty.

6 Stage 1: Minor offence

6.1 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, beyond what would normally be considered as poor academic practice (see section 20);
- b) Inappropriate levels of collaboration with another student;
- c) Incorrect behaviour in an examination.

6.2 The following allegations **cannot** be considered at Stage 1, and must be reported to QAE at Stage 2 or 3 of the academic misconduct process, as appropriate to the severity of the allegation:

- a) Any allegation when you are studying at Level 6 (final year of an undergraduate course) or above
- b) Any allegation of collusion
- c) Any allegation of commissioning
- d) Any further allegation when you have already received a warning at Stage 1

6.3 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.

- 6.4 If an allegation of a second minor offence is raised before you have received the letter of warning concerning a first offence at Stage 1, the second allegation will be dealt with at Stage 1 and not escalated to Stage 2.
- 6.5 If an assessor suspects that a Stage 1 academic misconduct offence has occurred, they must notify Quality Assurance & Enhancement (QAE) and address the matter with you. You will be required to attend a tutorial with your assessor where they will:
- a) Explain the situation and discuss their concerns with you
 - b) invite you to explain what you think has happened
 - c) advise how to avoid such occurrences in the future;

If the assessor considers that an offence is proven, or you admit the offence, they will also:

- d) inform you that you will receive a letter of warning issued by your Head of Subject which will be noted on your student record;
 - e) direct you to attend three mandatory study skills sessions (the academic department should liaise with the ASK team to ensure that they are aware that the student should be attending study skills sessions with them);
 - f) confirm that your work will be marked with the affected section(s) disregarded. Should this result in a failing mark, the work will be referred in accordance with the usual Academic Regulations governing resubmission. If you are already on your final attempt at this work, this can result in overall failure of the module, and potentially the end of your enrolment on the course.
- 6.3 You will receive a letter of warning from your Head of Subject, normally within ten (10) working days of your tutorial. The letter will be sent to your student email address. QAE will be copied into this letter, so that a note can be made on your student record. You also will be supplied with a form to evidence your attendance at the three mandatory ASK sessions, which you should return to your course team on completion.
- 6.6 Non-attendance at the tutorial or the skills sessions may not be used by you as mitigation of any further offence(s). A lack of engagement with the tutorial and/or the ASK sessions will not be viewed favourably by the Academic Misconduct Panel/Academic Disciplinary Committee in the event that a further allegation be proven against you.
- 6.4 If on meeting with you the assessor determines that the allegation is unproven, you will receive a letter to your University email account to confirm that no further action will be taken.
- 6.5 If, on meeting with you, the assessor is unable to determine if an offence is proven or not, or more information comes to light which requires further investigation, they may escalate the case to Stage 2. An Academic Misconduct Report will be lodged with QAE along with their evidence and details of any findings at the tutorial.

7 Stage 2: Major offence

- 7.1 When determining whether an allegation should be made at Stage 2, your assessor will take

into account the severity of the case, including the proportion of work affected in an assessment, and/or your level of study. Allegations will be entered directly at Stage 2 if you have a previous, proven case at Stage 1, or you are studying at Level 6, or the allegation is one of collusion or commissioning. Stage 2 offences will be referred directly to QAE and considered by an Academic Misconduct Panel (AMP).

- 7.2 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.
- 7.3 If more than one major offence occurs concurrently and Stage 2 processes were incomplete when the subsequent case/s were identified, the offences may be considered as a whole. This decision is to be made at the discretion of QAE.

7.4 **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. as appropriate;
 - g) Any other documentation that the course team believe to be relevant to the case.
- 7.5 QAE will contact you via your University email account and will send you a copy of the report together with any supporting documents 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.

7.6 **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 academic misconduct Panel (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 Students' Union (or nominee);
- c) Two members of substantive teaching staff from a different academic department*;
and
- d) Head of Quality Assurance & Enhancement (or nominee) (Secretary).

*Where there is no Departmental differentiation, for example within a specialist partnership institution, role (c) may be fulfilled by other, appropriate members of staff, for example: substantive teaching staff with no prior knowledge of the student/s in question at the time; the link tutor at Falmouth; a member of QAE at Falmouth; substantive teaching staff from a different academic department at Falmouth. QAE can advise on other, appropriate alternatives if necessary.

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. 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, reasons for the decision, any relevant paperwork, and information about the Appeals Policy and Procedure. 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.

7.7 Denying the allegation

If you wish to deny the allegation, you should submit your response form, together with any written statement and supporting evidence, to QAE within ten (10) working days. A meeting of the Academic Misconduct panel will be convened to consider your case.

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.

8 Stage 2 Academic Misconduct Panel (AMP) meetings

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

8.2 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.

8.3 The AMP will comprise:

- a) The Director of the academic department (or nominee) (Chair);
- b) An elected sabbatical officer of the Students' Union;
- 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.

8.4 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). When the date and time of the AMP meeting is known you will receive an invitation by email.

- 8.5 You should endeavour to attend the AMP meeting. If you are unable to attend in person, the AMP will go ahead in your absence, and 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 Students' Union at advice@thesu.org.uk for impartial advice on writing your statement and providing evidence.

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

- 8.8 Where two or more students are accused of collusion, all students will normally attend the same AMP.
- 8.9 During the meeting, the AMP will consider the evidence and will 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.

8.10 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.

In some circumstances, the AMP may find that the evidence proves that Academic Misconduct has occurred under a different category to that originally alleged. For example, a meeting to investigate an allegation of collusion against two students, may find that the case is unproven against one and that the case against the other is one of plagiarism.

8.11 If you are in attendance at the meeting, you may 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 meeting, a copy of the report, any relevant paperwork, and information about the Appeals Policy and Procedure. Where there are implications for your marks or progression, the appropriate Assessment Boards shall also be notified of the decision.

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

8.13 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
- f) Your response to the allegation.

In some circumstances, the AMP may also take into account evidence of any mitigating circumstances that you have provided.

8.14 In the event that Stage 2 academic misconduct is proven and depending on the severity, level and context of the offence, one of the following penalties will be issued by the AMP:

- 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, as determined by the Panel. 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.

- 8.15 Where you receive a failure in the assessment tasks concerned and have no further assessment attempts available, you will normally be withdrawn from your course for academic failure, in line with the Academic Regulations.
- 8.16 The offence will be logged on your student record and may be disclosed as part of any academic or work references as requested.
- 8.17 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, or another member of your course team, 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 will be taken into account by the AMP or ADC.

9 Stage 3 – Severe offence

9.1 Stage 3 will be invoked when the severity of the allegation and/or your level of study so warrants. Stage 3 will also be automatically invoked where you have a previous proven case of academic misconduct at Stage 2 or 3. All Stage 3 offences will be considered by the Academic Disciplinary Committee (ADC).

9.2 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 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. as appropriate;
- g) Any other documentation that the course team believe relevant to the case.

9.3 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.

9.4 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.

10 Academic Disciplinary Committee

10.1 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.

10.2 The ADC will comprise:

- a) A nominated representative of the Vice Chancellor (Chair);
- b) Two substantive academics from departments other than your own;
- c) The President of the 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 SU 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 nominee) will be in attendance. A QAE Officer may attend to take minutes.

10.3 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 and referred to Stage 3;
- c) Any further representation from you (and any supporting evidence you have provided), if such a representation has been made.

10.4 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 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.

10.5 Where the assessor suspects that collusion has occurred between two or more students,

the students will normally be interviewed together.

10.6 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 written response from.

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

10.8 The ADC may also 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 ADC considers relevant to its decision.

10.9 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.

10.10 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** - exceptionally to apply an alternative penalty in line with University regulations.

In some circumstances, the ADC may find that the evidence proves that Academic Misconduct has occurred under a different category to that originally alleged. For example, a meeting to investigate an allegation of collusion against two students, may find that the case is unproven against one and that the case against the other is one of plagiarism.

10.11 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. Where there are implications for your marks or progression, the appropriate Assessment Boards shall also be notified of the decision.

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

11 Review of student's work

11.1 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.

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

12 Academic misconduct in formal exams

12.1 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.

12.2 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.

13 Assessment Board outcomes

13.1 Where you have an open Academic Misconduct investigation on your academic record at the time of the meeting of an Assessment Board, the Assessment Board will delay their decision on your overall outcome pending the completion of the investigation.

14 How academic misconduct applies to graduates

14.1 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.

14.2 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.

14.3 A proven 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.

15 Graduation

15.1 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.

Transferring to other courses or institutions

15.2 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.

16 Professional Statutory and Regulatory Bodies

16.1 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 independently of any other penalty issued by the University.

17 References

17.1 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.

17.2 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.

18 Right of appeal

18.1 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.

18.2 There are two grounds for appeal:

- a) There were extenuating circumstances affecting you which you were unwilling or unable to divulge to your course team, the AMP or the ADC at the time they made their decision; or
- b) There were procedural irregularities in the conduct of the investigation

18.3 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.

19 Other Academic Misconduct Processes: Academic Integrity Viva

- 19.1 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.
- 19.2 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 and a means for the assessor to gain more information. The viva will not determine whether an allegation of academic misconduct is proven – that can only be determined through the formal processes at Stage 1,2 or 3. 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.
- 19.3 You will normally be notified of the date of the viva at least five (5) days in advance by email to your University email account.
- 19.4 You should respond to the viva invitation at least one (1) working 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.
- 19.5 At the discretion of your course team, the viva may take place via a video or telephone conference with you.
- 19.6 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 the 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) at least one (1) working day in advance of the viva meeting.

- 19.7 The invitation will contain details of any documents the viva panel would like you to bring with you. If you are unable to provide any of the requested documents, the panel may ask you to explain their absence during the viva.

You may also wish to bring other evidence with you. Please contact the Students' Union at advice@thesu.org.uk for impartial advice about what evidence you may want to provide for your particular case.

- 19.8 The viva panel will normally comprise:
- a) A member of academic staff from your course team (Chair); and
 - b) The assessor(s) who has raised the question concerning 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.

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

19.10 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.

19.11 Any case where a student fails to engage with the Academic Integrity Viva process will proceed into the Academic Misconduct Procedure at Stage 1,2 or 3 as appropriate to the severity of the allegation.

19.12 **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 offence has taken place and no further investigation is required. You will receive a copy of the viva report within ten (10) working days from the date of the meeting; or

b) **Poor Academic referencing**

The viva panel finds and/or you admit that a **very** minor level of academic misconduct has occurred which constitutes 'Poor Academic Practice' as described in clause 20.1 (a-d). Poor Academic Practice does not require further investigation under a formal stage of the Academic Misconduct Procedure. Your assessor will handle the offence in line with the process described below (see clause 20).

c) **Referral to the Academic Misconduct Procedure at Stage 1 ,2 or 3**

The viva panel considers that your case should be investigated further and/or you have admitted academic misconduct. The case will be referred the appropriate stage of the Academic Misconduct Procedure according to the severity of the allegation. You will normally receive a copy of the viva report within ten (10) working days of the meeting for your records and you will have the opportunity to comment on its accuracy. Where the case is entered into the process at Stage 1, it will also be sent to QAE as part of your course teams' reporting of Stage 1 cases. Where your case is entered at Stage 2 or 3, the report will form part of the evidence supplied to QAE.

19.13 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.

20 Other Academic Processes: Cases of Poor Academic Practice

21.1 Poor academic practice is the failure to meet the appropriate standards of academic integrity through lack of attention to detail in correct citation and referencing practice and/or inappropriate minor collaboration with another student.

20.1 Poor academic practice may be identified and managed by your course team without recourse to the formal Academic Misconduct Procedure. An assessor is likely to judge that an offence constitutes poor academic practice where:

- a) it is your first offence; and
- b) you are in your first year of undergraduate study and/or you have only just started studying in the United Kingdom; and
- c) the issue relates to a very minor matter of referencing and/or collaboration with another student; and
- d) there is compelling evidence that the issue arose from a genuine lack of understanding of academic integrity requirements.

This list is not exhaustive.

20.2 Should poor academic practice be identified, your mark and feedback for the work will reflect the errors and highlight the areas in which you need to improve. The assessor may advise you to attend ASK and/or English for Academic Purposes (EAP) sessions and direct you to resources to improve your academic practice. Failure to engage with feedback and/or the resources provided by the course team and/or the services offered by the University may not be used to excuse further offences.

20.3 **It is your responsibility to ensure that your work complies with the principle of academic integrity** and the University offers multiple sources of support for developing strong academic skills. Any repeat offence of poor academic practice may lead to a more serious allegation of academic misconduct. It is therefore important that you take note of any feedback and recommendations from your course team about how to meet the standards of academic integrity in your assessments.

21 VERSION CONTROL

PURPOSE/CHANGE	AUTHOR	DATE
Original document		
Amendments approved at AQSC	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
Rewrite including change of process ownership in 6; removal of reference to Third Party requests; relocation of clauses 19 to end of document; addition of outcome in clause 19.12; inclusion of clause 20 from Academic integrity Policy; addition of clause 13. Minor changes in wording/formatting to introduction and clauses 4, 5, 7, 8, 10, 15, 17, 18.	QAE	15 July 2020
Minor amendment to clause 7.6 to clarify Academic Misconduct Panel membership in cases where it is not possible to secure an academic member of staff from a different department	QAE	14 December 2020